

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	19/01690/FULD Beedon Parish	9 <sup>th</sup> September 2019 <sup>1</sup>	Erection of 1 dwelling within the curtilage of public house  The Coach, Worlds End, Beedon  Newperties Ltd
<sup>1</sup> Extension of time requested from with applicant until 20 <sup>th</sup> December 2019			

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/01690/FULD>

**Recommendation Summary:**    **The Head of Development and Planning be authorised to GRANT planning permission**

**Ward Member:**                      Councillor Clive Hooker

**Reason for Committee Determination:**                      10 or more objections

**Committee Site Visit:**                      16<sup>th</sup> December 2019

#### Contact Officer Details

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## 1. Introduction

- 1.1 This application seeks planning permission for the erection of one dwelling within the curtilage of the public house.
- 1.2 The application site is situated within Worlds End, a small settlement outside of any defined settlement boundaries, within the North Wessex Downs Area of Outstanding Natural Beauty (NWD AONB). The application site is the existing car park and part of the beer garden of The Coach Public House. The site is to the south-west of the public house, to the immediate south-west of the site is a dwelling known as Old Stores Cottage. There are also houses opposite the site. To the east of the application site are open fields which lead to the A34 trunk road. Within the existing car park is a brick built storage building for the public house.
- 1.3 The application is proposing the erection of a four bedroom house with garden with parking to serve the new dwelling. A section of the existing beer garden is proposed to provide replacement parking to serve The Coach. A total of 12 new spaces are proposed, with 5 spaces being retained in front of the existing pub building. Access to the proposed parking area, is between the existing public house and the proposed dwelling. The application was amended during the course of the assessment following consultation responses, so that the position of the dwelling was moved in the plot, alterations were made to the elevations, and amendments to the parking layout, the provision of a wider pavement to the front, and clarity on the size of the gap between the new dwelling and the existing public house.

## 2. Planning History

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

Application	Proposal	Decision / Date
07/01143/FUL	Extensions, alterations to form new kitchen, entrance lobby with level access and disabled toilet	Approved 30 <sup>th</sup> July 2007
09/00639/COND1	Application for approval of details reserved by Conditions 5, 6, 7 and 9 of planning permission reference 07/01143/FUL: Condition 5 - Minimise odour, Condition 6 - Minimise noise from food preparation, Condition 7 - Prevention of oil and fat in the sewer and Condition 9 - Air Handling.	Approved 9 <sup>th</sup> June 2009
18/01654/FULD	Erection of two semi-detached dwellings within curtilage of public house.	Refused 11 <sup>th</sup> October 2018

## 3. Procedural Matters

- 3.1 The application has been publicised in accordance with the Town and Country Planning (Development Management Procedure) Order 2015 with the display of a site notice for

21 days. The site notice was displayed on 31<sup>st</sup> July 2019 and expired on 21<sup>st</sup> August 2019. Following the receipt of amended plans, those who made representations were re-consulted on the amendments.

- 3.2 Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations new dwellings are liable for CIL. The exact amount will be confirmed in the CIL Liability Notice.]

## 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>Beedon Parish Council:</b>	<p>Object</p> <p>Whilst a single house would appear to be more sustainable in the location planning considerations as identified by WBC over the first application must be addressed to their satisfaction.</p>
<b>WBC Highways:</b>	<p>Requested amended plans with regards to the access to the new parking area; details of surfacing for the parking for the new dwelling; visibility splays for the new dwelling; a minimum of 18 spaces for the public house</p> <p>Following the receipt of amended plans and a Highways Technical note raised concerns about access width; visibility splay for the new dwelling; reversing for the third parking space for the new dwelling; inadequate footway;</p> <p>Further amended plans were received and confirmed that the previous issues had been addressed, whilst parking for the public house is 17 as there are no standards this is acceptable, and recommendation is for approval subject to conditions with regards to construction method statement; electric vehicle charging point; footway/cycleway provision; access closure with reinstatement; surfacing of access; provision of the parking spaces; parking in accordance with the plans; and cycle storage.</p>
<b>Environmental Health</b>	Recommend conditions with regards to noise from the A34 and a watching brief with regards to unforeseen contamination of land
<b>Trees</b>	No objection subject to conditions with regards to tree protection; arboricultural supervision; and a tree retention plan
<b>Archaeology</b>	There was a dwelling on part of the site from 18 <sup>th</sup> century until the 1950s, and there may be remains below ground, in addition features of Late Iron Age to early Roman date were found during an evaluation nearby in 1997. Due to this potential a programme of archaeological supervision during the excavations of foundations and related groundworks for the dwelling is required.

