

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/00604/FULEXT Cold Ash	04/06/2020	Erection of 75 dwellings, with associated access, parking, internal roads, drainage, landscaping, children's play space and other associated infrastructure Coley Farm Stoney Lane Ashmore Green Donnington New Homes

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/00604/FULEXT>

Recommendation Summary: Delegated to the Head of Development and Planning to GRANT CONDITIONAL PLANNING PERMISSION subject to the completion of a S106 legal agreement

Ward Member(s): Councillor Simpson

Reason for Committee Determination: The Council has received in excess of 10 letters of objection

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.

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1. Introduction

- 1.1 This application seeks full planning permission for the erection of 75 dwellings, with associated access, parking, internal roads, drainage, landscaping, children's play space and other associated infrastructure.
- 1.2 The application comprises the demolition of an existing farmhouse with associated farm buildings and the subsequent erection of 75 dwellings with an associated access onto Stoney Lane. The application site is to the north east of Newbury (Clay Hill Ward), but in Cold Ash Parish. The site area is 4.5 hectares, 3.5 hectares of which is to be developed for housing. The site comprises, in addition to the building above, pastureland and so it is predominantly greenfield land.
- 1.3 The application currently lies inside the defined settlement boundary of Newbury. To the north lies a substantial hedgerow and fields, to the west Stoney Lane and existing housing, to the south existing public open space and existing dwellings (Wansey Gardens and Laud Close). To the east, lies further open fields.
- 1.4 As part of the application scheme, it is proposed to include 40% of the dwellings as affordable housing, which will be 'pepper potted' around the site, in accordance with policy CS6 of the Core Strategy. In addition, in order to provide sustainable drainage capacity on this sloping site (north to south) two attenuation ponds are proposed, the eastern one to be fully landscaped.
- 1.5 Stoney Lane itself is proposed to be widened to a minimum of a 5.5m carriageway width, from the Pine Ridge access to the principal vehicle access facing "Wayside" in the west. In order to satisfactorily accommodate this width, the hedgerow will be required to be cut back, with a new footpath accommodated within the Council-owned existing public open space leading up from opposite No. 63 Stoney Lane to the north. In order to continue this path from the main access one will be accommodated in the site up to the next access point opposite "Newlyn".
- 1.6 The type and scale of housing (and car parking) proposed are shown in the below table:

Size of unit	Number of Units	Number of allocated spaces	Number of unallocated (visitor) spaces	Total
1 bed flat	4	6	10	167 + 10 = 177
1 bed maisonette	5	6		
2 bed flat	8	13		
2 bed house	2	4		
3 bed house	29	58		
4 bed house	27	80		
Total	75	167	10	177

2. Planning History

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

Application	Proposal	Decision / Date
08/00384/OUTMAJ	Demolition of existing bungalow and outbuildings, and construction of 33 houses and new indoor and outdoor play facility for	Withdrawn

	children with special needs and their families.	11/12/2008
16/01489/OUTMAJ	Outline application for 75 dwellings with associated access, landscape and open space improvements. Matters to be considered: Access and Layout.	Approved 19/09/2017

Extant consent 16/01489/OUTMAJ

2.2 The Business and Planning Act 2020 temporarily modifies the Town and Country Planning Act 1990 to enable certain planning permissions which have lapsed or are due to lapse during 2020 to be extended in response to the Coronavirus pandemic. Under this legislation planning permission 16/01489/OUTMAJ has been extended until 1st May 2021. This planning permission remains extant and the ability to implement it is a material planning consideration when determining the current application. No reserved matters applications, or applications to approve details reserved by condition, have been made to date.

2.3 The differences between the extant consent and the proposed are summarised:

- The extant applicant is an outline consent with matters of access and layout approved, the current application is a full with all matters (access, layout, scale, landscaping and appearance).
- The red line of the proposal scheme includes the open space and children's play area to the south, previously this previous was controlled solely under a S106 agreement
- The drainage strategy across the site has been revised to reflect best practice and the Council's Sustainable Drainage SPD through the provision of two drainage basins.
- In order to address the levels constraints (the difference in levels with the site) across the site the northern access (which would only have provided a private drive for 5 properties) has been removed. The permitted main access onto Stoney Lane continues to be proposed and is unaltered.
- The outline planning permission made provision for visibility splays of 2.4m x 55m based on a speed survey of Stoney Lane. The new planning application includes details of a Traffic Regulation Order (TRO) to reduce the speed limit of Stoney Lane to 30 mph (the requirement for the TRO is a condition of the outline planning permission) which will require a reduced visibility splay of 2.4m x 43m (and for just a single access point). This will require the removal of less highway verge vegetation in association with the main access and no removal of highway verge vegetation further north where the secondary access is no longer proposed.
- Improvements to the public open space to the south of the proposed residential development continue to be proposed with the new application including full details of the proposed children's play area.

- Whilst not a specific policy requirement, the new planning application includes an Energy Statement that sets out a commitment to achieve a minimum of a 10% improvement in emissions over Building Regulations.

2.4 The agent has submitted the following explanation for the submission of a new full application rather than a reserved matters application for the extant planning consent:

- Following the granting of outline planning permission a review of the proposed drainage strategy and detailed analysis of the site levels was undertaken as part of the pre-construction phase of development.
- A number of potential issues were identified with the permitted SuDS scheme, including an over reliance on underground storage crates and the configuration of open attenuation features which relied on predominantly 1 large basin. This is contrary to current best practice guidance and West Berkshire's SuDS SPD which promotes the principle of spreading SuDS features throughout a site so that water can be managed in smaller quantities closer to the sources of run-off, rather than attenuating and treating the entire site at a single location at the lowest point.
- Given the very steep gradient of parts of the site, the approved layout would also have necessitated significant retaining structures within the site and between properties and the changes in levels between properties would have led to overshadowing and overlooking. This was an issue that was not fully appreciated by the applicant and LPA during the course of the outline application.
- Following detailed analysis of the site levels it was decided that a higher quality development could be delivered through a revised layout. The revised layout also removes the previously approved private drive access point off Stoney Lane. The proposed layout does not therefore comply with the previously approved matters (i.e. access and layout) and as such it has been necessary to submit a new full planning application albeit for the same number of dwellings (75) as those approved at the outline stage and for which the site is allocated at West Berkshire Housing Site Allocations DPD Policy HSA3.

2.5 The extant planning permission (16/01489/OUTMAJ) is a material consideration, as this scheme could be developed on site. **It is considered that the current proposal scheme is an improved scheme to that which has outline planning permission.**

3. Procedural Matters

3.1 The application has been considered under the Town and Country (Environmental Impact Assessment) Regulations 2017. Owing to its scale and location, the development is not considered to be "Schedule 2 development" under the EIA Regulations. Consequently, the application does not need to be accompanied by an Environmental Statement.

