

Notice of Meeting



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Eastern Area Planning Committee Wednesday 2nd May 2018 at 6.30pm At the Calcot Centre, Highview (off Royal Avenue), Calcot

Members Interests

Note: If you consider you may have an interest in any Planning Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Tuesday, 24 April 2018

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

Note: The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded. Those taking part in Public Speaking are reminded that speakers in each representation category are grouped and each group will have a maximum of 5 minutes to present its case.

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Calcot Centre between 5.30pm and 6.30pm on the day of the meeting.

No new information may be produced to Committee on the night (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they must provide such material to planning officers at least 5 clear working days before the meeting (in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact the Planning Team on (01635) 519148

Email: planapps@westberks.gov.uk

Further information, Planning Applications and Minutes are also available on the Council's website at www.westberks.gov.uk



Agenda - Eastern Area Planning Committee to be held on Wednesday, 2 May 2018
(continued)

Any queries relating to the Committee should be directed to Stephen Chard / Jessica Bailiss on
(01635) 519462/503124 Email: stephen.chard@westberks.gov.uk /
jessica.bailiss@westberks.gov.uk



Agenda - Eastern Area Planning Committee to be held on Wednesday, 2 May 2018
(continued)

To: Councillors Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Marigold Jaques, Alan Law (Vice-Chairman), Alan Macro, Tim Metcalfe, Graham Pask (Chairman), Richard Somner and Emma Webster

Substitutes: Councillors Lee Dillon, Sheila Ellison, Tony Linden and Mollie Lock

Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting.
2. **Minutes** 7 - 16
To approve as a correct record the Minutes of the meeting of this Committee held on 11th April 2018.
3. **Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
4. **Schedule of Planning Applications**
(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications.)
 - (1) **Application No. & Parish:17/03290/OUTMAJ - Land at The Old Farmhouse, Newbury Road, Hermitage, Thatcham** 17 - 76

Proposal: Outline application for demolition of farmyard buildings, retention of The Old Farmhouse and the erection of up to 21 new dwellings, improved vehicular access off Newbury Road, car parking, public open space and landscaping. Matters to be considered - Access.

Location: Land at The Old Farmhouse, Newbury Road, Hermitage, Thatcham, Berkshire

Applicant: The Executors To The Neville Baker Estate

Recommendation: To delegate to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to conditions and the completion of a S106 legal agreement.

Or, if a S106 legal agreement within the specified time, to delegate to the Head of Development and Planning to **REFUSE PLANNING PERMISSION.**



Agenda - Eastern Area Planning Committee to be held on Wednesday, 2 May 2018
(continued)

- (2) **Application No. and Parish: 17/03334/FULD - 4 High Street, Hermitage, Thatcham** 77 - 96
- Proposal:** Demolition of outbuildings and erection of 1 x two bedroom, 2 x three bedroom dwellings and associated works.
- Location:** 4 High Street, Hermitage, Thatcham, Berkshire RG18 9SR
- Applicant:** Mr Broadbent
- Recommendation:** To **DELEGATE** to the Head of Development & Planning to **GRANT PLANNING PERMISSION**

Items for Information

5. **Appeal Decisions relating to Eastern Area Planning** 97 - 98
Purpose: To inform Members of the results of recent appeal decisions relating to the Eastern Area Planning Committee.

Background Papers

- (a) The West Berkshire Core Strategy 2006-2026.
- (b) The West Berkshire District Local Plan (Saved Policies September 2007), the Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.
- (c) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Andy Day
Head of Strategic Support

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 11 APRIL 2018

Councillors Present: Peter Argyle, Pamela Bale, Graham Bridgman, Keith Chopping, Richard Crumly, Alan Law (Vice-Chairman), Mollie Lock (Substitute) (In place of Alan Macro), Tim Metcalfe, Graham Pask (Chairman), Richard Somner and Emma Webster

Also Present: Gareth Dowding (Senior Engineer), Jenny Legge (Performance, Research and Consultation), David Pearson (Development Control Team Leader) and Donna Toms

Apologies for inability to attend the meeting: Councillor Marigold Jaques and Councillor Alan Macro

PART I

57. Minutes

The Minutes of the meeting held on 21 March 2018 were approved as a true and correct record and signed by the Chairman, subject to the following amendments:

Item 5. Appeal Decisions relating to Eastern Area Planning:

Final sentence: Councillor Graham Bridgman asked that the sentence be amended to read the following, "However, he would check the governance process, and communicate that to Members of the Committee."

