

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	21/01645/FULD Ashhampstead	11 th August 2021	Demolition of existing house, garage and outbuildings, erection of one new house and detached open carport. Section 73 application to vary condition 2 (approved plans) of approved planning permission 20/02001/FULD. Redwood Burnt Hill Yattendon Thatcham West Berkshire RG18 0XD Mr Justin Knott

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01645/FULD>

Recommendation Summary: Grant planning permission subject to conditions

Ward Member: Councillor Alan Law

Reason for Committee Determination: 10 or more objections received

Committee Site Visit: 18th August 2021

Contact Officer Details

Name: Mr. Matthew Shepherd
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1. Introduction

- 1.1 This application seeks planning permission under Section 73 of the Town and Country Planning Act 1990 to vary condition 2 (approved plans) of approved planning permission 20/02001/FULD, which granted planning permission for the demolition of the existing house, garage and outbuildings, erection of one new house and detached open carport at Redwood, Burnt Hill, Yattendon, Thatcham, RG18 0XD.
- 1.2 Although the development has commencement through the demolition of the previous house it is not considered at the time of writing that the changes proposed within this application have been undertaken and therefore this application is currently being considered under Section 73.
- 1.3 The site lies within the AONB, within the hamlet of Burnt Hill. The site was occupied by a detached dwelling and a single storey detached garage prior to the implementation of permission 20/02001/FULD. This dwelling was between two existing properties, The Oaks and The Bungalow. All three properties are detached, set back from the road, positioned within large plots. On the opposite side of Scratchface Lane, the development pattern is similar, which includes a number of detached dwellings, along with a cul-de-sac development of large properties.
- 1.4 The proposal includes a single storey side extension to include a plant room, a rear single storey conservatory/rear extension, and the enlargement of the car port to a double car park.

2. Planning History

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

Application	Proposal	Decision / Date
18/01678/FULD	Demolition of existing house and garage, and erection of two new houses.	Refused and dismissed at appeal 12.06.2018
18/02855/FULD	Demolition of existing house and erection of one new house and garage.	Refused 20.12.2018
19/01646/FULD	Demolition of existing house, garage and outbuildings, erection of one new dwelling.	Refused and dismissed at appeal 28.10.2019.
20/00763/FULD	Revised application for demolition of existing house, garage and outbuildings, erection of one new house	Refused 29.05.2020.
20/02001/FULD	Demolition of existing house, garage and outbuildings, erection of one new house and detached open carport	Approved 06.11.2020

20/02030/HOUSE	Householder application for side and rear extension including associated improvements to parking and access.	Approved 26.11.2020.
21/00013/COND1	Application for approval of details reserved by conditions 4 (materials), 5 (landscaping), 6 (CMS), 13 (finish floor levels), 14 (external lighting), 15 (drainage), 16 (tree protection), 17 (Arboricultural Method Statement) 19 (spoil), 20 (LEMP) and 21 (CEMP) of approved 20/02001/FULD - Demolition of existing house, garage and outbuildings, erection of one new house and detached open carport	Spilt Decision part approved part refused 11.03.2021.
21/00777/COND2	Application for approval of details reserved by conditions 15 (Drainage), 16 (Tree protection) and 17 (Arboricultural Method Statement) of approved planning permission 20/02001/FULD - Demolition of existing house, garage and outbuildings, erection of one new house and detached open carport	Approved 26.05.2021.

3. Procedural Matters

- 3.1 **EIA:** The proposed development falls within the column 1 description at paragraph 10(b) (urban development projects) of Schedule 2. Although it does not meet/exceed the relevant threshold in column 2, it is located in a sensitive area, namely the North Wessex Downs Area of Outstanding Natural Beauty. The proposal is therefore “Schedule 2 development” within the meaning of the Regulations. However, taking into account the selection criteria in Schedule 3, it is not considered that the proposal is likely to have significant effects on the environment. Accordingly, the proposal is not considered “EIA development” within the meaning of the Regulations.
- 3.2 **Publicity:** A site notice was displayed on 20TH July 2021 at the front of the site; the deadline for representations expired on 10th August 2021.
- 3.3 **CIL:** 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) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). 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

Statutory and non-statutory consultation

- 3.4 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.