3.2 Site notices were displayed on 20/04/2020 at Stoney Lane adjacent to the site, and the entrance to Stoney Lane and Laud Close. The deadline for representations expired on 11/04/2020. A public notice was displayed in the Newbury Weekly News on 12/04/2020 the deadline for representations expired on 28/04/2020.

- 3.3 Amendments have been made to the application throughout the planning application process. These amendments have been to address specific technical concerns raised by consultees, the amendments have been made publically available via the Councils planning website. Given that these amendments have been in response to technical issues and do not significantly alter the proposal scheme, it has not been necessary for amended site notices to be displayed.
- 3.4 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) development at a rate per square metre (based on Gross Internal Area) on new development where new dwellings are created. CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil
- 3.5 A section 106 agreement will be required to secure the provision and retention of affordable housing, and for the provision and governance of the public open space.

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.

Cold Ash Parish Council:	<p>Object:</p> <ul style="list-style-type: none"> • Loss of valued views across this rural valley. Urbanises rural area. • Widening Stoney Lane will require removing hedgerows and trees causing immense damage to this narrow lane and Waller Park. • Significant flood risk to Manor Park. • Damage to the rural gateway to Ashmore Green. • Traffic/congestion issues. • Development not sustainable as due to Steepness of levels this would make building difficult and also deter cyclists. • Loss of Public amenity to Manor Park. Waller Park is currently an enclosed grassy open space. The current application proposes to remove most of the hedgerow on the north boundary within the site, which would have an urbanising effect on the park as views would consist of a housing estate rather than a hedgerow. The play area should be within the application site.
WBC Highways:	No objections, subject to planning conditions
Tree Officer:	No objections, subject to planning conditions
Environment Agency	No response received
Police	No objections

Environmental Health	No objections
Royal Berkshire Fire and Rescue	No response received
Housing:	No objections, subject to S106
West Berkshire Spokes:	<p>We are not happy with the choice of this site for housing, as it lies 50m above the Kennet valley floor. There is no indication that the height difference has been taken account of in the transport assessment and we are sceptical as to whether the number of journeys by bike will be anything approaching that claimed.</p> <p>However in order to reduce the amount of climb faced by would-be cyclists and therefore achieve more journeys by bike, we would like to see provision made for a shared pedestrian/cycle route linking the south east corner of the site to Fleetwood Close in the future. The land between this site and Fleetwood Close is highly likely to become available for development or as open space within a few years and in anticipation of this we would like to see a strip of land 2m wide south of the attenuation pond set aside from plots 48-51 to the corner adjacent to the boundary.</p> <p>At least 95% of essential journeys generated by this development will be to/from Newbury or Thatcham, not up Stoney Lane towards Cold Ash. Having the option of travelling via Fleetwood Close will reduce the climb for each bike journey by at least 35m as well as reducing the distance for most journeys by about 500m.</p> <p>We can see no details of how cycles will be stored and if this application is approved there should be a Condition requiring such details to be provided and approved before any site works commence.</p>
Archaeology:	No objections, subject to planning conditions
Lead Local Flood Authority:	No objections, subject to planning conditions
Waste Management:	No objections
Ward Member:	Objects
Thames Water:	No objections, subject to planning conditions
Ecology:	No objections, subject to planning conditions
Natural England:	No objections, subject to planning conditions
Newbury Town Council:	Objection: Members agreed with comments made by Thames Valley Police regarding the security to courtyard parking and the properties. There is a lack of pepper potting of the

	Affordable housing, which is against WBC policy with an inadequate travel plan for the site. Members also feel that the site layout should be revised so that more houses have south facing roofs to allow solar panels to be fitted.
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Public representations

4.2 Representations have been received from 88 contributors, 1 of which support, and 87 of which object to the proposal. 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:

Support

- The applicant has undertaken all necessary professional technical assessments, mitigation and good practice design.
- We need more homes, support growth and the local economy more now than ever before.
- Innovative solution for Affordable Housing.
- EVCPs and other smart infrastructure measures should be considered.

Objections

- The proposed access from Cold Ash Road is dangerous
- Shouldn't be building on green field land
- The area suffers from drainage issues and the development could result in flooding
- Will have significant traffic impacts
- Damaging to air quality
- Development is unsustainable
- Will be damaging for the wildlife
- Impact local utilities
- Visual impact from distant views
- Would disrupt the popular walking area
- Removal of the countryside is unacceptable
- No nearby amenities, residential will be reliant on cars
- Will cause noise and disruption during the construction period
- There are brownfield sites that should be use
- The LEAP should be within the boundary of Coley Farm
- The site should be reconsidered as a strategic housing site given the changes that Covid-19 have brought about
- The climate change emergency means that more rural land will be required for farming (prevent food miles)
- The council will have to pay for the maintenance of the play park
- Adjoining land owners may try and develop
- Additional pressure on schools and healthcare centres
- Waller Drive will become a 'rat run'
- Stoney Lane is a quiet country road
- There are mature trees and hedges within the site
- The development is not in-keeping with the area
- Overdevelopment of a green space
- Increased light pollution
- Cars may park on Stoney Lane

- Loss of dog walking area
- Pressure on doctors and schools
- Building density is too high
- Existing oil pipelines that cross Stoney Lane and Clay Hill field adjacent to the development
- The site does not have good public transport connectivity
- De-value existing properties
- Concerned that 40% Affordable Housing will not be met
- Existing road cannot cope with increased vehicle movements
- Loss of green space
- Damaging the countryside
- Removal of hedges and vegetation
- Topography of the site could be damaging for neighbouring residents
- Proposal scheme contrary to local plan policies
- The area identified for development is inside the protected GAP area identified to protect areas from development. The GAP area is recognised as an important area and is identified to protect the merging of the urban areas of Newbury and Thatcham. Under Policy C2 of the Structure Plan [saved policy] and Policy HSG.1 of the Local Plan generally provides protection of the character and the countryside. The structure plan stipulates these areas should be protected from development. Policy ENV.4 of the West Berkshire District Local Plan – Saved Policies states: ‘The Council will not permit development which would detract from the open, or rural character of areas of land identified on the Proposals Map essential to the maintenance of a clear physical and visual separation between settlements’. The planned development area is identified in the Newbury/Thatcham GAP area map.
- The widening of Stoney Lane requires the removal of the ancient hedgerows and will forever destroy the character of this narrow lane.
- Contrary to the NPPF
- Affordable Housing should be integrated within the site
- Will result in an urban style of development
- Site is not suitable for development due to the steep gradient
- Wildflower area will reduce the available space for public use

