

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	19/01172/OUTMAJ Theale	16 th August 2019 ¹	Outline application for residential development of up to 104 dwellings. Matters to be considered: Access Land North of The Green, Theale Englefield Estate Trust Corporation Ltd

¹ Extension of time agreed with applicant until 15th September 2020

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=19/01172/OUTMAJ>

Recommendation Summary: Delegated to the Head of Development and Planning to grant planning permission subject to the completion of a section 106 planning obligation (otherwise refuse planning permission)

Ward Member: Councillor Alan Macro

Reason for Committee Determination: Called in by Councillor Macro owing to resident's concerns about the effect on local services and infrastructure. More than 10 letters of objection have been received.

Committee Site Visit: Owing to social distancing restrictions, the option of a committee site visit is not available. Instead, a collection of photographs is available to view at the above link.

Contact Officer Details

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1. Introduction

- 1.1 This application seeks outline planning permission for up to 104 dwellings together with areas of landscaping and public open space on the edge of Theale. All matters of detail are reserved for future approval with the exception of access. The site is allocated in the Housing and Site Allocations Development Plan Document (HSA DPD) for residential development under Policy HSA14.
- 1.2 The site comprises of approximately 7.15 ha of greenfield land which is triangular in shape. The site is bound by the A340 and areas of woodland which form part of the North Wessex Downs Area of Outstanding Natural Beauty (AONB) to the west, The Green to the south-east and an unnamed road to the north, from which vehicular access into the site can currently be achieved. The site boundaries are defined by established trees and mature hedgerows. Located on the western edge of the village the site is open to long views from across the arable fields and woodland.
- 1.3 Access is proposed into the site from The Green while a vehicular entrance for emergency purposes only is proposed onto the unnamed road to the north. This emergency access will be controlled by bollards or a similar mechanism and used only if the main access is blocked. A pedestrian crossing is proposed over the unnamed road to the north of the site connecting the site towards Theale Green School via the school coach pick-up/drop off area and the existing footpath link through the school grounds.
- 1.4 The housing mix will be determined at the detailed design stage however the following indicative mix has been shown on the illustrative layout: 28 x 1 and 2 bedroom flats, 13 x 2 bed houses, 44 x 3 bed houses, 14 x 4 bed houses and 5 x 2 bedroom flats over garages. The proposal will deliver 40% affordable housing.
- 1.5 The application is supported by an illustrative masterplan which shows the provision of a children's play area, a central green community space and extensive planting at the western end of the site to create a landscaped buffer and accessible open space.

2. Planning History

- 2.1 There is no relevant planning application history.

3. Procedural Matters

- 3.1 In accordance with Regulation 8 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 a screening opinion was issued on the 20th June 2019. The proposal falls within Schedule 2 of the Regulations and exceeds the thresholds set out in Column 10b (Urban Development Projects); however taking into account the selection criteria in Schedule 3 the proposal is not considered EIA development within the terms of the Regulations. An Environmental Statement is therefore not required to accompany the application.
- 3.2 A series of site notices have been displayed at the site following the receipt of amended plans. Three site notices were originally displayed for 21 days on the 21st May 2019 advertising the scheme for 110 dwellings. Following the receipt of amended plans showing a reduction in the number of units to 105, three new notices were displayed on the 14th November 2019 which expired on the 5th December 2019. Since this time further amendments have been received showing a reduction in the proposed number of dwellings to 104, a reduction in the ridge height of the proposed dwellings and additional planting along the site boundaries, new street trees and planting within the public realm and private gardens. New site notices were not displayed for the purposes of these final

amendments given the scale and nature of the changes however the Parish Council, statutory consultees, and persons who had already made representations were notified of the changes and comments were invited.

- 3.3 In addition a public notice was displayed in the Reading Chronicle on the 30th May 2019.
- 3.4 Community Infrastructure Levy (CIL) is a levy charged on some new development to pay for new infrastructure required as a result of new development. CIL will be charged on all new residential development at a rate per square metre (based on Gross Internal Area). This is however not charged at outline stage but will be calculated once a reserved matters application is approved. This process is managed by the CIL Charging Authority and correspondence will be sent under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil.
- 3.5 The conditions recommended within this report have been agreed with the agent.

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.

Theale Parish Council:	Objection: Site lies outside of the settlement boundary, development makes inadequate provision of family accommodation and a disproportionate number of 1 and 2 bed flats, impact on village infrastructure, inadequate car parking and concern for safety of pedestrians wishing to access the village by foot. These objections were reiterated in later comments following the receipt of amended plans and expresses concern for the number of changes made.
Englefield Parish Council:	Support but raise concerns regarding safe pedestrian access to and from the site via Deadman's Lane.
Highways Authority:	No objection subject to conditions. The receipt of traffic modelling data and details of the pedestrian access have overcome the concerns originally raised.
Landscape Architect Consultant:	No objection subject to conditions. The receipt of amended plans showing a reduction in building heights, reduced densities and additional boundary planting alongside street trees and on site landscaping have overcome the concerns originally raised.
Trees:	No objections subject to conditions to secure tree protection and arboricultural supervision.
Natural England:	No objection subject to conditions to secure a landscape management plan and tree planting to ensure appropriate mitigation to protect the AONB.