<b>SuDs</b>	No response received
<b>Waste Management</b>	No response received
<b>Thames Water Utilities</b>	No response received
<b>Ramblers Association</b>	No response received
<b>Public Rights of Way</b>	No response received
<b>AONB Board</b>	No response received

### ***Public representations***

4.2 Representations have been received from 11 contributors, of which 10 object to the proposal and one in part object and part support.

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:

- The house is too big for the plot, limited garden facilities, as there are no children's play area in Worlds End
- Restricted visibility from the parking for the new house, and road conditions and speed would require a greater visibility
- A revamp of the previous application, development as big as the previously refused scheme, not overcome previous reasons for refusal
- The adjacent house will be overlooked
- Query whether there was a previous building on the site, it should not be used as an argument for a new building
- Overdevelopment of the small site
- Out of character with historic buildings surrounding the site, the proposal does not have aesthetic value or contribute or fit in with the existing houses,
- Worlds End is in the AONB where development should be restricted
- Loss of light to Old Stores Cottage, 3 rooms are affected
- Loss of privacy to Old Stores Cottage to landing, Study / music room and bathroom on the ground floor.
- Does not overcome reasons for refusal with regards to overshadowing and overbearing
- Impact on enjoyment of home, health, wellbeing, modesty and value of property
- Potential damage to boundary wall, request re-instatement of fallen boundary wall
- Insufficient distance between new building and existing oil tank
- 3D views plan are inaccurate
- The North and South elevations show a large gap between Old Store Cottage and the building which is misleading, it will directly abut the oil storage shed which is not shown
- Reduction in the pub garden together with insufficient parking will reduce trade and the viability of the pub

- The planning statement makes reference to the Old Stores Cottage being to the west , when it is within a few metres of the development
- Access difficulties for waste collection, beer delivery and gas tank filling will be dangerous
- Querying the future intentions for the pub, for alternative developments
- Planning Policy
- The amended plans do not overcome objections to visibility for getting on to the road and pedestrian safety
- The garden at the front of the house has been removed to the detriment of the street scene and rural setting
- Further impacts privacy of Old Stores Cottage
- Little garden space
- Over development of the plot
- Inaccuracies in the amended plans

4.4 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, ADPP5, CS1, CS4, CD5, CS10, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS5, OVS6, and TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

4.5 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)
- Sustainable Drainage Systems SPD (2018)

## **5. Appraisal**

5.1 The main issues for consideration in this application are:

- The principle of development;
- Character and appearance;
- Living conditions;
- Highway safety;
- Public house
- Heritage;
- Ecology;
- Flooding;
- Contamination;

## ***Principle of development***

- 5.1 The application site is within Worlds End which is defined within the hierarchy of settlements in policy ADPP1 as being within the open countryside, outside of any defined settlement boundary. Policy ADPP1 limits development within the open countryside, and allows appropriate limited development focused on addressing identified needs and maintaining a strong local economy. Policy C1 of the Housing Site Allocations DPD has a presumption against new housing outside of settlement boundaries. However, it does allow for some development in settlements with no defined settlement boundary, where it is in a closely knit cluster of 10 or more dwellings, the scale of the development consists of infilling a small undeveloped plot commensurate with the scale and character of the existing dwellings within an otherwise built up frontage, it does not extend the existing frontage and the plot size and spacing between dwellings is similar to adjacent properties and respects the rural character and street scene of the locality. World's End, Beedon is a settlement without a defined settlement boundary. The site has houses to the north, south and west which are sited fronting the road. The immediate surroundings on the east side of the road are closely knit, although further south and on the other side of the road to the north the dwellings are less closely knit. The plot itself is small, but not completely undeveloped, as there is a brick storage building which serves the public house, within the car park, and the area of parking is hard surfaced. There is a wide variety of plot sizes and spacing between building within the vicinity of the site and the proposed plot size could be said to be comparable to others, as such the site is considered to be an exception infilling site as set out in policy C1.