5. Planning Policy

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

- Policies ADPP1, ADPP2, CS1, CS4, CS5, CS6, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies HSA3, GS1, C1 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS5, OVS6, TRANS1, RL1, RL2 and RL3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- 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 (2014)
- West Berkshire CIL Charging Schedule
- Manual for Streets
- West Berkshire Council Landscape Character Assessment

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Landscape impact
- Public open space
- Impact on neighbour amenity and the amenity of future residents
- Highways
- Ecology
- Trees
- Archaeology
- Flood risk and drainage
- Housing

Principle of development

- 6.2 The application site is one of several housing allocation sites included in the Housing Site Allocations Development Plan Document (HSA DPD) which are required in order to deliver sufficient homes to meet the identified local housing need, both in terms of market and affordable housing. In the Housing Site Allocation DPD, Policy GS1 sets out the relevant development management criteria which needs to be addressed when assessing all housing allocations. These (inter alia) correspond to a masterplan which will coordinate the provision of the necessary infrastructure, an integrated water supply and drainage strategy, including no detrimental impact on interests of ecological importance, measures to improve accessibility, internal walking routes, mitigation of impact on the local road network, consideration of mineral deposits, and the submission of a LVIA where necessary.
- 6.3 The application site is located within the settlement boundary of Newbury. Policy ADPP1 of the Core Strategy seeks to locate new development within the settlements identified within the hierarchy. Newbury is identified as an 'urban area' and has a wide range of services, it is a focus for the majority of development in the District. Policy ADPP2 states that Newbury will accommodate approximately 5,400 new homes over the Core Strategy plan period.
- 6.4 The application site is allocated for residential development in accordance with Policy HSA3 of the Housing Site Allocations Development Plan Document (HSA DPD). As part of a review of the settlement boundaries under the HSA DPD, the settlement boundary for Newbury was amended to include the developable part of the site which was previously within the open countryside. The policy allows for the provision of approximately 75 dwellings on the site. The proposal scheme seeks permission for 75 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.

- 6.5 There remains an extant outline planning consent of the site also for the development of 75 houses, this is a material consideration when assessing the current application.
- 6.6 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.

Landscape impact

- 6.7 The application site is on rising land to the north east of Newbury; the highest point is 116m AOD and the lowest is 98m AOD – a fall of 18m which is quite significant over the distance involved. However, the site is naturally well self-contained, by virtue of existing mature vegetation and topography. Accordingly, longer distance views of the site are generally well screened, although it is of course acknowledged that future housing on the site will remain visible to the public domain in both short and medium distance vistas. As part of the extant consent the applicant submitted two detailed landscape and visual impact assessments (LVIA), these were assessed under the previous application with the assistance of an independent landscape consultant employed by the Council.
- 6.8 In terms of landscape and visual impact the proposal scheme is not considered to be significantly different from that of the extant scheme. The agent has submitted an update report for the LVIA, this is assessed as sufficient for the current application.
- 6.9 As identified in the LVIA update report, the overall characteristic of the site is defined by the contrast between the urban form of Newbury and the semi-enclosed and locally wooded rural landscape rising up to a series of wooded ridgelines to the north of the town.
- 6.10 The LVIA concluded that ancient woodlands and local wildlife sites in the area are unlikely to be affected by the proposals. The effects on the wider landscape character area were assessed as resulting in a slight adverse impact. The effects on the rural landscape character between Newbury and Cold Ash were assessed as moderate to slight adverse. However, at a local level, the introduction of new housing across an area which is currently mainly rural was assessed as likely to have a moderate/substantial adverse effect on the local landscape character.
- 6.11 The main point at which the impact of the proposal scheme on the landscape will impact the surrounding area is along Stoney Lane (the western boundary). Moderate adverse visual effects were assessed have also been identified for users of the public open space to the south of the site and for users of Stoney Lane at the south-western corner of the site.
- 6.12 A detailed landscaping scheme has been submitted with the application. The scheme includes the retention of a number of existing trees and hedges along the site boundaries. The proposed west boundary treatment includes relatively dense tree planting along the lower half of the site, which changes to a more open green buffer and hedging towards the north. The north boundary has an existing hedge which is to be retained, the north west point of the boundary includes two TPO trees and non TPO trees which will also be retained. Along the south boundary the existing evergreen hedging has been removed; this has been designed to allow the housing with a better relationship and connectivity with the open space and children's play area. Within the open space element of the proposal scheme, to the south, which includes the play area, the two groups of existing young woodland blocks are to be retained.

- 6.13 To the south west of the site, the proposal scheme includes a new pedestrian footpath and the widening off Stoney Lane, a section of hedging will be removed to make way for the footpath. By way of mitigation for this loss new native hedging is proposed between the footpath and Stoney Lane within the site.
- 6.14 Within the site further soft landscaping is included, this focuses around the two attenuation ponds in the centre of the site and in the south east corner.
- 6.15 The Council's Tree Officer has reviewed the proposal scheme and assessed the proposed landscaping plans. It is considered that there will be a net gain in terms of trees and hedging being planted on site. The hedging around the site and between properties is going to be strengthened and planted with native hedge mixes. Hedges are also to be planted in the front gardens which also soften the hard landscaping of the road and buildings.
- 6.16 Overall, with the exception with the south boundary, the proposal scheme includes additional planting along the boundary lines and at areas within the site, the inclusion of these measures aids the proposal scheme in not becoming overly urbanised.
- 6.17 Policy CS19 states that particular regard will be given to, amongst others, (a) the sensitivity of the area to change, and (b) ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.18 The development of 75 dwellings on a greenfield site will inevitably alter the landscape character of the immediate area. The fundamental impact on the application site has been deemed acceptable through the plan-making process, but it is considered that the detailed design of the proposal also accords with the requirements of policy CS19.

Public open space

- 6.19 Policy CS18 aims to protect and enhance the district's green infrastructure and requires new development to make provision for high quality and multifunctional open space of an appropriate size and provide links to the existing green infrastructure network. The policy does also require, that in the exceptional circumstance where the loss of green space is permitted, that it is replaced by one of greater or equal size.
- 6.20 Policy RL1 of the West Berkshire District Local Plan states that the Council will require, in new residential development of ten or more dwellings, the provision of between 3 and 4.3 hectares of public open space per thousand population in such form, scale and distribution as may be considered appropriate depending on local circumstances, together with associated facilities and equipment. Policy RL2 states that the provision of public open space may be satisfied in several ways, including by allocating space on the development site itself, by making space permanently available through formal agreement on other land in the applicant's control which is readily accessible from the development site and appropriate for public open space/recreational use, or in certain circumstances by making payment to meeting necessary open space or other recreational requirements within a reasonable distance of the development site.
- 6.21 The proposed open space and children's play area to the south of the site is the same land as that approved under the extant consent. The local equipped area for play (LEAP) was secured under a S106 agreement rather than within the red line of the application site for the previous permission.
- 6.22 The area of which the LEAP is proposed is existing open space. This conflicts with the expectations of policies RL1 and RL2. However, it is recognised that by allowing the re-use of the open space on the land which is outside the boundary of policy HSA3, this

results in a less dense housing development within the developable site. Ensuring that the density of the proposed housing scheme is kept as low as possible is beneficial to the overall design of the scheme and its impact on the open landscape. The Council's Grounds Maintenance Manager is satisfied with the proposal scheme.