Housing:	No objection subject to a legal agreement to secure 40% affordable housing provision.
Ecology:	No objection subject to conditions.
Lead Local Flood Authority:	No objection subject to a drainage condition.
Archaeology:	No objection.
Environmental Health:	No objection subject to conditions regarding sound insulation, unforeseen contamination, pest control and informatives.
Emergency Planning:	No objection.
Fisher German:	No objection, agent advised of response.
Health and Safety Executive:	Consultation not required.
Office for Nuclear Regulation:	No objection.
Waste Management:	Require that the site access and roads are accessible to a 10.68m refuse lorry. No comments received in relation to amended plans. Condition attached to secure details of refuse collection.
Minerals and Waste:	No objections subject to a condition regarding incidental mineral extraction.
Thames Water:	No objection subject to a condition to secure an upgrade to the water network or a phasing plan for occupation to ensure that new properties have sufficient water pressure. Informatives are requested.

Public representations

- 4.2 Representations have been received from 16 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 points have been raised:
- Impact on existing infrastructure – specifically schools and doctors
 - Increased traffic travelling through Theale village and impact on road safety
 - Loss of greenfield and impact on setting of the village
 - Development outside of settlement boundary
 - Existing well used parking spaces along the site of The Green will be lost displacing parking onto nearby residential roads
 - Drainage/sewage system unable to cope

- Scheme provides insufficient parking spaces
- Concern for impact on pedestrians accessing the primary and secondary school
- Impacts of the development need to be considered alongside the extant permission for new homes at Lakeside – overdevelopment of the village
- Air and noise pollution high
- AWE pipelines run near to the site

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.
- 5.2 Policies ADPP1, ADPP4, CS1, CS4, CS5, CS6, CS13, CS14, CS15, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- 5.3 Policies GS1, HSA14 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- 5.4 Policies OVS5, OVS6, TRANS1 and RL1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- 5.5 Policies 1, 2 and 2a of the Replacement Minerals Local Plan for Berkshire 2001 (RMLP)
- 5.6 The following material considerations are relevant to the consideration of this application:
- National Planning Policy Framework (NPPF)
 - Planning Practice Guidance (PPG)
 - Manual for Streets
 - North Wessex Downs AONB Management Plan 2019-2024
 - Position Statement on Setting of the AONB.
 - Conservation of Habitats and Species Regulations 2017
 - Supplementary Planning Guidance: Quality Design SPD (2006)
 - Supplementary Planning Document: Sustainable Drainage 2017
 - West Berkshire Cycle and Motorcycle Advice and Standards for New Development 2014
 - West Berkshire Planning Obligations Supplementary Planning Document (2015)
 - West Berkshire CIL Charging Schedule

6. Appraisal

- 6.1 The main issues for consideration in this application are:
- Principle of development
 - Impact on the character of the area and the AONB
 - Impact on neighbour amenity and the amenity of future residents
 - Highways
 - Ecology
 - Trees
 - Archaeology
 - Drainage
 - Housing

Principle of development

- 6.2 The application site is located within the settlement boundary of Theale. Policy ADPP1 of the Core Strategy seeks to locate new development within the settlements identified within the hierarchy. Theale is identified as a rural service centre which by definition has a range of services and reasonable public transport provision. The supporting text states that such centres will accommodate limited development including residential infill or minor development adjacent to the settlement.
- 6.3 The application site is allocated for residential development in accordance with Policy HSA14 of the Housing Site Allocations Development Plan Document (HSA DPD). As part of a review of the settlement boundaries the settlement boundary for Theale has also been amended to now include the developable part of this site which was previously within the countryside. The policy allows for the provision of approximately 100 dwellings with an emphasis on family housing. The proposed scheme seeks permission for 104 dwellings, which is considered to accord with the *approximate* figure set out within the policy, and importantly it is considered that a scheme of this scale can be accommodated without significant adverse harm as demonstrated by the technical considerations below. Furthermore this makes efficient use of land, a valuable resource. During the course of the application the dwelling mix has been amended to provide more of an emphasis on family housing and a reduction in the number of flats proposed. As such the proposal is considered to meet with the first criterion of Policy HSA14 and with the aims of policy CS4 of the Core Strategy.
- 6.4 In conclusion the principle of development is acceptable. The scheme is assessed in detail below in accordance with the wider development plan policies and other material planning considerations.