## ***Character and appearance***

- 5.2 Policy CS14 requires development to be of high quality design that respects and enhances the character of the area, and the design and layout are to be informed by the wider context not just the immediate area. Development will also contribute positively to sense of place. Policy CS19 requires consideration to be given to the sensitivity of the area to change, that new development be appropriate in location, scale and design in the context of the existing settlement pattern, form and character. Policy C1 which permits infill development in rural areas, also states that development will not be permitted where a proposal harms or undermines the existing relationship of the settlement within the open countryside, where it does not contribute to the character and appearance of the area, including the natural beauty of the AONB, and policy C3 relates to design and requires housing development in the countryside to have regard to the character of the area as well as landscape character and sensitivity to change. Regard is also to be paid to the Quality Design SPD.
- 5.3 The site is within a group of existing buildings, albeit it forms part of the open car park, and hedged beer garden, which provides a visual separation from The Old Stores to the south, and The Coach to the north as Worlds End is a small village which has developed over time, there is a mixture of house styles and designs with no clear building line, although Old Stores Cottage has a side elevation which abuts the footway, and The Coach itself, and attached dwellings are set back. The site layout has been amended and the proposed dwelling is set back from the front of The Coach, by 4 metres. The extended car park is proposed cover the existing beer garden, which will result in a developed appearance of this area, however due to the hedging along the existing boundary, it is clearly visually and functionally separated at present from the agricultural field to the east and south. The Tree Officer has not raised any objection so the proposal, and has recommended conditions with regards to tree protection, arboricultural supervision and tree retention. These conditions will ensure that the existing trees which provide the visual and functional separation from the open fields, and so it will not harm the appearance of the site within the AONB. The proposed location and pattern of the development is considered to be well related to the existing

form and layout of the existing pattern of the development, and whilst the location of the site within the village and the AONB it is considered to be an appropriate form of development, which is not harmful to the overall character and appearance of the AONB.

- 5.4 The design of the dwelling itself is of a modern design, with the use of hanging tiles, and gables which reflect some of the design features within Worlds End. The use of modern windows reflects a contemporary design approach, which whilst it contrasts with the traditional buildings either side, it blends with the variety of design features within Worlds End, and a condition with regards to the exact materials to be used, will ensure that the dwelling blends in terms of materials and colour palate with other brick dwellings within the street. The previous application which was refused (18/01564/FULD) proposed two dwellings on the site, and this proposal for one dwelling, which is set back from the main building line. The previous application proposed two dwellings on the site, and one dwelling is a less intensify use of the site, and whilst there have been objections raised to the over developed appearance of the site, and cramped appearance, as discussed below there is car parking and amenity space to serve the needs of the dwelling, and together with the set back of the dwelling, provides space around the building and accords with the design criteria set out in policies C1, CS14, and CS19

### ***Living Conditions***

- 5.5 Policy CS14 requires new development to make a positive contribution to the quality of life in West Berkshire. In this case the considerations are the impacts on the future occupiers of the proposed dwelling from the noise from the public house and the A34, and the impacts on the occupiers of adjoining properties. The Environmental Health Officer has been consulted on the application. Whilst the Planning Statement addressed the noise form the A34, and suggested a condition with regards to the ambient noise level within the proposed dwelling, the Environmental Health officer requires details of the a scheme to ensure that there is adequate protection is place to ensure ambient noise levels can be achieved, and so a pre-commencement condition require the submission and approval of a noise protection scheme to be submitted and approved before works commence on site.
- 5.6 The noise and odour form the kitchen extraction system for The Coach has also been considered and the Environmental Health Officer has concluded that the issues were addressed when that planning application was considered and will not result in an unacceptable situation for future occupiers
- 5.7 The Quality Design SPD and House Extensions SPD sets out guidance for assessing the impacts on development on the living conditions of adjoining occupiers. There have been objections raised about overshadowing, and loss of privacy to Old Stores Cottage as a result of the proposed dwelling. The design of the proposed dwelling was amended during the course of the application and that included the removal of first floor bedroom windows facing the side of Old Store Cottage. There are first floor obscure glazed windows facing the application site from the existing house, and ground floor windows facing the site. The position of and orientation of the proposed windows is such that there will not be direct overlooking between habitable room windows, and limited secondary views will be afforded across the adjacent rear garden from one bedroom window. Whilst there are two other first floor bedroom windows on the rear elevation, the separation distance and angles are such that there will not be a significant loss of privacy which would detrimentally affect the level of privacy that the occupiers of Old Stores Cottage would enjoy in the garden once the house is occupied. Whilst there are ground floor windows which face the existing house, the use of appropriate boundary treatment, secured through conditions, will ensure that there is no direct overlooking between the dwellings and the gardens.