58. Declarations of Interest

There were no declarations of interest received.

59. Schedule of Planning Applications

(1) Application No. & Parish: 17/03411/OUTMAJ - Land North Of Stretton Close, Bradfield Southend, Reading, Berkshire

Agenda Item 4(1)) concerning Planning Application 17/03411/OUTMAJ in respect of an outline application for the proposed erection of 11 no. new dwellings; layout, means of access and scale to be considered on land north of Stretton Close, Bradfield Southend was deferred for further consideration.

(2) Application No. & Parish: 18/00072/FULD - Kiln Cottage, Crookham Common Road, Brimpton, Reading Berkshire RG7 4TD

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 18/00072/FULD in respect of the demolition of an existing outbuilding and construction of a new single storey self-build dwelling utilising an existing access with associated parking and landscaping provided on site at Kiln Cottage, Crookham Common Road, Brimpton.

David Pearson introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. He drew particular attention to page 42, point 6.3 which detailed the impact on the Listed Building setting

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and the Conservation Area. In conclusion the report detailed that the proposal was unsatisfactory and a refusal was duly recommended.

In accordance with the Council's constitution, Ms Mary Cowdery, Parish Council, Mr Robert Hope, supporter, and Mr Richard Hunt and Mr Christopher Roberts, applicant/agent, addressed the Committee on this application.

Ms Cowdery in addressing the Committee raised the following points:

- The application was for a modest, two bedroom bungalow in a Conservation Area, near a Grade II Listed Building.
- The only objection to the application had been raised by the Conservation Officer.
- Ms Cowdery commented that the Conservation Area had been designated in 1971 and that the reasons for why certain areas had been chosen could no longer be found, nor was any guidance available.
- Applications must be in accordance with the Local Development Plan and part of this was the Core Strategy Policy. CS19, stated that a programme of reviews was being undertaken through the production of Conservation Area Appraisals (CAAs). Currently only two CAAs had been adopted, neither of which were Brimpton.
- The Parish Council were of the opinion that too much importance had been placed on the Conservation Area. It had already been compromised by the construction of four large houses to the north of the site, the demolition of a barn and the addition of two dwellings in 1974.
- When viewed from the road, passers-by would not be aware of the open-space on the site, they would only be aware of the cottage and its fence to the north. The fence looked like the edge of the property.
- It was the last and first property in the village to be seen, and was a pretty cottage in a pretty garden on a dangerous bend.
- The Parish Council disagreed with the Planning Officer's recommendation.
- In point 6.3 of the agenda report, the Planning Officer stated that the setting was an important element in Kiln Cottage's contribution to the character of the Conservation Area. She disagreed with this view, as the open space was not visible from the road.
- There was a good coverage of trees and vegetation which would conceal the property. This was a small-scale, infill development in a sustainable location.
- New development was needed to keep the village alive and was supported by the Parish Council.

Councillor Alan Law asked if Ms Cowdery thought there should not be a Conservation Area in Brimpton. She concluded that she was not sure why it had been designated, and would be happy not to have it.

Councillor Graham Bridgman directed the Committee to page 43, point 6.3.5, which referred to para.134 of the National Planning Policy Framework (NPPF). The Officer's emphasis was more on the potential, harmful impact on the designated heritage asset, than the Conservation area. Members were being asked to weigh the harm caused, against the public benefits of the proposal. He inquired what benefits the Parish Council believed would result from approving the application. Ms Cowdery reiterated that an extra home would mean a new family entering the village.

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Councillor Richard Crumly noted that The Willows and The Weavers were fairly new and substantial homes. Ms Cowdery confirmed that they had been built in 2004 and 2014 respectively. They were large four/five bedroomed homes.

Councillor Tim Metcalfe asked how many cottages had originally been on the site. Ms Cowdery confirmed that Kiln Cottage had originally been two cottages.

Mr Hope in addressing the Committee raised the following points:

- He was a resident of Brimpton Common. He believed that Mr and Mrs Hunt had been resident at Kiln Cottage for 40 years and were active members of the village community.
- The previous planning application on this site had been refused. However he was content that the legitimate concerns raised, such as the roof-line, screening, parking and turning, had been addressed.
- Being in a Conservation Area should not preclude development, and he was certain that this design would not detract from the character of the area. This was a sympathetic design, which was invisible from the road.