Impact on the character of the area and the AONB

- 6.5 The application site is located on the western edge of Theale, sandwiched between Theale's outer built edge and the boundary of the North Wessex Downs AONB (further to the west beyond the A340). The site forms a generally flat parcel of arable land, where at the eastern end there is a small area of scrub with some trees, along the south eastern boundary there is a mature line of trees and adjacent to the roundabout at the southern end another small area of scrub with trees. The site is loosely triangular in shape, enclosed to the west by the A340 and to the north by an unnamed road beyond which are open fields and school playing fields. To the south is 'The Green' which is fronted by a row of mixed ribbon development including terrace, detached and semi-detached houses. To the south is an extant permission for up to 325 dwellings at a site known as Lakeside.
- 6.6 The application, while for matters of access only, is supported by an illustrative masterplan which shows an informal housing layout. Houses face towards the open space to the west and onto The Green to the south east. To the east (facing towards Theale) the masterplan shows a small area of open space with a play area. Along the northern boundary the interface is more mixed with gable ends, garages and lengths of boundary fencing. In accordance with the parameter plans the proposed building heights are limited to 9.4m except for 3 feature buildings located on the southern edge of the proposed square and at the vehicular entrance into the site where buildings could reach up to 10.5m high. The master and landscape plans further demonstrate the opportunity to accommodate street trees to ensure that the green context of the site is integrated into the layout of the built form.
- 6.7 The application is supported by a Landscape and Visual Impact Assessment (LVIA). As referred to above the site lies adjacent to the AONB boundary to the west, separated by the A340. The impact of the proposals on the setting of the AONB is a key consideration

as highlighted within the AONB Management Plan and the Position Statement on the Setting of the AONB. Furthermore the landscape character assessments seek to ensure that new development does not dilute the rural character of the area and requires that new planting can be used to provide a positive buffer on the edge of Theale. These requirements are endorsed within the Policies within the Core Strategy and also Policy HSA14 of the HSA DPD.

6.8 Policy HSA14 seeks to limit the impact of the new built form on views from the AONB and to provide an attractive gateway into the village. To achieve this it sets out a series of parameters:

- *Limiting the western extent of the developable area to tie in with the outer extent of the school grounds and the approved South Lakeside development.*

6.9 As demonstrated by the parameter plans this has been achieved. While the application seeks outline permission only at this stage with all details reserved aside from access, the extent of the developable area is identified and respects this design requirement.

- *The retention of an open landscape buffer between the edge of the village, Englefield Park and the boundary of the AONB in order to enhance the gateway to the village and assist in screening.*

6.10 The extent of the developable area as set out on the proposed constraints plan ensures the creation of a landscape buffer at the western end of the site. This provides for a soft transition between the village edge and the open countryside and creates an attractive setting to the edge of the village. In accordance with the policy the proposals seek to create small copses and areas of open grassland within the buffer. This has both aesthetic and recreational benefits.

- *The retention and enhancement of existing tree planting along the road network around the site, in order to help soften and screen the development in views from the north.*

6.11 The site benefits from a good degree of containment from the east and south, with the mature roadside vegetation along 'the Green' and the vegetation further to the south limiting views. The creation of a new frontage of development facing onto the Green respects the linear pattern of development seen on the opposite side of the road with views filtered by the existing, retained planting and trees. Following the receipt of amended plans further planting is now proposed along the northern boundary to provide further screening. Notwithstanding the presence of an established hedge views into and across the site from the north are fairly open. The additional planting will soften views of the development and help to integrate the scheme within its edge of settlement location.

6.12 Amended plans have been received during the course of the application which have shown a reduction in ridge heights to a maximum of 9.5m, with the exception of 3 feature buildings. The reduction in height has helped to reduce the prominence of the buildings from longer views and limit the impact on the AONB. The settlement of Theale is predominately characterised by small two storey properties and while the proposed maximum building heights are at the upper limits of the scale, they are reflective of property heights within the vicinity of the site and in keeping with the character of the area. It is also noted that these are maximum heights and to deliver the varied ridge heights as set out in the Design and Access Statement many buildings will be lower than this.

6.13 The receipt of amended plans has also seen an increase in the opportunities for landscaping not only around the site boundaries and within the buffer but changes to the illustrative layout now provide space for street trees and planting within the public

realm. By bringing the planting and trees into the developed part of the site this further helps to frame and soften long views of the development and also creates a more attractive living environment. At the detailed design stage it would benefit the scheme and residents if some additional trees were proposed within the rear gardens to aid privacy and a landscaping condition is recommended to secure the finer details of the proposed planting strategy and its implementation.

- 6.14 Policy HSA14 allocates the site for approximately 100 dwellings. This proposal for outline consent is for 104 units with an emphasis on family accommodation. The site is sensitively located on the edge of Theale and sandwiched between the settlement and open countryside and AONB. The development will be accessed from the Green which is a primary route into the village. The proposals by virtue of their scale, defined by the extent of the developable area and building heights and the supporting comprehensive landscape strategy demonstrate that a development of this scale can be accommodated in this location.
- 6.15 Some concern has been raised by objectors for the cumulative impact of the development on the character of the area when considering the extant permission for up to 325 houses at Lakeside, on the opposite side of The Green. An outline of this neighbouring scheme is shown on some of the parameter plans. The presence of this extant permission is a material consideration however it does not alter the conclusions reached in terms of the landscape and visual impacts of this proposal. Lakeside is recognised as committed development in the HSA DPD, and so the cumulative landscape and visual impact of two housing sites in close proximity has already been accepted; the focus of consideration here is the impact of the detailed design of this scheme.
- 6.16 For the reasons set out above the proposals are considered to comply with policies ADPP4, ADPP5 (in terms of AONB setting), CS14, CS18 and CS19 of the West Berkshire Core Strategy and Policy HSA14 of the HSA DPD and the guidance within the NPPF which seeks to protect and preserve the character of the natural landscape and the built environment, including those areas with the highest status of protection such as the adjacent AONB.