- 6.23 When assessing the proposal scheme against the criteria of policies CS18, RL1 and RL2, there is a level of conflict which must be taken into consideration within the planning balance and assessed against the benefits of the proposal scheme and the fall-back position of the extant planning consent which offers less overall benefits than the current application. On the merits of this particular case it is considered that the enhancement of existing public open space is acceptable.

Impact on neighbour amenity and the amenity of future residents

- 6.24 The nearest properties to the application site are those along the south east boundary of site which runs adjacent to Wansey Gardens. The existing hedge row along this section of the south boundary is to be retained. The closest relationships between the proposal scheme and existing dwellings are as follows:

- (a) **Plot 50 and 18 Wansey Gardens:** the rear of 18 Wansey Gardens is angled away from plot 50, there will be no direct window to window overlooking of the two dwellings. The dwellings, at the closest points will have a distance of 17.4m but is not viewed as causing demonstrable harm to privacy of the existing occupiers.
- (b) **Plot 49 and 20 Wansey Gardens:** there will be a back to back distance of approximately 23.7m between the two dwellings, the Council's guidance for acceptable back to back distances is 21m.
- (c) **Plot 48 and 17 Wansey Gardens:** the back to back distance of these two dwellings is below the guidance of 21m, the distance is 15.5m. The wall of 17 Wansey Garden that will be impacted includes a kitchen and utility at ground floor and bedroom and en-suite and first floor. The existing trees between the two properties will be retained to improve privacy levels. The private external amenity of 17 Wansey Gardens is to the east of the dwellings and will not be directly overlooked by proposed plot 48.
- (d) **Plot 47 and 6 Laud Close:** the back to back distance for this relationship is 17.5m. The north elevation of 6 Laud Close does not include any windows at first floor level. The existing trees on the site will be retained. This relationship is found to be acceptable.

- 6.25 The relationships of the other dwellings within the site are found to be acceptable. The proposed development, on balance provides sufficient external amenity space for the proposed dwellings. Each house has its own private amenity areas which are on the whole satisfactory. The proposed flats will have access to the open spaces within the site.

- 6.26 The relationships between the proposed dwellings is found to be acceptable. There are elements of overlooking within the site, which is to be expected in a relatively dense residential environment, however the design and layout of the proposal scheme does not result in overtly harmful relationships.

- 6.27 Concerns have been raised by residents regarding the impact of the increased pressure that the proposal scheme will place on existing services, with a specific reference to local doctors' surgery and schools. This development is CIL liable and as such will generate funding which will be directed towards the local infrastructure. CIL funding is

used for infrastructure mitigation where the impacts from any development are incremental. No specific projects that would be required solely as a result of this development and would need a planning obligation have been identified.

Highways

- 6.28 In determining the extant outline planning permission, access was a matter for consideration. The proposed development differs from the outline permission in terms of the mix and size of dwellings, internal layout and access arrangements. Only the southernmost site access is proposed from Stoney Lane, rather than the two proposed in the outline permission. This site access from Stoney Lane will be in the same position as in the extant outline permission.
- 6.29 As per the extant consent Stoney Lane will continue to be widened from the existing 4.1-4.3m to 5.5m from just north of the site access. Southwards to the road known as Pine Ridge (on the western side of Stoney Lane), in accordance with guidance from Manual for Streets to allow two HGVs to pass.
- 6.30 A 2 metre wide footpath set back from Stoney Lane behind existing vegetation will continue to be proposed to connect the southwest corner of the site to the Stoney Lane footway, approximately 120m south of the site access. An uncontrolled pedestrian crossing with dropped kerbs and tactile paving will be provided in order to link this proposed footpath to the existing footway along the western side of Stoney Lane, with the crossing located opposite No.63 Stoney Lane.
- 6.31 The 30mph speed limit will be extended to a point approximately 220m north of the site frontage, as previously proposed, with signage to state as such.
- 6.32 The section of adoptable road from Stoney Lane, until the first right turn on site will be widened to a maximum width of 6m, in order to better accommodate emergency vehicles.
- 6.33 The speed limit will be reduced to 30mph past the site and therefore the required visibility to the left and right on exit from the site access to Stoney Lane is 43m, in line with guidance from Manual for Streets. The provision of visibility splays of 43m to the left and right will result in the removal of five trees to the north of the site access and pass in front of two further trees, as shown on the off-site highway works drawings at Appendix D. Trees to the south of the site access will be unaffected.
- 6.34 Forward visibility and visibility splays at junctions for the internal site roads will be set at 25m to the left and right, in line with guidance from Manual for Streets for a 20mph design speed. The internal roads within the site are proposed to be to an adoptable standard.
- 6.35 The proposed car parking is provided in accordance with Policy P1 of the Housing Site Allocations DPD. Electric car charging points (ECCP) will be required with a 7kw charger provided per house, with a 7 kw and a 22 kw charger per every block of flats, this can be controlled via a planning condition. Cycle storage is provided in accordance with the Councils Cycle and Motorcycle Advice and Standards for New Development 2014.
- 6.36 As detailed on pages 8 to 9 of the TA, to calculate the expected traffic generation for the proposal, the Trip Rate Information Computer System (TRICS) database has been used. TRICS is an Ireland and UK wide database of traffic surveys of many uses including residential. From TRICS the following is projected:

	AM peak (08.00 to 09.00)			PM peak (17.00 to 18.00)		
	Arrive	Depart	Total	Arrive	Depart	Total
Per dwelling	0.18	0.38	0.57	0.36	0.18	0.54
Whole development	14	29	43	27	13	40

6.37 The projection is in line with the Councils own surveys of residential developments taken at Yates Copse and Harrington Close in Newbury in 2016 that revealed total rates of between 0.37 and 0.67 per dwelling. It needs to be mentioned that the above figures do not reveal the total number of traffic leaving the area in the morning or arriving during the afternoon. Only the above peak hours are provided, as they are the busiest hours. The TA then proceeds to consider that with the affordable housing, suggesting that there will be a reduction in traffic levels to as follows:

	AM peak (08.00 to 09.00)			PM peak (17.00 to 18.00)		
	Arrive	Depart	Total	Arrive	Depart	Total
Whole development	12	22	34	21	12	33

6.38 The Councils Highway Authority has raised no objections to the proposal scheme.

Ecology

6.39 Policy CS17 of the Core Strategy seeks to ensure that there is no harm to biodiversity assets and that any adverse impacts are addressed. The application is supported by; bat mitigating strategy, bat roost assessment, bat survey, outline bat mitigation strategy, dusk emergency and dawn re-entry bat survey, preliminary bat roost assessment, preliminary ecology survey, reptile survey and reptile strategy. The site is not subject to any statutory or non-statutory designation of nature conservation interest.