Ashampstead Parish Council:	<p>Object to the application. The objections are summarised as follows:</p> <ul style="list-style-type: none"> • The approved plans saw an increase of 100% in the internal areas measured against the original property whilst the proposal add a further 10% to allowed internal area this is effectively a further increase of 25% on the original property. Not a minor extension. • The proposed brings the development closer to neighbour properties reducing the openness of the site. This clearly has an impact on the properties opposite but also spoils the rural character of this part of the AONB. • The proposed sunlight dining rooms adds considerable depth to the development and due to rising grounds creates much more massing effect when view from Thee Oaks. • Condition 23 of the previous planning permission decision specially applied in order to prevent over development. • There could be attempts to enlarger the development even further.
Yattendon Parish Council	<p>Object to the application. The objections are summarised as follows:</p> <ul style="list-style-type: none"> • The extensions to the footprint of the development constitutes overdevelopment of the site. Condition 23 of the granted permission seeks to ensure that overdevelopment of the site does not occur. • The dining room extension at the rear of the property significantly increases the footprint to the rear of the approved building and that of its neighbouring property, Thee Oakes. The proposed doors and windows on the northwest elevation provides a line of sight directly into the neighbouring property. Condition 24 seeks to protect the amenity and privacy of the neighbouring property and this additional extension goes against this. <p>The addition of the plant room reduces the space between the property and its neighbouring property, blocking the open views from Scratchface Lane that are so important in an Area of Outstanding Natural Beauty.</p>
WBC Highways:	No objections
WBC Public Rights of Way Officer:	No response
Ramblers Associations:	No response

North Wessex Downs AONB Board:	No response
WBC Tree Officer:	Comments made
WBC Ecology Officer:	No response
Natural England	No comments
WBC SUDS Officers:	No response
WBC Waste Management Officers:	No objections

Public representations

3.5 Representations have been received from 19 contributors, all 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:

- This application effectively seeks a new planning permission.
- The applicant has submitted a number of applications for this site and most have been overdevelopment.
- The site is an absolute mess with detritus scattered everywhere, and the applicant has not had the decency to engage with local residents.
- The application is accompanied by a planning report which states that the plot will not be saleable unless the property is further enlarged, this should have been considered before they bought the plot.
- I also note that the application submitted is at a scale of 1:200 rather than a more usual 1:100 or even 1:50 – this scale has the effect of making the development look less on paper than it will actually be when built.
- The increase of the Carport to the south of the development means that the entire road frontage will, in effect, be taken up by the development constituting another application of overdevelopment.
- The revisions amount to circa 34m² of space taking the total house (excluding the carport) to circa 290m² - much too large for this rural hamlet and this particular location.
- It is not seen how this application for the amendment to the granted permission (condition2) is anything other than an attempt to achieve a larger development via the 'back door'. In my opinion, if approved, this permission would constitute over-development of a plot of this size.
- The dwelling is not considered to be proportionate in size and scale to the existing dwelling.
- The Impact on the AONB" This new proposal does nothing to mitigate the urbanising and dominating impact on the landscape and does not reflect neighbouring dwellings.
- Has a detrimental impact on the quality of life in West Berkshire and does not display the highest level of design". There is no mitigation of these concerns. - "Lack of Information on Ecology of the Site".
- There is no ecology report.
- In summary Burnt Hill is in an AONB and is a hamlet of individual, modest houses of character positioned centrally within their plots. The proposal is too large and ostentatious and in a style that is not sympathetic to the area.

- Given the circa 1.2m height difference between Thee Oakes and Redwoods, and patchy nature of the laurel hedge in this location and the hedge that will inevitably be removed when the development commences, the impact of pushing the development further back into the site, significantly beyond the line of the existing Redwood house and Thee Oakes, is that there will be direct lines of sight from the additional dining/living space via the proposed the patio doors/windows on the North West eleven directly into neighbouring kitchen, rear bedrooms and patio significantly impacting on privacy and amenity.
- Approving the development will inevitably lead to further attempts to enlarge the property.
- Condition 24 of the previous permission effectively restricted the development on site to the maximum given.
- The plant room significantly reduces the buffer between the new house and Thee Oakes and blocks the currently open views from Scratchface Lane up and down the valley. We are also worried about noise from 'plant' this close to our living and bedroom accommodation.

4. Planning Policy

4.1 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, ADPP5, CS1, CS4, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, C7, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS.5, OVS.6, TRANS 6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)

5. Appraisal

5.1 The main issues for consideration in this application are:

- Decision making context
- Character and appearance
- Impact on neighbouring amenity
- Highways safety

Decision making context

5.2 An application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the

uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied.