Impact on neighbour amenity and amenity of future residents

- 6.17 The nearest properties to the application site are those on the opposite side of The Green which will face onto the development. The existing hedgerows and trees along this boundary are to be retained with the exception of those which will be removed to facilitate the creation of a new access. The nearest new dwellings will be at least 30m away from these existing properties.
- 6.18 Concerns have been raised by residents for the impact of the increased pressure placed on existing services with specific reference to the local doctor's surgery and schools. This development is CIL liable and as such will generate funding which will be directed towards local infrastructure.
- 6.19 Some concern has been raised in relation to highway safety and parking. These matters are discussed within the Highways section of the report below.
- 6.20 Concern has been raised in terms of the impact of air and noise pollution arising from the development. The application is supported by noise and air quality surveys in accordance with Policy HSA14. The reports indicate that no significant noise and vibration effects are likely to occur during the construction and operational phase. A condition to secure the submission of a Construction Employment Management Plan (CEMP) has been recommended which will provide and secure details of measures to be implemented during the construction process to minimise risk and nuisance in this

regard. Once the development is complete and occupied the air and noise impacts arising from the development are considered to be negligible.

- 6.21 In conclusion the short term impacts arising from the development are not considered to be significant and can be managed during the construction process with appropriate mitigation in place. Once operational the residential use of the site is considered to be compatible with the neighbouring land uses. The concerns raised by residents are acknowledged and conditions have been recommended where appropriate to ensure any impacts of construction are minimalised as much as is reasonably possible. The proposal is not considered to have a harmful impact on the amenity of neighbouring occupiers and therefore complies with Policy CS14 of the Core Strategy, Policy OVS6 of the Local Plan and the guidance within the NPPF.

Highways

- 6.22 The application site is located in a relatively sustainable location. Page 12 of the Transport Assessment (TA) lists facilities that are within the 2 km recommended walking distance of the site. Theale is well served by health, education and retail facilities along with a train station with a regular service to Reading, London and the west. The site will be well connected to footways and pedestrian routes within Theale. The location is relatively safe for cyclists and is well served by bus services into Reading and surrounding areas.
- 6.23 The application is accompanied by a traffic model to demonstrate the impact of the development on the A4/A340/The Green roundabout. The model has used traffic count data collected in early December 2017 to produce a base model. Traffic growth rates and the nearby committed developments around Lakeside have then been added to provide a 2024 base model. Traffic from the proposed development is then added to provide the final model. The Highway Authority is aware that on some days, there are significant traffic queues on the A340 West (eastbound arm) that do not seem to have been found during the surveys. However the traffic model does suggest these lengthy queues, and therefore the traffic modelling results are accepted. The purpose of requesting the model was to ensure that the development did not have a detrimental or severe impact on this roundabout. It is also noted that concern has been raised by residents for an increase in traffic as a result of the development. The results suggests that there is some increase in traffic queues in 2024 with the development added however this increase is not considered to generate a severe impact. Paragraph 109 of the NPPF states that “development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network *would be severe*” (emphasis added).
- 6.24 Using the Trip Rate Information Computer System (TRICS) it is predicted that the proposal will generate 69 vehicle movements onto The Green between the hours of 8-9am, and 67 vehicle movements between the 6-6pm peak. There will of course be vehicle movements throughout the day however the above two hours will be the busiest. These trip rates are considered to be acceptable by the Highways Authority. Concern has been raised by objectors for the increase in traffic. It is however considered that The Green can accommodate these additional traffic movements without any adverse harm on safety.
- 6.25 The main vehicular entrance into the site is via a proposed T junction onto The Green. The access is 5.5 metres wide with 2.0 metre wide footways on both sides. To provide the required sight lines the applicant’s highway consultants have referred to the governments Design Manual for Roads and Bridges (DRMB) and are proposing sight lines of 2.4 x 120.0 metres which is acceptable for roads with an 85th percentile speed of well above 40 mph. From the traffic surveys taken in December 2017, 85th percentile speeds were recorded between 36.0 and 37.8 mph. The design of the access is

therefore acceptable to the Highway Authority, with speeds measured below the existing 40 mph speed limit.

- 6.26 A secondary emergency and pedestrian access is to be provided from the unnamed road at the north. This is shown on the masterplan as being 5m in width with the vehicle access controlled by a removable bollard or similar mechanism. The uncontrolled pedestrian crossing (with dropped kerbs and tactile paving) will connect the site towards Theale Green School via the school coach pick-up/drop off area and existing footpath link and through the school grounds. The pedestrian/emergency access traffic flow along the unnamed road is very low and it is assumed that no material development traffic will utilise it given the more attractive route options into the site. The provision of the proposed pedestrian access will be secured through a legal agreement.
- 6.27 As this is an outline planning application, the site layout including car parking levels are not being considered at this stage. However, the Transport Assessment confirms that provision for car parking would be made in line with standards set out in Policy P1 of the HSA DPD and the Councils Cycle and Motorcycle Advice and Standards for New Development November 2014. Waste Management have been consulted on the application however they have not responded to the amended plans. The access will, however, be built to adoptable standards and therefore able to accommodate a refuse collection vehicle. A condition has been recommended to secure the submission of collection points and bin storage.
- 6.28 In conclusion the proposal complies with Policies CS13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan and the guidance within the framework.