6.40 The Council's Ecologist has worked on the application throughout the determination process, a number of amendments and mitigation strategy have been submitted by the agent in order to overcome the ecological concerns. The strategies and mitigation include measures such as; a convent over the north boundary hedge to ensure that it is retain and a planning condition ensure that only native hedging can be planted along the site boundary.

6.41 Bats are subject to the species protection provision of the Habitats Directive, as implemented by the Conservation (Natural Habitats etc.) Regulations 2010. This contains three 'derogation tests' which must be applied by the Local Planning Authority at the planning application stage and by Natural England when deciding whether to grant a licence to a personal carrying out an activity which would harm a European Protected Species. The three tests that must be met in order to successfully obtain a Natural England EPSM licence are as follows:

1. The consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment';
2. There must be 'no satisfactory alternative'; and
3. The action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

The following comprises an assessment of these derogation tests in relation to the bat species on the site:

1. The delivery of the proposed 75 dwellings is in accordance with the local development plan and therefore satisfies criteria 1 above.
2. There are no alterations that can be made to the proposal scheme that would enable the existing buildings to be retained.
3. The Council's Ecologist is satisfied.

6.42 Subject to the mitigation strategy, the Ecologist has no objections to the proposal scheme. Natural England have also raised no objections subject to planning conditions.

6.43 In terms of ecology, it is important to note that the extant planning consent will have a similar impact with fewer mitigation strategies in place, this is a material consideration.

Trees

6.44 The north east boundary of the site contains two TPO trees, these are to be retained as part of the proposal scheme.

6.45 The application is supported by Arboricultural Impact Assessment, Arboricultural Method Statement, Arboricultural Programme of works, Tree Protection Plan, Arboricultural Supervision programme of works and Services diagram and a lighting plan to minimise the impact on the existing and proposed trees.

6.46 The Council's Tree Officer has raised no objections to the proposal scheme subject to planning conditions.

Archaeology

6.47 The proposal to develop this greenfield site is of some archaeological interest. Though the site has no recorded heritage assets within its boundary, there is some potential: generally, the Kennet Valley has much evidence of prehistoric and Roman sites, but in particular the immediate area was a strategic location occupied by the Parliamentarians during the Civil War Second Battle of Newbury. While the exact location of any camp is undetermined, there is the possibility for surviving below-ground archaeology (particularly artefacts) related to this combat.

6.48 The applicants commissioned an Archaeological Desk-Based Assessment in 2016, and this has been resubmitted as part of the current application. Though an updated version would have been good practice, the Council's Archaeologist agrees with the document's conclusion that further field evaluation will be needed. There have already been discussions in relation to 16/01489/OUTMAJ about the next steps, which should include a metal detecting survey (in particular to identify any metal artefacts), a geophysical survey and trial trenching.

6.49 Undertaking the above at an early stage reduces the risk of archaeological mitigation being required unexpectedly, and is in line with NPPF paragraph 189. However it is accepted that the programme of work could be undertaken through a condition rather than pre-determination (and a condition was attached to 16/01489/OUTMAJ). The Archaeologist has advised that this will need to be part of a two-staged process, i.e. the evaluation, followed if necessary by a full investigation.

6.50 Subject to the relevant planning conditions, no objections are raised by the Archaeologist.

6.51 Policy CS19 of the Core Strategy seeks to ensure the protection of heritage assets identified through the Historic Environment Record. Based on the information submitted and the application of a planning condition, no conflict is found with this element of policy CS19.

Flood risk and drainage

6.52 Policy CS16 of the Core Strategy seeks to ensure that new development is suitably located within the areas of lowest flood risk. The policy further seeks to ensure that surface water is managed in a sustainable manner through the implantation of Sustainable Drainage Method (SuDS). The application site is within Flood Zone 1, a small run of the site entering at the centre of the eastern boundary and moving towards the middle of the site is at low risk of surface water flooding.

6.53 The application is supported by a Flood Risk Assessment (FRA) and Drainage Strategy.

6.54 The submitted drainage strategy has been assessed by the Council's Drainage Engineer, who is satisfied with the details submitted subject to planning conditions.

Affordable housing

6.55 Policy CS6 of the Core Strategy requires 40% affordable housing for residential developments on greenfield land. The proposal scheme seeks to deliver 30 affordable units which equates to the required 40%. The split between the units size of the affordable dwellings accords with the identified need in the 2016 Berkshire Strategic Housing Market Assessment (SHMA). This is an improvement to that of the extant planning consent.

Size of Unit	SHMA		Extant Consent		Revised Proposals	
	No. of units	%	No. of units	%	No. of units	%
1 bed	9-11	30-35%	4	13%	9	30%
2 bed	9-11	30-35%	20	67%	10	33%
3 bed	8-9	25-30%	6	20%	9	30%
4 bed	2-3	5-10%	0	0%	2	7%

6.56 In terms of floor space all the units have been designed to meet the Council's Planning Obligations SPD in terms of number of bed spaces and then the more recent Nationally Prescribed Space Standards in terms of floor areas for those sized units. This is with the exception of the 4 bedroom units which have been designed to a higher standard to provide 8 bed spaces at 130 sq. m.

6.57 The Affordable units are also 'pepper potted' around the site, again this is an improvement to the extant consent. The tenure of the units will be split between social rented and shared equity. The proposal scheme fully accords with policy CS6, the Council's Housing Officer supports the application. The delivery of the affordable units will be secured by a legal agreement.

7. Planning Balance and Conclusion

7.1 In conclusion, the site at Coley Farm has been allocated for residential development for approximately 75 dwellings in accordance with policy HSA3 of the HSA DPD. With the principle of the proposed residential use afforded full policy support within the

development plan, the report above focuses on the other development management issues. The site located with on the edge of Newbury's settlement boundary and adjoining the open countryside. Considering the parameter plans supporting the submission, the topography within the site, the proposed building heights and the landscape buffers around the site, it is considered that the development of 75 dwellings can be accommodated within adverse harm to the wider landscape.