- 5.8 The objections raised have also referred to the loss of light to the adjacent dwelling, as a result of the two storey house proposed, which is orientated to the north of Old Stores Cottage. The room which will be affected is a ground floor bathroom. The Quality Design SPD and House Extensions SPG excludes bathrooms from the description of habitable room. Whilst there may be some reduction in daylight to that room, given that it is not a habitable room, it will not have an adverse impact on the living conditions of the occupiers of that dwelling. Reference has been made within the objections to the Prescriptions Act 1932, with reference to the potential loss of light, however this is separate legislation, and is a private legal matter between the relevant landowners.
- 5.9 The site layout plans indicated the provision of a rear garden to serve the dwelling, with an area of 111 sq. metres, which will be adjacent to the car park for The Coach, and separated from it by a 2 metre high fence. The Quality Design SPD sets out a minimum guidance of 100 sq. metres for new dwellings of 3 bedrooms or more. This provides an amount of space which will meet the needs of the future occupiers, and provide a sufficient level of private amenity space for the quiet enjoyment of the occupiers of the dwelling.

### ***Highway Safety***

- 5.10 Policy CS13 refers to development which has an impact on the highways network, and policies TRANS1 and P1 require appropriate levels of off-street parking to serve new development. There have been a number of objections raised about the parking available to serve the public house, and the parking for the new dwelling, and particularly the lack of visibility in the southern direction from the parking spaces. The Council's Highways Officer also raised a number of concerns about the original plans which were submitted. The previous application on the site was refused, amongst other reasons due to the lack of parking for the proposed dwelling and also due to insufficient width between the proposed dwellings and the side elevation of the public house. The originally submitted plans also had deficiencies with the width between the dwelling and the public house, and with the access and visibility for the parking for the new dwelling. Subsequently and following further re-consultations, additional plans were received which have indicated an access width between the walls of the public house and the new dwelling of 4.85 metres. Swept path analysis drawings were also submitted which have indicated three parking spaces to be provided to the front of the house, with ability to manoeuvre onto the road.
- 5.11 The Council's Highways Officer has reviewed the amendments which have been submitted. The proposal indicates a total of 17 spaces being retained to serve The Coach, with 12 spaces in the proposed car park to the rear of the proposed house, and 5 spaces retained to the front of The Coach, and there are three spaces to serve the new dwelling. It was accepted in the previous application that 18 spaces for the public house would be the acceptable level, and now there is a deficit of 1 space. However given that there are no West Berkshire Council adopted standards for A3/A4 uses, and the developer has indicated that this is sufficient, it is difficult to require that the additional space is required, and a refusal for lack of parking on this basis would be difficult to defend. The parking for the new dwelling is in accordance with the requirements of policy P1, and shows three spaces which can be accessed without the need to reverse onto the highways, which overcomes the previously stated Highways Officer concerns, and those raised by the objectors.
- 5.12 The amended plans show a width of 4.85 clearance at ground level between the two walls to provide the access to the rear car park have been considered to be acceptable. In addition an increase in footway of a width of 1.5 metres has been provided which meets the requirements of Manuals for Streets. The Highways Officer has confirmed that the amended plans have overcome the previous objections, and reason for refusal of the previous application, and subject to conditions to ensure that an electric vehicle charging



point to serve the new dwelling is provided in accordance with policy P1. In addition conditions are required with regards to the provision and approval of a construction method statement, the footway being provided before the dwelling is occupied, the closure and reinstatement of the access, the surfacing of the access and provision of the indicated parking and cycle storage.