- 5.3 Planning permission cannot be granted under section 73 to extend the time limit within which a development must be started or an application for approval of reserved matters must be made. Section 73 cannot be used to change the description of the development.
- 5.4 Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted. A decision notice describing the new permission should clearly express that it is made under section 73. It should set out all of the conditions imposed on the new permission, and, for the purpose of clarity restate the conditions imposed on earlier permissions that continue to have effect.
- 5.5 Section 73 provides that on such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted. Consequently, the principle of development and other fundamental considerations have already been judged to be acceptable in the previous grant of planning permission. The consideration of this application should focus on the merits of the proposed changes to the previously approved detailed design.
- 5.6 There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.
- 5.7 The main issue raised by the proposed changes to the design of the dwelling and the car port and how this affects the design of the dwelling and character of the area.

Character and appearance

- 5.8 Policy CS14 seeks high quality design to ensure development respects the character and appearance of the area. Policy CS19 seeks the enhancement of the natural and built environment. It states that particular regard will be given to the sensitivity of the area to change, and to ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 5.9 This application seeks to add to application 20/02001/FULD through a single storey side extension to include a plant room, a rear single storey conservatory/rear extension, and the enlargement of the car port to a double car park.
- 5.10 Given the application is a variation of the original application, rather than a householder application, the relevant principal policy is Policy C7 (Replacement Dwellings) rather than Policy C6 (Extensions).
- 5.11 Policy C7 states that there will be a presumption in favour of the replacement of an existing dwelling of permanent construction. A replacement dwelling will be permitted providing that:
 - i. The existing dwelling is not subject to a condition limiting the period of use as a dwelling; and
 - ii. The replacement dwelling is proportionate in size and scale to the existing dwelling, uses appropriate materials and does not have an adverse impact on:
 1. The character and local distinctiveness of the rural area

- 2. Individual heritage assets and their settings
 - 3. Its setting within the wider landscape; and
- iii. There is no extension of the existing curtilage, unless required to provide parking or amenity space to be consistent with dwellings in the immediate vicinity; and
 - iv. Where the existing dwelling forms part of an agricultural, equestrian, or other commercial rural enterprise and is an essential part of that enterprise, the replacement dwelling must continue to perform the same function. An occupancy condition may be applied; and
 - v. The impact on any protected species is assessed and measures proposed to mitigate such impacts.
- 5.12 It has previously been concluded that the development permitted under application 20/02001/FULD complies with Policy C7. When considering this application it must be assessed in terms of whether the development as a whole, not just the individually extensions, would comply with Policy C7. The main areas of the development that need to be reviewed are the design, proportionately, and impact to the character of the area. These have been considered in the rest of the report.
- 5.13 Whilst the case officer accepts that further development does take this dwelling further away from the original, now demolished, dwellings size in terms of proportionality the case officer does not feel this results in a harmful impact.
- 5.14 Paragraph 11 of Appeal Decision APP/W0340/W/19/3243683 for the previously proposed much larger house notes that
- “The proposed replacement dwelling would be substantially larger in terms of footprint, floor area and height. It would have a larger expanse of roof and, when viewed within its rural context, the proposed replacement building would be of a considerably greater scale, bulk and massing than the property to be replaced.”*
- 5.15 It is noted that the previously proposed dwelling referred to by the Planning Inspectorate was two storey with rooms in the roof. The proposed elements of this application are all single storey additions to the dwelling. So whilst there is an increase in footprint this is not the same as what was proposed under appeal APP/W0340/W/19/3243683. It also does not add to the overall scale, bulk or massing of the proposed dwelling. Owing to their position, design and scale it is considered that the proposed changes do not significantly add to the bulk and massing of the dwelling in the same way as previously found harmful.
- 5.16 Although the single storey boot/utility room on the side will increase the width by approximately 2.4 metres this is set back from the front of the property giving it less prominence and breaking up the building line. Additionally in the context of Appeal Decision APP/W0340/W/19/3243683 that was 16 metres wide at two storeys so still smaller and with significantly less mass, bulk and height.
- 5.17 The total floor space of the previously refused scheme which was dismissed at appeal APP/W0340/W/19/3243683 was approximately 367 square metres. The variation proposed within this development would take the size to approximately 260 square metres, and all the increases would be single storey, whereas the previous size was over two storeys with rooms in the roof.
- 5.18 The rear extension extends into the large expanse of garden to the rear of the property. Whilst the size and the width would increase again in a piecemeal way from the previously approved development and the original house, it is not considered that it would do so in a way that was harmful to the character of the area or the AONB.