There were no questions from the Committee.

Mr Hunt in addressing the Committee raised the following points:

- He wished to retire and remain in Brimpton. If he were to be unable to build a property on this site, he would have to leave the village where he had lived since 1972.
- The single storey dwelling would be obscured by landscaping and the existing garage. It would not be seen from the road. The amenities of Kiln Cottage would be preserved.
- As the roof level was low and the ground level lower than that of Kiln Cottage, the residents of The Willows would only be able to see the top of the bungalow's roof.
- He and his wife had been the custodians of Kiln Cottage and believed they had designed a property that would retain the character of the listed building.
- They had commissioned a heritage consultant to consider the impact of the proposed dwelling on Kiln Cottage and he had concluded that it would not result in any harm to the heritage asset. Each property would retain one third of an acre of the garden and the driveway would remain the same. The open space to the rear of Kiln Cottage could not be seen from the road. The design accommodated four parking spaces for the new dwelling.
- The development would be of benefit to the village as a bungalow would meet the need of an ageing population and release Kiln Cottage onto the housing market.
- He disagreed with the Planning Officer's recommendation.

Mr Roberts in addressing the Committee raised the following points:

- He disagreed with the Conservation Officer's view of the impact of the new dwelling on the heritage asset, as it would not be visible from the road and there would be limited visibility from surrounding properties. The Heritage Statement had concluded that no harm would arise.

Councillor Law queried if the previous, refused application had impacted on the Listed Building setting to the same extent as the new proposal. He asked the applicant to explain how the bungalow mitigated the harm. Mr Roberts explained that the level of

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impact on the setting was subjective, even though there was guidance in the NPPF. It also depended which viewing point on the site was being considered.

Councillor Law understood that the proposed dwelling was lower and hidden, but there would be an additional property using the same driveway and therefore more vehicle movements. Mr Roberts answered that the car parking would be discreet and the traffic from the bungalow would be negligible.

Councillor Bridgman recalled the previous reasons for refusal had been that the dwelling was dominant within a Listed Building setting, and the impact on the setting itself. He asked what differed in the new proposal. Mr Roberts advised that the roof-line was lower. The experience of the open space altered, depending on where it was viewed from. There was already an out-building in the garden space.

Councillor Pamela Bale asked for clarification on the siting of the parking spaces. Mr Roberts explained that there would be two spaces behind the garage, accessed from the side, a third space inside the garage and a fourth space in front of the garage. Councillor Bale observed that the garage, currently used by the house, would in future be used by the bungalow. Mr Roberts asserted this was the case, however there would still be parking available to the front of Kiln Cottage for its residents.

Councillor Dominic Boeck, speaking as Ward Member, in addressing the Committee raised the following points:

- He had looked at the Officers report and saw two elements for consideration: the effect of the dwelling on the Conservation Area and Heritage Asset, and the effect on the community.
- The Parish Council had made a point about needing more families in the area.
- Brimpton needed modest, small-scale developments. The school roll was falling and the shop had closed.
- He asked what the harm would be of allowing the new development.
- The cottage was only viewed by vehicular traffic and there was no public right of way past the property. The residents and neighbours were the only people to enjoy the view of the open spaces.
- He urged Members to consider carefully the additional home that would be provided and the good that could come from it.

Councillor Emma Webster asked the approximate population of Brimpton and the speed limit near Kiln Cottage. Councillor Boeck answered 400 residents, and 30 miles per hour respectively.

Councillor Law noted that on page 43, point 6.3.8 the report used the wording 'preserve or enhance', and he noted that the NPPF used the phrase 'conserve and enhance'. He conjectured that the difference in emphasis might have some bearing on the application before the Committee.

Councillor Crumly observed that he would have expected a Conservation Area to be within a settlement boundary. He queried where, when and how Conservation Areas had been imposed. The Planning Officer explained that this was not uncommon, but did not have the rationale of why such decisions had been made in these cases.