- 7.2 There is an extant planning permission for the site which can still be implemented (subject to reserved matters approval and conditions discharge). The proposal scheme is assessed as a more favourable scheme to that of the extant consent by way of design, drainage measure, ecology mitigation and affordable housing. This is a material consideration which weighs heavily in favour of the proposal scheme.
- 7.3 The Local Development Plan provides up to date policies for the determination of residential applications in the District, as such the "titled balance" of paragraph 11d of the NPPF (2019) is not engaged. Having taken into account all of the relevant policy considerations and other material considerations referred to above, it is considered that the application complies with the development plan and that significant benefits by way of new housing and 30 affordable units with the settlement boundary, outweigh the modest adverse impacts. As such the recommendation is for conditional approval subject to the completion of a planning obligation to secure affordable housing, provision of a pedestrian footpath and management of the open space.

8. Full Recommendation

- 8.1 PROVIDED THAT a Section 106 Agreement has been completed by 22/01/2021 (or such longer period that may be authorised by the Head of Development and Planning, in consultation with the Chairman or Vice Chairman of the Western Area Planning Committee), to delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.
- 8.2 OR, if a Section 106 Agreement is not completed, to REFUSE PLANNING PERMISSION for the reasons listed below.

Conditions

1. **Commencement of development**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. **Preventing the implementation of two schemes**

The development to which this planning permission relates shall not be implemented if any part of the development for which planning permission was granted by the Local Planning Authority under application reference 16/01489/OUTMAJ is begun.

Reason: To prevent the implementation of both schemes or part implementation which would result in a piecemeal development and not allow for all of the necessary mitigation strategies to be implemented or enforced.

3. **Approved plans**

The development hereby permitted shall be carried out in accordance with the approved drawings and other documents listed below:

1. Apartments Floor Plans, reference 230 REV A, received 25/08/2020
2. Bin Store and Cycle Store, reference 220 REV D, received 31/07/2020
3. Proposed Site Layout Plan, reference 101 REV L, received 10/09/2020
4. Parking Strategy, reference 103 REV F, received 10/09/2020
5. Site Location Plan, reference 100, received 05/03/2020
6. Block Plan, reference 102 Rev C, received 22/06/2020
7. Surface Water Drainage Strategy, reference 8190252/1200 REV P8, received 29/07/2020
8. Site Sections and Street Scene, A, B and C, reference 222 REV B, received 01/07/2020
9. Site Sections and Street Scene, D, E and F, reference 223 REV B, received 01/07/2020
10. Building Heights, reference 106 Rev C, received 22/06/2020
11. House Types Plan, reference 107 Rev C, received 22/06/2020
12. House Type 3B1 Floor Plans and Elevations (Plots 25, 26, 29 and 30), reference 201 Rev C, received 22/06/2020
13. House Type 3B1A Floor Plans and Elevations (Plots 3, 4, 27, 28, 51 and 52), reference 202 Rev C, received 22/06/2020
14. House Type 3B2 Floor Plans and Elevations (Plots 5 and 18), reference 203 Rev C, received 22/06/2020
15. House Type 3B2A Floor Plans and Elevations (Plots 7 and 16), reference 204 Rev C, received 22/06/2020
16. House Type 3B3 Floor Plans and Elevations (Plots 17, 53, 54, 67 and 68), reference 205 Rev C, received 22/06/2020
17. House Type 4B1 Floor Plans and Elevations (Plots 1, 6, 13, 46, 47, 48, 50, 56, 57 and 58), reference 206 Rev C, received 22/06/2020
18. House Type 4B2 Floor Plans and Elevations (Plots 2, 45, 49, 59, 60, 66 and 69), reference 208 Rev C, received 22/06/2020
19. House Type 4B3 Floor Plans and Elevations (Plots 10, 19 and 55), reference 209 Rev D, received 22/06/2020
20. House Type 4B3A Floor Plans and Elevations (Plots 9 and 11), reference 210 Rev D, received 22/06/2020
21. House Type 4B3B Floor Plans and Elevations (Plots 12 and 14), reference 211 Rev D, received 22/06/2020
22. Apartments Floor Plans (2 of 2), reference 231, received 15/06/2020
23. House Type 4B3BA Floor Plans and Elevations (Plot 15), reference 212 Rev D, received 22/06/2020
24. Affordable Housing Layout, reference 105 Rev C, received 15/06/2020
25. Garages Plans and Elevations, reference 219 Rev B, received 05/03/2020
26. Sub Station, reference 221 Rev B, received 05/03/2020
27. House Type 3B2B Floor Plans and Elevations (Plot 8), reference 224 Rev C, received 22/06/2020
28. Apartments & Maisonettes Front & Rear Elevations (Plots 20-24), reference 226, received 15/06/2020
29. Apartments & Maisonettes Side Elevations (Plots 20-24), reference 227, received 15/06/2020
30. Apartments & Maisonettes Floor Plans (Plots 20-24), reference 228, received 15/06/2020
31. Apartments Elevations (Plots 33-41), reference 229, received 15/06/2020
32. House Type 4B4 AFF (Plots 31-32), reference 232, received 15/06/2020
33. Maisonettes (Plots 42-44), reference 233, received 15/06/2020
34. House Type 3B1 (semi) (Plots 64-65), reference 234, received 15/06/2020
35. House Type 3B1A AFF and 2B1 (Plots 73-75), reference 235, received 15/06/2020
36. House Type 3B1A AA and 2B1 (Plots 70-72), reference 236, received 15/06/2020
37. House Type 3B1A AA (Plots 61-63), reference 237, received 15/06/2020