Ecology

- 6.29 Policy CS17 of the Core Strategy seek to ensure there is no harm to biodiversity assets and that any adverse impacts are addressed. The application is supported by a Phase 1 Habitat Survey and an Extended Phase 1 Habitat Survey. The site is not subject to any statutory or non-statutory designation of nature conservation interest. The site comprises an arable field and supports habitats of low to intermediate ecological value that are common to the local area.
- 6.30 A key component of the layout and design of this site is the creation of a landscape buffer between the edge of the village, Englefield Village and the AONB. Furthermore the proposals seek to supplement the existing boundary planting and increase the number of trees within the site. The impact of the proposed development on protected species is assessed as being negligible or low. The accompanying report demonstrates that subject to the implementation of the recommendations and enhancements set out an overall net gain in biodiversity at the site maybe achieved in accordance with Policy CS17 and the guidance within the framework.

Trees

- 6.31 Policy HSA14 requires that existing tree planting is retained and enhanced around the site and that the landscape buffer incorporates woodland copses. The importance of effective landscaping is emphasised in Policies CS19 of the Core Strategy and CS14 with respect to good design. The site is bound by a number of trees extending along the south eastern boundary along The Green while other boundaries are marked by established hedgerows. The application is accompanied by an Arboricultural Impact Assessment by Lockhart Garratt. This has been carried out in accordance with British Standard BS 3857:2012 Trees in Relation to Design, Demolition and Construction.

- 6.32 The proposal will result in the loss of four Ash trees, category B and C trees along the south east boundary and one category B hedgerow to facilitate to the creation of the new access from The Green. The proposal shows a significant amount of new planting is to occur as part of the landscaping strategy for the site and this will mitigate the loss of these trees. Final details of the landscaping are to be secured by condition and it is advised that additional tree planting is included within the rear gardens of the proposed dwellings. Street trees are shown on the proposed plans and it is essential that these are incorporated into the final designs to help integrate the semi-rural setting of the site into the scheme.
- 6.33 In conclusion the proposals will not overall have a significantly detrimental impact on the trees within the site and subject to conditions to ensure the protection of those trees which are to be retained, alongside the submission of a comprehensive landscaping scheme, it is considered that the proposal meets with the objectives of policies CS19 and CS14 of the Core Strategy and the guidance within the framework.

Archaeology

- 6.34 Policy CS19 of the Core Strategy seeks to ensure the protection of heritage assets identified through the Historic Environment Record. The application is supported by a desk based assessment and geophysical survey. The evidence of the fieldwork indicates that there will be no major impact on any significant archaeological features from this proposal. As such the proposals comply with Policy CS19 and the guidance within the framework which seeks to protect and conserve the historic environment.

Drainage

- 6.35 Policy CS16 of the Core Strategy seeks to ensure that new development is suitably located within areas of lowest flood risk. The application site is within Flood Zone 1. The policy further seeks to ensure that surface water is managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS). The application is supported by a Flood Risk Assessment which demonstrates that the site has a low risk of flooding. There are however some localised pockets within the site where surface water is indicated as ponding. Limited drainage information has been submitted with the application and as such a condition has been requested to ensure that the design of the reserved matters application is informed by the proposed drainage strategy and is designed in a manner which will allow for sustainable drainage methods to be incorporated into the design.

Housing

- 6.36 Policy CS6 of the Core Strategy requires 40% affordable housing for residential development on greenfield land. The proposal seeks to deliver 42 affordable units (40%) with a tenure split of 70% social rented and 30% intermediate. The unit mix in terms of dwelling size will be determined at reserved matters stage to meet with the local need at that time. The delivery of the affordable units will be secured by a legal agreement. In conclusion the proposal presents a policy compliant scheme.

7. Planning Balance and Conclusion

- 7.1 In conclusion, the site at The Green in Theale has been allocated for residential development for up to 100 dwellings in accordance with Policy HSA14 of the HSA DPD. With the principle of the proposed residential use afforded full policy supported within the development plan the report above focuses on the other development management issues. The site is located within a prominent position on the edge of the village adjoining

the open countryside and the AONB, a highly sensitive part of the rural landscape. The parameter plans supporting the submission demonstrate that by limiting the extent of the developable area and building heights and retaining a wide buffer at the south western end of the site, alongside additional planting, to supplement the existing boundaries, a development of up to 104 dwellings can be accommodated without adverse harm to the wider landscape, the AONB and the setting of the village.

- 7.2 Alongside the provision of new housing the proposal will deliver 42 affordable units in a sustainable located where there is an identified need for affordable housing. As demonstrated within the report above the proposal is not considered to present any significant adverse impacts which would render the proposal unacceptable. Some weight is given to the economic benefits of the development during construction. Concern has been raised regarding the impact of the additional residents on village infrastructure, for example doctors and schools, and while acknowledged that the development would increase the village population, the development would be liable to pay CIL on the new residential floorspace, and these will go towards funding local infrastructure.
- 7.3 The local development plan provides up to date policies for the determination of residential applications in West Berkshire, and as such the “tilted balance” of paragraph 11d of the National Planning Policy Framework is not engaged. Having taken account of all the relevant policy considerations and other material considerations referred to above, it is considered that the application complies with the development plan and that the significant benefits of the development outweigh the modest negative impacts. As such the recommendation is for conditional approval subject to the completion of a planning obligation to secure the affordable housing, provision of a pedestrian route from the site across the unnamed road to facilitate access to the school and the retention and management of the open space.