Councillor Bale queried when the neighbouring properties had been built. David Pearson reiterated that The Willows and The Weavers had been built in 2004 and 2014 respectively. He also noted that there had been two planning applications on a site near the cottage. This site was inside the Conservation Area to the east of the site, opposite

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the war memorial. Two applications had been refused and dismissed at appeal due to the impact on the Conservation Area. However, he concluded that each application should be considered on its own merits.

Councillor Webster wished to clarify for Councillor Law that the phrase 'conserve and enhance', used in the NPPF para.134, related to the natural environment and reduction of pollution. The wording used in point 6.3.8, 'preserve or enhance', related to historic setting. David Pearson, also confirmed this was his understanding.

Councillor Mollie Lock inquired, assuming permission was granted, if the new residents of Kiln Cottage would be allowed to build a new garage under Permitted Development Rights. David Pearson explained that Officers would be recommending that these be restricted under Conditions, should the Committee approve the application.

Councillor Bridgman asked for clarification as to the division of existing parking between the new and existing properties. He wondered how Officers dealt with a situation where an existing property met car parking standards, but then the plot was sub-divided and parking was extracted for the new building. Gareth Dowding explained that he would be recommending a condition that parking should be shown on the plan to be approved before development. David Pearson further clarified that he would expect both dwellings to meet parking standards and that this might lead to more hardstanding than was currently in place.

The Chairman offered Officers the opportunity to clarify any important points to the Committee before they commenced the debate.

David Pearson observed that a Listed Building and its setting were part of a historic document. The issue was not necessarily what could be seen, but more the intrinsic value of the entire site. Councils had a statutory duty to protect Conservation Areas and heritage assets from harm. If the harm was 'less than substantial', there would still need to be very special reasons to allow development. Members would be weighing the harm against the benefits. Officers were of the opinion, that in this application the harm was sufficient to outweigh the benefit.

Debate of the item commenced.

Councillor Metcalfe indicated that he had arrived with an open mind. He remembered that during the discussion for the previous application, Members had questioned the two storey design and would have looked favourably on a bungalow. He did not consider that the rear open space was connected to the original cottages. He thought that the development would enhance the site by ridding it of an ugly out-building and bringing in a family. He was minded to approve.

Councillor Keith Chopping had no problem with the application. He had listened to the Parish Council and the leading light of the village, Mr Hope. He looked at sustainability of the development in the three areas of economy, environment and social: for economy, a new dwelling would be created which would benefit the village; for environment, an awful building would be replaced and for social, existing inhabitants would be able to remain in Brimpton. The gardens of both properties would be of a good size and the new home would sit comfortably on the site.

Councillor Chopping proposed to reject Officer's recommendation and grant planning permission. This was seconded by Councillor Webster.

Councillor Law took a wider view. He had lived in areas where the Parish Councils had been evangelical about the preservation of Conservation Areas. He also remembered Brimpton Parish Council objecting to a development as it was too close to the Conservation Area. He held the Conservation Officer in high regard and noted the need

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for the Council to protect these areas. He conjectured that if the Committee allowed this development, it would be setting a precedent. He opposed the motion.

Councillor Bridgman understood the positions of Councillors Chopping and Law. Officers considered the proposal harmful to the heritage asset, albeit less than substantial and therefore not axiomatic. There had to be more public benefit than harm to overcome the objection. He was very much on the fence.

Councillor Webster considered that the balance swung in the favour of public benefit. She asserted that the social benefit held most relevance. In this part of West Berkshire, with such a small population, one family might make a difference. The vast majority of motorists driving past the property would not be looking at the grounds of the cottage. She observed that to love and look after a Listed Building for 40 years was no mean feat, and that a couple who had cared for the property for so long would not wish to harm it. She appreciated that this might inspire further developments, but trusted in the decision making process.

Councillor Richard Somner noted that the Committee was required to look at the exceptions, and it was up to Planning Officers to push through policy. He noted that the Community Infrastructure Levy, raised by the development, would be of benefit to the community.

Councillor Crumly asked that the Conservation Area be revisited, along with others, for its relevance. He noted that new dwellings would enhance the area and join the new houses to the north.

The Planning Officer reminded Members that as the Local Planning Authority, they must make a decision in accordance with the Development Plan and Policy, unless other material planning considerations indicated otherwise. It was possible to set the plan aside for planning considerations, but not due to the personal circumstances of the applicant as this was not a material planning matter. The Committee's first duty was to support Planning Policy.