### ***Public House***

- 5.13 Policy CS10 says that policies to diversify the rural economy will be encouraged, and existing small businesses in the rural areas will be supported to maintain the viability of smaller rural settlements, and that proposal seeking the loss of such sites or premises must demonstrate that the proposal will not have an adverse impact on the local economy. The Public Houses SPG says that the partial redevelopment or change of use of a key facility such as a car park or garden will not be permitted where it is considered it may prejudice the economic viability or future operation of the public house. Objections have been raised about the ongoing viability of the public house, due to the loss of an extensive area of beer garden. There is land available under the control of the applicant which is marked in blue which is currently used as beer garden, and can continue to do so. The proposals do not result in such a loss of outdoor space, that future customers would not be able to enjoy the outdoor space, and that the public house would be able to continue to operate during the construction phase.
- 5.14 There were also concerns about future intentions of the land owner to cease trading and convert to alternative uses. Were the land owner to decide in future to cease trading from the public house and apply for planning permission for a change of use or redevelopment the Council's Supplementary Planning Guidance on Public Houses requires that it be demonstrated that the public house is not viable and the accounts are independently assessed. The guidance also requires that the public house be marketed for at least 6 months as a public house and this is also subject to independent assessment. The Council's policies do not support the loss of public houses unless these tests have been met and national policy guidance recognises public houses for their benefit to local communities.

### ***Heritage***

- 5.15 Policy CS19 requires the conservations and where appropriate the enhancement of heritage assets and their settings. The Coach itself is not a listed building, and the site is not within a Conservation area, however the Council's Archaeologist has confirmed that there was a dwelling on part of the development site from at least the 19th century up until the 1950s: there may therefore be below ground remains of this cottage. In addition features of Late Iron Age to early Roman date were found during an evaluation nearby in 1997. A Heritage Assessment and Desk Based Archaeological Assessment were submitted to support the application. That report also referred to the precious development on the site. Whilst there is potential for some archaeological features below ground, it is reasonable to commission a programme of archaeological supervision during the excavation of the foundations and any related groundworks, to ensure that in the event of any remains being found that they can be properly recorded. This can be secured through an appropriately worded condition.
- 5.16 In addition the Heritage Assessment indicates that the building on the site of a new dwelling, replicates a former form of development of the site, and that the open gap between Old Stores Cottage and The Coach is a modern feature in the street scene. Whilst there are listed buildings close to the site, the nearest being the Worlds End Farm House and the Milestone, the application site does not form part of the setting of either, and will not harm their significance.

## **Ecology**

- 5.17 Policy CS17 of the Core Strategy requires all development to maximise opportunities to achieve net gains in biodiversity. A stage 1 ecological assessment was submitted with the application. No protected species were identified on the site and no further surveys required. An external lighting condition is recommended to avoid illuminating large areas that may affect bats.
- 5.18 The presence of ivy-clad trees and shrubs on site may support nesting birds. Nest boxes for common species is required and as part of the development as are bat boxes advised as a biodiversity gain. These matters can be secured by condition.

## **Flooding**

- 5.19 The application site is not within a flood zone or a critical drainage area, and so under policy CS16 a Flood Risk Assessment was not required for the application. However the previous application on the site was refused there was a history of flooding and that insufficient information was submitted with the application. This application has been submitted with a Drainage and Flood Risk Appraisal, which has indicated that there will be a ring soakaway system, to dispose of the surface water from the enlarged hard surface area. The Council's flood engineers were consulted on the application, and they have not responded. Given the low level of flood risk on the site, a condition can be added to ensure that the site is drained in accordance with these details.

## **Contamination**

- 5.20 The Environmental Health Officers' comments on the application, have made reference to the previous use of the site as a car park, and the use of a nearby site as a petrol station, and that these uses may have resulted in land contamination. Policy OVS5 does not permit development which will give rise to an unacceptable level of pollution of the environment, and requires the adequate disposal of waste materials. Given the previous use on and near the site, a condition is required to deal with unforeseen contamination during the development, to ensure that the appropriate investigations and land remediation are undertaken.

## **6. Planning Balance and Conclusion**

- 6.1 The application is proposing the erection of one dwelling on the site of an existing public house car park, with a proposed replacement parking area, to be provided on part of the existing beer garden. There have been an number of objections raised by local residents about the impacts of the proposed development on the street scene, highway safety, the form of the development proposed and that it is an overdevelopment of the site, and concerns about highway safety, flooding, and the impacts on the living conditions of the adjacent dwelling due to overshadowing and privacy, as well as the design of the dwelling, and the ongoing effect on the viability of the public house.
- 6.2 Following the submission of amended plans, the Highways Officer is satisfied that there is sufficient turning within the curtilage of the new dwelling to provide adequate parking and turning so that the additional access point will not be harmful to the safety of the road for pedestrians and road users. In addition which is one parking space short of the ideal situation, to serve the public house, this is acceptable in this instance, given that there are no adopted formal standards for A4 uses. The amendments and additional information have also indicated that there is sufficient space in the access to the car park to enable cars to pass each other. The proposal is considered to meet the requirements of policies P1, CS13 and TRANS1.