8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.
- 8.2 PROVIDED THAT a Section 106 Agreement has been completed by 15th September 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 Eastern Area Planning Committee), to delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.
- 8.3 OR, if a Section 106 Agreement is not completed, to REFUSE PLANNING PERMISSION for the reasons listed below.

Conditions

1. **Approval of reserved matters**

Details of the appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development takes place. The development shall be carried out in accordance with the approved details.

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

2. **Time limit for reserved matters**

Application(s) for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

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

3. **Commencement of development (outline)**

The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.

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

4. **Approved Plans**

The development hereby permitted shall be carried out in accordance with the following approved drawing numbers:

- Site Location Plan drawing number 6027T/PL01
- Masterplan 6027T/PL02C
- Proposed Site Access Arrangements, including visibility splays 60555677.001
- Proposed Site Access Arrangements 60555677.002 Rev. A
- Northern Access Visibility Spays 60555677.005
- Potential Pedestrian Crossing on Unnamed Road 60555677.001
- Illustrative Landscape Masterplan drawing 3959/03/18-0155 v6
- Indicative Building Density 6027T/PL12D
- Parameter Building Heights 6027T/PL07C
- Character Areas 6027T/PL06C
- Indicative Green Infrastructure and Boundary Treatments 6027T/PL05D
- Landuse Access and Movement 6027T/PL03B
- Phase 1 habitat Survey report dated July 2016 by Ecoconsult Wildlife Consultancy
- Extended Phase 1 Habitat Survey by Lockhart Garratt ref 17-3366 V1
- Arboricultural Impact Assessment by Lockhart Garratt ref 18-2958 V1
- Noise Impact Assessment dated March 2019 by Aecom
- Air Quality Assessment dated March 2019 by Aecom

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

5. **Tree protection – construction precautions**

No development or other operations shall commence on site until details of the proposed access, hard surfacing, drainage and services providing for the protection of the root zones of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Thereafter all works must be carried out in accordance with the approved details.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place in order to ensure the protection of trees from the outset.

6. Tree protection

No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

Reason: To ensure the enhancement of the development and the protection of the AONB by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

7. Arboricultural supervision

No development shall commence (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.

Reason: To ensure the enhancement of the development and the protection of the AONB by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site supervision works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

8. Landscaping

No development shall commence until a detailed scheme of landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

- (a) Details of soil preparation, plant protection, watering and weeding.
- (b) Completion of the approved landscape scheme within the first planting season following completion of the final property.
- (c) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because details of the landscaping need to be designed into the overall layout of the scheme.

9. **Drainage**

No development shall commence until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in full before any of the dwellings hereby approved are occupied.

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include attenuation measures to retain rainfall run-off within the site with discharge from the site at no greater than the 1 in 1 year Greenfield run-off rate;
- d) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- e) 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;
- f) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- g) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
- h) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
- i) Include a Flood Risk Assessment (FRA) for developments located in areas at risk of flooding (Flood Zone 2 and 3 or surface water) or developments larger than 1 hectare;
- j) Include measures with reference to Environmental issues which protect or enhance the ground water quality and provide new habitats where possible.
- k) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc)
- l) 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;
- m) Any design calculations should take into account an allowance of an additional 10% increase of paved areas over the lifetime of the development;
- n) Details of catchments and flows discharging into and across the site and how these flows will be managed and routed through the development and where the flows exit the site both pre-development and post-development must be provided.

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), Part 4 of Supplementary Planning Document Quality Design (June 2006) and Sustainable Drainage Systems Supplementary Planning Document (Dec 2018). 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.

10. Landscape and ecological management plan (LEMPs)

No development shall commence until a landscape and ecological management plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- (a) Description and evaluation of features to be managed to include all landscaped areas outside of domestic properties, both existing and proposed, and the areas of woodland for the next 25 years.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management to include provision for the implementation of the measures and actions recommended in section 5 of the Ecology report by Ecoconsult Wildlife Consultancy and section 9 of the Extended Phase 1 Habitat Survey by Lockhart Garratt with regards to carrying out site works and the opportunities for biodiversity enhancements.
- (d) Appropriate management options for achieving aims and objectives.
- (e) Prescriptions for management actions.
- (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- (g) Details of the body or organization responsible for implementation of the plan.
- (h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery. The plan shall also set out (*where the results from monitoring show that conservation aims and objectives of the LEMP are not being met*) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To conserve, enhance and provide a net gain in biodiversity and to ensure the long term management of existing and proposed landscaping. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application and damage to wildlife and plants may occur if the details are not implemented at the point of commencement.