Councillor Somner agreed that he supported Officers in the work that they did to fulfil West Berkshire Council's policy. However, Members had a duty to weigh up Officers' recommendations and he believed that there had been tests put to the table to say that there was enough evidence to make an exception.

The Chairman asked Officers to devise conditions, should the Committee be minded to approve the application. The conditions agreed by the Officers and the Committee were:

- Three year commencement
- Materials
- Restriction of Permitted Development rights on fences, hardstanding and buildings
- Tree protection
- Working hours
- Construction management plan
- Visibility splay at the entrance to be 2.4m x 43 in each direction
- Bonded driveway up to 3m
- Standard car parking – plans to be approved
- List of plans to be approved

The motion was carried at the vote.

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RESOLVED that the Head of Development and Planning be authorised to **grant** planning permission, subject to the following conditions:

Conditions

1. 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. The development hereby permitted shall be carried out in accordance with the approved drawing numbers 150, 151 and 153 received on 5 January 2018 and drawing number 152 Rev A received on 22 January 2018.

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

3. No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the dwelling and hard surfaced areas hereby permitted has been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

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 (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026), West Berkshire Council's Supplementary Planning Document Quality Design (June 2006), West Berkshire Council's Supplementary Planning Guidance 04/2 House Extensions (July 2004) and the Village Design Statement for Brimpton.

4. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. 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) Wheel washing facilities;
- e) Measures to control the emission of dust and dirt during construction;
- f) A scheme for recycling/disposing of waste resulting from demolition and construction works;

Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

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 (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policies TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and West Berkshire Council's Supplementary Planning Document Quality Design (June 2006).

5. No demolition or construction works shall take place outside the following hours:

7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

nor at any time on Sundays or Bank Holidays.

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Reason: To safeguard the amenities of The Willows and Kiln Cottage. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

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

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

Reason: To ensure the enhancement of the development 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.

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

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.

8. 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.

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.

9. No development shall take place until visibility splays of 2.4 metres by 43 metres have been provided at the junction of the access with Crookham Common Road. 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 (March 2012) and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

10. No development shall take place until details of the vehicle parking and turning space/areas have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the parking spaces are to be surfaced and marked out. The dwelling shall not be occupied until the vehicle parking and turning spaces/areas have been provided in accordance with the approved details. The

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parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

11. No development shall take place until details of the surfacing arrangements for the vehicular access to the highway have been submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that bonded material is used across the entire width of the access for a distance of 3 metres measured back from the carriageway edge. As a first development operation, the vehicular access and associated engineering operations shall be constructed in accordance with the approved drawing(s).

Reason: To ensure that the access into the site is constructed before the parking area is brought in to use and to avoid migration of loose material onto the highway, in the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006- 2026).

12. 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), no extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C and/or E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority in respect of an application made for that purpose.

Reason: In the interests of respecting the historic character, appearance and siting of Kiln Cottage a grade II listed building and the surrounding conservation area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 of the West Berkshire Core Strategy (2006-2026), and West Berkshire Council's Supplementary Planning Document Quality Design (June 2006).

13. 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), no fences, gates, walls or other means of enclosure (other than those expressly authorised by this permission) shall be erected within the curtilage of the dwelling hereby authorised by this permission without planning permission being granted by the local planning authority in respect of an application for that purpose.

Reason: To protect the open plan character of the setting of Kiln Cottage, a grade II listed building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), West Berkshire Council's Supplementary Planning Document Quality Design (June 2006) and the Village Design Statement for Brimpton.

60. Appeal Decisions relating to Eastern Area Planning

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Members noted the outcome of appeal decisions relating to the Eastern Area.

(The meeting commenced at 6.30 pm and closed at 7.50 pm)

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

Item No.	Application No. and Parish	13 Week Date	Proposal, Location, Applicant
(1)	17/03290/OUTMAJ Hermitage	22 February 2018 ¹	Outline application for demolition of farmyard buildings, retention of The Old Farmhouse and the erection of up to 21 new dwellings, improved vehicular access off Newbury Road, car parking, public open space and landscaping. Matters to be considered - Access. Land at The Old Farmhouse, Newbury Road, Hermitage, Thatcham, Berkshire The Executors To The Neville Baker Estate

¹ Extension of time agreed with applicant until 4 May 2018

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/03290/OUTMAJ>

Recommendation Summary: To delegate to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to conditions and the completion of a S106 legal agreement.