- 6.3 There have also been concerns about the design of the dwelling, its effect on the street scene and the impact on the adjacent dwelling. As indicated the proposal has been amended and it is sited and designed in such a way that it will not harm the living conditions of the adjoining occupiers, and also such it accords with policies CS14 and C3, as the design and siting of the house is such that it replicates a historic form of development, and given that the dwelling is set back from the building line, and uses some traditional features in a contemporary manner.
- 6.4 The proposal will also result in the loss of a part of the beer garden which serves the Public House. The application indicated that the investment from the developing the house, is part of the long term plans for the public house. Whilst the beer garden area will be reduced, there will still be retained an outdoor seating area for the use of customers of The Coach, and the proposal will not impact the long term viability of the of the enterprise.
- 6.5 The proposal constitutes an infill development in accordance with policy C1 and has demonstrated that subject to conditions it can accord with the relevant policies of the development plan.

## 7. Full Recommendation

- 7.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.

### **Conditions**

1.	<p><b>Commencement of development</b></p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2.	<p><b>Approved plans</b></p> <p>1. The development hereby permitted shall be carried out in accordance with the approved drawings and other documents listed below:</p> <ul style="list-style-type: none"> <li>I. Proposed Location Plan Drawing No PL01 received on 25<sup>th</sup> June 2019;</li> <li>II. Proposed Site Plan Drawing no PL03 Rev E received on 5<sup>th</sup> November 2019;</li> <li>III. Proposed Floor Plans Drawing No PL04 Rev C received on 5<sup>th</sup> November 2019;</li> <li>IV. Proposed Roof Plan Drawing No PL05 Rev B received on 5<sup>th</sup> November 2019;</li> <li>V. Proposed East &amp; West Elevations Drawing No PL06 Rev C received on 5<sup>th</sup> November 2019;</li> <li>VI. Proposed North &amp; South Elevations Drawing No PL07 Rev C received on 5<sup>th</sup> November 2019;</li> <li>VII. Swept Path Analysis Drawing No 1809064-TK05 Rev A received on 5<sup>th</sup> November 2019;</li> <li>VIII. Planning Statement prepared by Turley received on 15<sup>th</sup> July 2019;</li> <li>IX. Arboricultural Report prepared by Duckworths Arboriculture dated 14<sup>th</sup> June 2019 reference SCD 05256/2019 received on 15<sup>th</sup> July</li> </ul>

	<p>2019;</p> <p>X. Extended Phase 1 Ecological Assessment prepared by Pro Vision dated March 2018 received on 18<sup>th</sup> September 2019;</p> <p>XI. Drainage and Flood Risk Appraisal prepared by Motion dated 17<sup>th</sup> September 2019 received on 18<sup>th</sup> September 2019; and</p> <p>XII. Heritage Statement and Desk-based Archaeological Assessment of Development Proposals prepared by Keevil Heritage Ltd dated September 2019, received on 25<sup>th</sup> September 2019.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p><b>Materials</b></p> <p>No development shall take place above foundation slab level, until a schedule of the materials to be used in the construction of the external surfaces of the dwelling and hard surfaced areas hereby permitted has been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.</p> <p>Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Policy C3 of the Housing Site Allocations DPD (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
4.	<p><b>Electric vehicle charging point</b></p> <p>No development shall take place above foundation slab level, until details an electric vehicle charging point has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until an electric vehicle charging point has been provided in accordance with the approved drawings. The charging point shall thereafter be retained and kept available for the potential use of an electric car.</p> <p>Reason: To promote the use of electric vehicle. 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>
5.	<p><b>Construction Method Statement</b></p> <p>1. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:</p> <ul style="list-style-type: none"> <li>(a) The parking of vehicles of site operatives and visitors</li> <li>(b) Loading and unloading of plant and materials</li> <li>(c) Storage of plant and materials used in constructing the development</li> <li>(d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing</li> <li>(e) Wheel washing facilities</li> </ul>