11. Lighting Strategy

No dwelling shall be occupied until a biodiversity-related lighting strategy for the development has been submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall identify those areas that are particularly sensitive for bats and wildlife and any measures necessary to minimise and mitigate

the impact of lighting on them. All external lighting shall be installed in accordance with the approved details and shall thereafter be maintained in accordance with those details. No other external lighting shall be installed without the prior written approval of the Local Planning Authority granted by way of a planning application.

Reason: To ensure the protection of wildlife and minimise the impact of light pollution on the surrounding countryside. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

12. Bat and bird boxes

No dwelling shall be occupied until details showing the location and types of at least 10 bat and 10 bird boxes to be incorporated into the dwellings or provided within the site have been submitted to and approved in writing by the Local Planning Authority. Thereafter the dwellings shall not be occupied until the bat and bird boxes have been installed/constructed in accordance with the approved details.

Reason: To ensure the protection of bats and birds. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14 and CS17 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

13. Time limit on submission of a reserved matters application before further ecological surveys are required

If the submission of a reserved matters application pursuant to conditions 1-3 of this permission is made more than 2 years after the date of this permission, updated ecological surveys to establish if there have been any changes in the presence of protected species and identify any likely new ecological impacts that might arise shall support the reserved matters application and mitigation measures designed accordingly. Additionally any previously approved ecological measures secured through the Landscape and Ecological Management Plan (Condition 10) shall be reviewed and, where necessary, amended and updated in accordance with the updated ecological surveys. All works shall then be carried out in accordance with the new approved ecological measures and timetable.

Reason: To ensure the protection of wildlife. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14 and CS17 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

14. Thames Water

No dwelling shall be occupied until written confirmation has been provided that either all water network upgrades required to accommodate the additional flows to serve the development have been completed or a housing and infrastructure phasing plan has been submitted to and approved in writing by the Local Planning Authority in conjunction with Thames Water. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no/low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

15. Refuse storage

No development shall commence until details of the provision for the storage of refuse and recycling materials for the dwellings have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the refuse and recycling facilities have been provided in accordance with the approved details and shall be retained for this purpose thereafter.

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, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006). A pre-condition is required as insufficient information has been submitted with the application and collection and storage points may impact on the internal road layout. For this reason it must be considered at design stage.

16. Minerals extraction

No development shall commence until the following has been submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be carried out in accordance with the methods agreed throughout the construction period:

- (a) A method for ensuring that minerals that can be viably recovered during the development are recovered and put to beneficial use;
- (b) A method to record the quantity of recovered mineral (for re-use on site or off-site) and the reporting of this quantity to the Local Planning Authority.

Reason: In accordance with the National Planning Policy Framework and saved policies 1 and 2 of the Replacement Minerals Local Plan for Berkshire which seek to utilise existing mineral deposits. A pre-commencement condition is required as the removal of such deposits, where possible, will be one of the first operations on site.

17. Unexpected contamination

If any previously unidentified contaminated land is found during demolition and/or construction activities, it shall be reported immediately in writing to the Local Planning Authority (LPA). Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. These submissions shall be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation), and conducted in accordance with current best practice. The remediation scheme shall ensure that, after remediation, as a minimum, the land shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. Thereafter, any remediation measures shall be carried out in accordance with the approved details. Unless otherwise agreed in writing by the LPA, no dwelling shall not be occupied until any approved remediation measures have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the LPA.

Reason: To ensure that any unexpected contamination encountered during the development is suitably assessed and dealt with, such that it does not pose an unacceptable risk to human health or the environment. This condition is applied in accordance with paragraphs 170, 178, 179 and 180 the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

18. Noise impacts

No development shall commence until a scheme for protecting the proposed dwellings 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 Local Planning Authority shall be completed before any permitted dwelling is occupied.

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 required in accordance with the guidance within the National Planning Policy Framework and Policy CS14 of the Core Strategy (2006-2026). A pre-commencement condition is required as the mitigation measures may need to be built into the fabric of the dwellings.

19. Pest control

No development shall commence until a scheme detailing rat, vermin and other pest control measures have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (a) Details of the methods used to reduce existing rat populations and discourage dispersal of rats from the site during the groundworks and construction phase
- (b) A methodology for assessing the ongoing effectiveness of different rat and vermin and pest deterrent methods;
- (c) An objective methodology for assessing when rodenticides / insecticide shall be applied;
- (d) Details of control measures and ongoing assessment of effectiveness in relation to mammalian pests;
- (e) Provision for submission of records relating to the implementation of the foregoing measures to the Local Planning Authority.

The approved scheme shall thereafter be implemented for the duration of the construction activities associated with the delivery of the development

Reason: To minimise the impact of pest migration to surrounding areas during site clearance and groundworks and to protect the amenity of neighbouring occupiers in accordance with the guidance within the National Planning Policy Framework. A pre-commencement condition is required as the approved measures need to be implemented once works commence in order to be effective.

20. Construction Method Statement

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details. The statement shall provide for:

- (a) Temporary site access arrangements during construction;
- (b) The parking of vehicles of site operatives and visitors;
- (c) Loading and unloading of plant and materials;
- (d) Storage of plant and materials used in constructing the development;
- (e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing;
- (f) Wheel washing facilities;
- (g) Measures to control the emission of dust and dirt during construction;
- (h) Measures to control noise generated during the construction process;
- (i) A scheme for recycling/disposing of waste resulting from demolition and construction works;

- (j) Haul routes for large vehicles and delivery times to avoid school opening and closure times.