38. Topographical Site Survey, reference 4a, received 05/03/2020
39. Landscape Mitigation and Enhancement Plan, reference ACLA/BFM 05 D, received 05/03/2020
40. Landscape Overview Plans 1 of 5, reference ACLA/BFM 100, Rev C, received 15/06/2020
41. Landscape Overview Plans 2 of 5, reference ACLA/BFM 101, Rev C, received 15/06/2020
42. Landscape Overview Plans 3 of 5, reference ACLA/BFM 102, Rev C, received 15/06/2020
43. Landscape Overview Plans 4 of 5, reference ACLA/BFM 103, Rev C, received 15/06/2020
44. Landscape Overview Plans 4 of 5, reference ACLA/BFM 104 Rev C, received 15/06/2020
45. LEAP Layout Plan, reference ACLA/BFM 105 Rev C, received 15/06/2020
46. Fire Hydrant Plan, 8190252/1511 Rev P5, received 22/06/2020
47. Proposed Levels, 8190252/1104 Rev P8, received 22/06/2020
48. Surface Water Drainage Strategy Plan, 8190252/1200 P8, received 29/07/2020
49. Proposed Covent Area, reference ACLA/BFM 106, received 15/06/2020
50. Refuse and Servicing, reference 104, Rev D, received 22/06/2020
51. Arboricultural Impact Assessment, reference RT-MME-150332-02 REV B, received 16/06/2020
52. Archaeological WSI, reference 15e282ds, received 03/04/2020
53. Energy Statement, Revision D by Energist, received 13/05/2020
54. Archaeological Desk-based Assessment, reference CFN15/284, received 05/03/2020
55. Outline bat mitigation Strategy, reference RT-MME-130905-05, received 05/03/2020
56. Preliminary Bat Roost Assessment, reference RT-MME-130905-02, received 05/03/2020
57. Dusk Emergence and Dawn Re-entry Bat Surveys, reference RT-MME-130905-03 Revised June 2020, received 15/06/2020
58. FRA and Surface Water Drainage Strategy, reference CV8190252/LMcG/DW/014, received 22/06/2020
59. Landscape Management and Maintenance Plan, reference ACLA/BFM, received 05/03/2020
60. PHASE 1 & 2 ENVIRONMENTAL & GEOTECHNICAL INVESTIGATION NO 3792/15 Parts 1 – 4, received 05/03/2020
61. PRELIMINARY ECOLOGICAL APPRAISAL, reference RT-MME-130905-01, received 05/03/2020
62. REPTILE MITIGATION STRATEGY, reference RT-MME-130905-06, received 05/03/2020
63. REPTILE SURVEY, reference RT-MME-130905-04, received 05/03/2020
64. SITE WASTE MANAGEMENT PLAN, by Pegasus Group, received 05/03/2020
65. PRELIMINARY ARBORICULTURAL ASSESSMENT UPDATED, reference RT-MME-150332-01, received 05/03/2020

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

4. **Arboricultural Method Statement**

No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area. Thereafter the development shall not take place without the implementation of the approved arboricultural method statement.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF 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, other 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.

5. **Arboricultural supervision condition**

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.

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. 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.

6. **Arboricultural Programme of Works**

No development or other operations shall commence on site until a detailed schedule of tree works including timing and phasing of operations has been submitted and approved in writing by the Local Planning Authority. Thereafter the approved tree works shall be undertaken in accordance with the approved details.

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. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection 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.

7. **Travel Plan**

No development above slab level shall take place until a Travel Plan has been approved in writing by the Local Planning Authority. The Travel Plan shall be implemented from the development first being brought into use. It should be 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 2019, Policy CS13 of the West Berkshire Core Strategy (2006-2026), policies P1 and GS1 of the Housing Site Allocations DPD (2017) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

8. **Electric vehicle charging points (prior approval)**

No dwelling shall be first occupied until an electric vehicle charging point has been provided for that dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

9. Construction method statement (prior approval)

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:

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

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). A pre-commencement condition is necessary because insufficient detailed information accompanies the application; ensuring that the site is constructed in a safe manner must be secured prior to works starting on site.

10. Layout and design standards

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

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

11. 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 2019 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

12. Parking (approved plans)

No dwelling shall be first occupied until vehicle parking and turning spaces for that dwelling have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring (of private cars and/or private light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

13. Cycle parking/storage (approved plans)

No dwelling shall be first occupied until cycle parking/storage facilities [for that dwelling have been provided in accordance with the approved drawings. Thereafter the facilities shall be maintained and kept available for that purpose at all times.

Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD 2006-2026, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

14. Widening of Stoney Lane

No dwelling shall be first occupied until the carriageway of Stoney Lane, between the northwest corner of the development site and Pine Ridge has been widened in accordance with drawing no. 8190252/6103 rev B and any statutory undertaker's equipment or street furniture re-located in accordance with current WBC carriageway standards.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework 2019 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

15. Change of Speed Limit

No development shall take place until details of how the '30/National' speed limit change will be relocated approximately 220 metres to the north, together with an entry feature have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the speed limit could be relocated including details of the gateway feature on Stoney Lane. No dwelling shall be first occupied until the speed limit change has been relocated and has been provided in accordance with the approved details.

Reason: To ensure the development is served by an adequately lit highway in order to maintain road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework 2019, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

16. Construction of Footpath

No dwelling shall be first occupied until a two metre wide footway on the east side of Stoney Lane, between the southwest corner of the development site and No. 63 Stoney Lane, including a dropped kerb crossing over Stoney Lane, has been

constructed in accordance with the approved drawings 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.

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).

17. Visibility Spays

No dwelling shall be first occupied until the visibility splays at the proposed access on to Stoney Lane have been provided in accordance with drawing number 8190252/6103 rev B. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework 2019 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

18. Sustainable drainage

No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018 and Surface Water Drainage Strategy Drawing No. 8190252/1200 or any subsequent version of this plan submitted to and approved by the LPA for the purposes of discharging this condition.
- b) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than Greenfield run-off rates;
- c) Include construction drawings, cross-sections and specifications of all proposed drainage features, SuDS measures and spillways within the site;
- d) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures for the 1 in 1 year storm, 1 in 30 year storm, 1 in 100 year storm and 1 in 100 year storm +40% for climate change events;
- e) Include flood water exceedance routes, both on and off site; Include flow routes such as low flow, overflow and exceedance routes;
- f) Include pre-treatment methods to prevent any pollution or silt entering SuDS features;
- g) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements and agreement for adoption by an appropriate public body or statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime;
- h) Include with any design calculations an allowance for an additional 10% increase of paved areas over the lifetime of the development;
- i) Provide written confirmation from Thames Water of their acceptance of the discharge from the site into the surface water sewer and confirmation that the downstream sewer network has the capacity to take this flow;

- j) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc);
- k) Include details of the preferred foul water pumping station, inclusive of capacity calculations;
- l) Provide details of how surface water will be managed and contained within the site during any construction works to prevent silt migration and pollution of watercourses and land either on or adjacent to the site;
- m) Provide a verification report carried out by a qualified drainage engineer demonstrating that the drainage system has been constructed as per the approved scheme (or detail any minor variations thereof), to be submitted to and approved by the Local Planning Authority on completion of construction. This shall include : plans and details of any key drainage elements (surface water drainage network, attenuation devices/areas, flow restriction devices and outfalls) and details of any management company managing the SuDS measures thereafter.

The above sustainable drainage measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained in the approved condition thereafter.

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 SuDS 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.

19. Construction Management Plan

No development shall take place until details of a scheme (Construction Method Statement) to control the environmental effects of the demolition and/or construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-

- (i) the control of noise
- (ii) the control of dust, smell and other effluvia
- (iii) the control of rats and other vermin
- (iii) the control of surface water run-off
- (iv) the proposed method of piling for foundations (if any)
- (v) proposed construction and demolition working hours
- (vi) hours during the construction and demolition phase when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the site.