	<p>(f) Measures to control the emission of dust and dirt during construction</p> <p>(g) A scheme for recycling/disposing of waste resulting from demolition and construction works</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (2019) Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> <p>A pre-commencement condition is required as the details refer to the construction phase of the development and insufficient information was submitted with the application.</p>
6.	<p><b>Provision of footway</b></p> <p>No dwelling shall be occupied until the 1.5 metre wide footway is provided in accordance with the approved drawing (Drawing No PL03 Rev E and No 1809064-TK05 Rev A received on 5th November 2019) and any statutory undertaker's equipment or street furniture located in the position of this footway has been re-sited to provide an unobstructed footway.</p> <p>Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians. 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>
7.	<p><b>Surfacing arrangements</b></p> <p>No development shall take place above foundation slab level until details of the surfacing arrangements for the vehicular accesses to the highway have been submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that bonded material is used across the entire width of the accesses for a distance of 3 metres measured back from the carriageway edge. Thereafter the surfacing arrangements shall be constructed in accordance with the approved details.</p> <p>Reason: To avoid migration of loose material onto the highway 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>
8.	<p><b>Vehicle parking and turning</b></p> <p>No dwelling shall be occupied until the vehicle parking and turning space have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning spaces shall thereafter be 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), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the Housing Site Allocations DPD (2006-2026).</p>

9.	<p><b>Cycle storage</b></p> <p>No dwelling shall be occupied until the cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.</p> <p>Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy P1 of the Housing Site Allocations DPD (2006-2026).</p>
10.	<p><b>Protective fencing</b></p> <p>Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing Tree Protection Plan. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework (2019) and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
11.	<p><b>Arboricultural watching brief</b></p> <p>No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p> <p>A pre-commencement condition is required as the details refer to the construction phase of the development and insufficient information was submitted with the application.</p>
12.	<p><b>Tree Protection Plan</b></p> <p>No trees, shrubs or hedges shown as being retained on tree protection plan shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that dies, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework (2019) and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
13.	<p><b>Noise mitigation scheme</b></p>

	<p>No development shall take place above foundation slab level, until a scheme for protecting the proposed dwelling from noise from traffic on the adjacent roads has been submitted to and approved in writing by the local planning authority. Any works which form part of the scheme approved by the authority shall be completed before any permitted dwelling is occupied unless an alternative period is agreed in writing by the authority.</p> <p>Reason: as occupiers of the development, without such a scheme, are likely to suffer from noise caused by the traffic to an unacceptable degree. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Policy OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)</p>
14.	<p><b>Unforeseen contamination</b></p> <p>Should any unforeseen contamination be encountered during the development, the developer shall inform the LPA immediately. Any subsequent investigation/remedial/protective works deemed necessary by the LPA shall be carried out to agreed timescales and approved by the LPA in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the LPA upon completion of the development and before the dwelling is first occupied.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Policy OVS5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
15.	<p><b>Archaeological Brief</b></p> <p>No development or site works shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.</p> <p>Reason: To ensure that any significant archaeological remains that are found are adequately recorded. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policy CS19 of the West Berkshire Core Strategy (2006-2026).</p> <p>A pre-commencement condition is required as the details refer to the construction phase of the development and insufficient information was submitted with the application.</p>
16.	<p><b>Boundary Treatment</b></p> <p>No development shall take place above foundation slab level until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected has 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 the dwelling hereby permitted is occupied. The approved boundary treatments shall thereafter be retained.</p> <p>Reason: The boundary treatment is an essential element in the detailed design of this development and ensuring adequate levels of privacy are secure for adjacent</p>

	occupiers and future occupiers of the dwelling. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006)
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### ***Informatives***

1.	This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.
2.	<p>CIL</p> <p>The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at <a href="http://www.westberks.gov.uk/cil">www.westberks.gov.uk/cil</a></p>
3.	<p>Damage to footways, cycleways and verges</p> <p>The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.</p>
4.	<p>Damage to the carriageway</p> <p>The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.</p>
5.	<p>Excavation in close proximity to the highway</p> <p>In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority.</p>
6.	<p>Incidental works affecting the highway</p> <p>Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport &amp; Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519169, before any development is commenced.</p>

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