- 5.19 The carport is proposed to be increased from one car bay to two car bays. The design is very similar to the off the previously approved carport. Again whilst this pushes the size and width of built form upwards it is not considered to result in harmful massing, bulk or scale given its height.
- 5.20 Overall, it is considered on balance that the proposed development remains in compliance with Policy C7, and other policies which relate to design and character. It is not considered that harm would result to the character of the area or the wider AONB. The extensions are all subservient. Previous Planning Inspectors found concern with appeal schemes in terms of their bulk, massing and size, but it is considered that these aspects of development would not have a harmful effect. It is therefore considered that the development complies with Policies C3, C7, CS14, and CS19 of the development plan.

Impact to Neighbouring Amenity

- 5.21 Concerns have been raised in the letters of objections as to the impact on neighbouring amenity. The provision of a plant room on this side of the house has a degree of separation to neighbours. Additionally, the plant housed within this room serves the domestic dwelling of Redwood itself so there are no fundamental concerns with potential noise that would indicate planning permission should be refused.
- 5.22 The rear extension would include patio doors facing towards neighbouring properties but these would be at ground floor level and could be obscured by boundary treatments and landscaping. Additionally the area to the rear of the property would have been an area of patio under the original design which would have benefited from the same position. It is therefore considered that the proposed changes do not have a detrimental impact on the neighbouring amenity.

Highways

- 5.23 The highway officer's raises no objections to the application. Conditions recommended under 20/02001/FULD and subsequently discharged should be carried over and the development built in accordance with the agreed details.

6. Planning Balance and Conclusion

- 6.1 Section 73 provides that on such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted. Consequently, the principle of development and other fundamental considerations have already been judged to be acceptable in the previous grant of planning permission. The consideration of this application should focus on the merits of the proposed changes to the previously approved detailed design. The main issue raised by the proposed changes to the design of the dwelling and the car port and how this affects the design of the dwelling and character of the area.
- 6.2 The proposed changes would increase the overall size of the development, which is an important factor in terms of determining whether the replacement dwelling is proportionate to the original dwelling. However, having regard to the position, scale and design of the proposed changes, it is considered that the resultant dwelling would remain in compliance with Policy C7, not cause any harm to the character of the area or wider AONB, not materially harm neighbouring amenity, and not raise any new highway or environmental issues. As such, it is recommended the planning permission is granted.

7. Full Recommendation

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

Conditions

1. **Approved plans**

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

- Drawing title "Proposed Site Plan, Car port, Location and Block Plans". Drawing number 20/16/01 Revision F. Drawing submitted 16/06/2021.
- Drawing title "Proposed Access & Visibility Splays" (access only, excluding building footprint). Drawing number 19/02. Drawing submitted 28/08/2020.
- Drawing title "Proposed Plans and Elevations". Drawing 20/16/03 Rev C. Drawing submitted 16/06/2021.
- Drawing title "Proposed Site Sections". Drawing 20/16/02. Drawing submitted 28/08/2020.

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

2. **Demolition of Existing Building**

The existing dwelling on the site and all associated outbuildings, and structures within its curtilage shall be demolished and the land cleared of spoil and debris prior to the commencement of development of the replacement dwelling hereby approved.

Reason: The demolition of the existing dwelling is used to justify the approval of this development. Without demolition of these buildings the development would proliferate built form on the AONB not in accordance with policy, This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

3. **Materials**

The materials to be used in this development shall be as approved by application 21/00013/COND1, unless alternative materials are permitted in writing by the Local Planning Authority pursuant to this condition. The approved materials are:

- Brown Plain Clay Roof Tiles - Sandtoft Humber Flanders.
- Red Brown Facing Bricks - Ibstock Olde Village. Mortar finish as shown.
- Windows, External Doors and Bargeboards:- uPVC Colour White.
- Driveway and Parking Area:- Natural shingle with porous tarmac driveway set back 5m from highway edge.
- Patio and Sidings adjoining house:- Permeable Paving - Raj Hand-Cut Sandstone Paving
- Timber Cladding (cycle store) - Treated sawn featheredge stained light brown.
- Gutters & Downpipes - Black uPVC ogee guttering and round downpipes.
- Fascia and Soffit uPVC white to match doors and windows.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

4. **Soft Landscaping**

All landscaping works shall be completed in accordance with the approved landscaping scheme contained within the LEMP (version 4) approved under application 21/00013/COND1) within the first planting season following completion of building operations / first occupation of the new dwelling (whichever occurs first). 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 completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: Landscaping is an integral element of achieving high quality design. 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.