The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of the amenities of the area. In accord with policy CS14 in the West Berkshire Core Strategy 2006 to 2026.

20. Hours of work (construction/demolition)

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

7:30am to 6:00pm Mondays to Fridays;
8:30am to 1:00pm Saturdays;
No work shall be carried out at any time on Sundays or Bank Holidays.

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

21. Contaminated land (investigation and remediation)

No development* shall take place until a scheme to deal with contamination at the site has been submitted to and approved in writing by the LPA. The above scheme shall:

- (a) Include an investigation and risk assessment. A report of the findings shall: identify the nature and extent of any contamination on the site (irrespective of its origin); include an assessment of the potential risks to human health, property, and the environment; and include an appraisal of remedial options, and proposal of preferred option(s).
- (b) Include a remediation scheme* which ensures 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. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.
- (c) Include a monitoring and maintenance scheme* to ensure the long-term effectiveness of the proposed remediation, and the provision of reports on the same that shall be submitted to and approved in writing by the LPA.
- (d) 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.

Thereafter, any approved remediation scheme and/or monitoring and maintenance measures shall be carried out in accordance with the approved details. Two weeks written notice shall be given to the LPA prior to the commencement of any remediation scheme.

If any previously unidentified land contamination is found during the carrying out of the development, it shall be reported immediately in writing to the LPA. Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. Thereafter, any remediation measures shall be carried out in accordance with the approved details.

The development shall not be occupied* until all 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.

(* Unless otherwise agreed in writing by the LPA)

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. 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). A pre-commencement condition is required to ensure that adequate investigation and a

suitable remediation and/or monitoring is agreed before it may be implemented throughout the demolition and/or construction phase.

22. Archaeological WSI

No development including site clearance shall take place within the application area until a Stage 1 Archaeological Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. No demolition or development shall take place for land within the area covered by the WSI, other than in accordance with the approved WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by Stage 1, then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI no site clearance work or development shall take place other than in accordance with the agreed WSI, which shall include:

A. The Statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 199 of the 2019 National Planning Policy Framework and is accordant with the requirements of Policy CS19 of the West Berkshire Core Strategy 2006-2026.

23. Permitted development restriction (extensions/outbuildings)

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C, D and/or E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overdevelopment of the site in the interests of respecting the character and appearance of the surrounding area, and to maintain acceptable relationships with surrounding development. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (June 2006).

24. Piling

If piling on the site is required then auger piling shall be used to minimise noise and vibration unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of neighbouring occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

25. Mineral Exploration

No development shall take place until a statement of mineral exploration and associated development management plan has been submitted to and approved in writing by the Local Planning Authority. This statement shall include:-

- (a) A method for investigating the extent and viability of the potential construction aggregate mineral resource beneath the application site, particularly the eastern end of the site where it is proposed to locate the sustainable urban drainage system.
- (b) A methodology that ensures that construction aggregates that can be viably recovered during development operations are recovered and put to beneficial use, such use to be agreed with the Planning Authority, and such an agreement not to be unreasonably refused; and
- (c) A method to record the quantity of recovered mineral (for use on and off site) and the reporting of this quantity to the Local Planning Authority.

Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure compliance with Policies 1, 2 and 2A of the Replacement Minerals Local Plan for Berkshire to ensure the appropriate use of the identified mineral resources located beneath the application site. A pre-commencement condition is required because any recovered aggregate will take place during construction operations.

26. Protection of breeding birds during construction

No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding bird shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.

Reason: To ensure that breeding birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

27. Badgers

No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. Thereafter any such works shall incorporate the approved measures. The measures may include:

- a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
- b) open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

Reason: To ensure that badgers are not trapped and harmed on site and also to ensure that badgers do not cause problems for future site operation, e.g. blockage of pipes. Badgers are protected under the Protection of Badgers Act 1992. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

28. Lighting strategy (Ecology)

No external lighting shall be installed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- (a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.
- (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species.
- (c) Include an isolux diagram of the proposed lighting.

No external lighting shall be installed except in accordance with the above strategy.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

29. Hard landscaping (prior approval)

No dwelling hereby permitted shall be occupied until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the dwellings are occupied because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

30. Landscaping (submitted scheme)

All landscape works shall be carried out in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including plans and documents referenced in condition 3 of this planning consent. The approved landscape works shall be implemented within the first planting season following first occupation of the or in accordance with a programme submitted before any development takes place and approved in writing by the Local Planning Authority. Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: To ensure the implementation of a satisfactory scheme of landscaping. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026)

31. Landscape and ecological management plan (LEMP)

A Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) shall be submitted to and be approved in writing by the local planning authority prior to the construction of any dwelling of the development. The content of the LEMP shall include the following:

- (a) Description and evaluation of features to be managed.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management.

- (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 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: This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the LEMP may need to be implemented during construction.

34. Construction environmental management plan (Biodiversity)

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- (a) Risk assessment of potentially damaging construction activities.
- (b) Identification of “biodiversity protection zones”.
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- (d) The location and timing of sensitive works to avoid harm to biodiversity features.
- (e) The times during construction when specialist ecologists need to be present on site to oversee works.
- (f) Responsible persons and lines of communication.
- (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- (h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.

35. Updated surveys

If the development hereby approved does not commence by 1 September 2022, the approved ecological measures secured through Conditions 3, 32 and 33 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to (i) establish if there have been any changes in the presence and/or abundance of (bats, slow worms and

nesting birds) and (ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

IMPORTANT: If any protected species are identified in the new surveys that were not previously known to be on site, and are likely to be harmed by the development, then a protected species licence might be required before works can commence. Advice should be sought from Natural England and/or a suitably qualified ecologist.

Reason: Reason: This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is to ensure relevant mitigation and protection is in understood and in place prior to works starting on site.

Heads of Terms for Section 106 Agreement

1. **Affordable housing**
To provide 40% affordable housing on site.
2. **Public open space**
To secure the creation, retention and governance of public open space and LEAP in accordance with the details provided in LEAP Layout Plan, reference ACLA/BFM 105 Rev C.
3. **Protection of hedgerow**
Planning obligation to protect and maintain the existing hedgerow along the northern boundary and the middle section along the eastern as shown on plan; Proposed Covent Area, reference ACLA/BFM 106.

Informatives

1. The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.
2. The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "*Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority*". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met. A fee is required for an application to discharge conditions.

3. 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.
4. 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
5. This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the 18th September 2017. You are advised to ensure that you have all the necessary documents before development starts on site.
6. 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.
7. 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>
8. The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk
9. The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a

tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.