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required as insufficient details have been submitted with the application and these measures need to be implemented on commencement to ensure there is no adverse impacts from the development during the construction phase.

21. Electric Vehicle Charging Points:

No development above ground level shall commence until details of electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the associated electric vehicle charging point has been provided in accordance with the approved drawings. An Electric Vehicle Charging Point shall be provided for every house with communal points provided for apartments. The charging points shall thereafter be retained and kept available for the potential use of an electric car.

Reason: To promote the use of electric vehicle. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD, Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and the Climate Change Emergency.

22. Road and Layout and Design Standards

The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision. The developer shall enter into a S278 / S38 Agreement for the adoption of the site for all access roads serving more than five houses. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety, the flow of traffic, residential amenity, and to ensure waste collection. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

23. Vehicle parking provided to standards

No development shall commence until details of the vehicle parking and turning space/areas have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the parking spaces are to be surfaced and marked out. No dwelling shall be occupied until the associated vehicle parking and turning spaces/areas have been provided in accordance with the approved details. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy, Policy P1 of the Housing Site Allocations DPD 2006-2026, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement

condition is required to ensure the parking is designed into the scheme and to ensure sufficient provision is made.

24. Access construction before development

No dwelling shall be first occupied (unless otherwise agreed in writing by the Local Planning Authority) until the vehicular, pedestrian and cycle accesses to the development, and associated engineering operations, have been completed in accordance with the approved details, and under the terms of a Section 38 / 278 Agreement. Thereafter the visibility splays shown on the Proposed Site Access Arrangements including visibility splays by AECOM 60555677.001 shall be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level at all times.

Reason: To ensure that the access into the site are constructed before the approved buildings in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework 2019 and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

25. Gradient of private drive

The gradient of private drives shall not exceed 1 in 8 or, where buildings are likely to be occupied by the mobility impaired, 1 in 12.

Reason: To ensure that adequate access to parking spaces and garages is provided. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

26. Cycle storage

No development above ground level shall commence until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the associated cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

27. Schedule of materials for access road

The development of the access roads shall not commence until a schedule of materials to be used in the access roads and car parking areas 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 the use shall not commence until the access and car park has been constructed in accordance with the approved schedule.

Reason: To ensure that the appearance of the access is appropriate to the character of the area. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because access needs to be undertaken as the first development operation.

28. Travel Plan

No development above ground level shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented in full from the development first being brought into use. It's provision shall ensure that it is reviewed (and updated if necessary) within 6 months of first implementation. After that the Travel Plan shall be annually reviewed

and updated and all reasonable practicable steps made to achieve the agreed targets and measures within the timescales set out in the plan and any subsequent revisions.

Reason: To ensure the development reduces reliance on private motor vehicles and provides the appropriate level of vehicle parking. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Supplementary Planning Document Quality Design (June 2006) and Climate Change Emergency. A pre-commencement condition is required as insufficient details have been submitted with the application and measures will need to be put into place prior to first occupation.

Heads of Terms for Section 106 Agreement

1. **Affordable housing**
To provide 40% provision for affordable housing with a 30/70 intermediate/social rent split. The agreement is to be worded flexibly to allow for the size and mix of the units to be secured at reserved matters stage dependant on local need.
2. **Public open space**
To secure the creation, retention and governance of a landscape buffer and public open space in accordance with drawing titled Indicative Green Infrastructure and Boundary Treatments 6027T/PL05D.
3. **Provision of a pedestrian link**
To secure the provision of a pedestrian route across the unnamed road to the north in accordance with drawing titled Potential Pedestrian Crossing on Unnamed Road, drawing number 60555677.001.

Refusal Reasons (If Section 106 Agreement not completed)

1. **Planning obligation**
The application fails to provide an acceptable planning obligations under section 106 of the Act to deliver necessary infrastructure and mitigation measures, including:
 - (a) 40% on-site provision of affordable housing, without which the proposal would be contrary to the National Planning Policy Framework (NPPF), Policy CS6 of the West Berkshire Core Strategy (2006-2026), and the Planning Obligations SPD (2014);
 - (b) Public open space and landscape buffer (provision and governance), without which the proposal would be contrary to the NPPF, Policies ADPP1, ADPP4, ADPP5, CS14, CS18 and CS19, Policies C1 and HSA14 of the Housing Site Allocations (HSA) DPD 2006-2026, RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and the Planning Obligations SPD (2014).
 - (c) A pedestrian link from the site across the un-named road to the north, without which the proposal would be contrary to the NPPF, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA14 of the HSA DPD, and the Planning Obligations SPD (2014).

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. The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil
3. Thames Water: There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>
4. Thames Water: If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.
5. Thames Water: Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
6. Construction Noise: The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health and Licensing Manager.
7. Provision of Vehicle Charging Points (Air Quality/Public Health)
As an opportunity to improve air quality we would urge the developer to consider the provision of electric vehicle charging facilities for use by the occupiers and their visitors.
8. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken

by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.