5. **Construction Method Statement**

The development shall be carried out in accordance with the Amended Construction Method Statement submitted to the Local Planning Authority via email on the 25/01/2021, under application 21/00013/COND1.

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

6. **Electric Charging Points**

The dwelling shall not be first occupied until an electric vehicle charging point has been provided in accordance with the approved drawings. The charging point shall thereafter be retained and kept available for the potential use of an electric car.

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.

7. **Stopping up of Existing Vehicular Access**

The existing vehicular access at the site shall be stopped up and abandoned immediately after the new access hereby approved has been brought into use. The footway/verge shall, at the same time as the stopping-up and abandonment, be reinstated to the satisfaction of the Local Planning Authority.

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

8. **Visibility splays**

No development shall take place until visibility splays of 2.4 metres by 37 metres to the north-west and 2.4 metres by 36 metres to the south-east have been provided at the access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is necessary because the works are required to be undertaken throughout the construction phase in the

interests of highway safety. This pre commencement condition was agreed by the agent via email on the 02/11/2020.

9. **Parking Layout**

The replacement dwelling shall not be first occupied until vehicle parking and turning spaces 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.

10. **Cycle Parking**

The replacement dwelling shall not be first occupied until cycle parking/storage facilities 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).

11. **Hours of work (demolition/construction)**

No demolition or construction works shall take place outside the following hours:
8:00am to 6:00pm Mondays to Fridays;
8:30am to 1:00pm Saturdays;
nor at any time on Sundays or Bank Holidays.

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

12. **Finished Floor Levels**

The finished floor levels of the development shall be carried out in accordance with the finished floor levels shown in Drawings 20/16/03A showing finished floor level of 112.27m AOD (as existing) which relates to the topographical survey drawings 662TH01 forming part of the submitted and approved plans which were found as part of application 21/00013/COND1.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

13. **External Lighting**

No external lighting shall be installed within the site except in accordance with the statements in the covering letter, and the elevation drawings, submitted as part of approved application 21/00013/COND1.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, and to conserve the dark night skies of the North Wessex Downs AONB. 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.

14. Sustainable drainage

The replacement dwelling shall not be first occupied until the sustainable drainage measures identified in the SuDS Strategy Report (reference SD2103105), approved under application 21/00777/COND2, have been completed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The sustainable drainage measures shall be maintained and managed in accordance with the approved details 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).

15. Tree Protection

The development shall be carried out in accordance with the tree protection methods set out in the covering letter approved under application 21/00777/COND2 (related to condition 16 of 20/02001/FULD).

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.

16. Arboricultural Method Statement

The development shall be carried out in accordance with the Arboriculture Method Statement set out in the covering letter approved under application 21/00777/COND2 (related to condition 17 of 20/02001/FULD).

Reason: To ensure the protection of trees identified for retention at the site. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

17. Hard Landscaping

The replacement dwelling hereby permitted shall be first 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.

18. **Spoil**

The spoil arising from the development shall be dealt with in accordance with the details approved under application 21/00777/COND2 (relating to Condition 19 of 20/02001/FULD).

Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

19. **LEMP and CEMP**

The development shall be carried out in accordance with the Landscape Ecological Management Plan (GS Ecology ECO2198e3, 05/03/2021) submitted to the council on the 05/03/2021 via email in response to condition 20 and 21 of 20/02001/FULD and approved under application 21/00777/COND2.

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

20. **Bat Mitigation**

The replacement dwelling shall not be first occupied until bat access tiles, as shown in figures 4 and 5 and prescribed in section 4.0 Assessment and Recommendations (bats) of the submitted Ecological assessment report (Dated 18 September 2020 - Ref ECO2198b), have been installed in the presence of a suitably qualified and experienced ecologist. Thereafter they shall be retained, maintained and not obstructed or blocked in perpetuity.

Reason: To ensure the protection and limit any potential the Biodiversity Opportunity Area. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS17 of the West Berkshire Core Strategy (2006-2026),

21. **Permitted Development Rights Restrictions**

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

Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding North Wessex Down Area of Outstanding Natural Beauty. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

22. **Side window obscure glazing**

The windows at first floor level in the western and eastern side elevations of the dwelling hereby approved shall be fitted with obscure glass before the dwelling

hereby permitted is occupied. The obscure glazing shall be permanently retained in that condition thereafter.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (2006) and Supplementary Planning Guidance 04/2 House Extensions (July 2004).