Or, if a S106 legal agreement within the specified time, to delegate to the Head of Development and Planning to **REFUSE PLANNING PERMISSION**.

Ward Member: Councillor Quentin Webb
Councillor Graham Pask

Reason for Committee Determination: Level of objection exceeds 10 letters.

Committee Site Visit: 25th April 2018

Contact Officer Details

Name: Bob Dray
Job Title: Principal Planning Officer
Tel No: 01635 519111
Email: bob.dray@westberks.gov.uk

1. INTRODUCTION

1.1 Application site and proposal

1.1.1 This application seeks outline planning permission for residential development on land at The Old Farmhouse, Newbury Road, Hermitage. The proposal comprises the demolition of existing farmyard buildings, the retention of The Old Farmhouse, and the erection of up to 21 new dwellings, improved vehicular access off Newbury Road, car parking, public open space and landscaping. Details of access are submitted for consideration at this outline stage. Details of scale, layout, appearance and landscaping are reserved for later consideration.

1.1.2 The drawings for which approval is sought at the outline stage are as follows:

- Site Location Plan 16027/S201 Rev B
- Parameters Plan 16027/SK202 Rev E
- Site Access Boundary Wall 16027/SK205 Rev A
- Site Access Plan JNY8620 - 17D
- Site Survey 16027/SS.01 Rev B

1.1.3 A parameters plan accompanies the application in order to establish the principles of layout, including the extent of the proposed residential development and the amount/disposition of other elements of the scheme, including public open space, ecological mitigation area, landscape buffer, site access road, pedestrian and cycle access and maximum building heights. Approving the parameters plan as part of an outline permission (by condition) would “fix” the scheme and will ensure that the reserved matters details submitted pursuant to the outline permission will accord with these parameters.

1.1.4 The outline application is also supported by an illustrative scheme which seeks to demonstrate how the layout principles shown on the parameters plan can be adhered to and how a development of 21 new dwellings and retention of the Old Farmhouse can be accommodated on the site in a sustainable development which accords with all of the relevant planning policies and guidance.

1.1.5 The following drawings have been submitted for illustrative purposes only (i.e. not for approval at the outline stage):

- Sketch Layout 16027/SK203 Rev J
- Coloured Site Layout 16027/C201 Rev D
- Coloured Street Elevations 16027/C202 Rev C
- Garden Sizes Layout 16027/SK204 Rev G
- Illustrative Landscape Strategy LC/00050/00016 Rev A
- Indicative Schedule of Accommodation 16027 22.03.2018

1.2 Constraints

1.2.1 The application site is located with the North Wessex Downs Area of Outstanding Beauty (AONB), which washes across the parish of Hermitage. The site is located within the settlement boundary of Hermitage, save for part of the landscape buffer which is proposed along the south-eastern boundary of the site. Hermitage is designated as a ‘Service Village’ in the District Settlement Hierarchy. The site is

mostly greenfield, but there is also previously developed land where the demolition and replacement of the existing farmyard buildings is proposed.

- 1.2.2 The site is not located within a consultation zone for either AWE site, or for any other hazardous installation. Newbury Road is a classified B road, whereas Lipscomb Close is an unclassified residential street. Both access roads are public highway.
- 1.2.3 The site is located in EA Flood Zone 1, which means that it has the lowest probability of fluvial (river) flooding, and is appropriate for residential development in flood risk terms. However, much of the site is designated as a Critical Drainage Area through Strategic Flood Risk Assessment. The site is also located within the EA's Groundwater Source Protection Zone 3.
- 1.2.4 There are no designated heritage assets on the application site, but the Old Farmhouse and associated buildings are of historic interest (non-designated heritage assets in NPPF parlance). There is also a Grade II listed building (Barnaby Thatch) abutting the northern boundary of the application site to the east of the Old Farmhouse.
- 1.2.5 In terms of local biodiversity, there are no international/European protected sites within the vicinity. The site is within a consultation zone for a SSSI, and Cold Ash Quarry SSSI is located to the south of Hermitage village. There are also a number of locally protected sites and biodiversity opportunity areas in the surrounding area, but these are wholly outside the application site. There are also records of a number of protected/notable species in and around the application site. The southern part of the site is agricultural land, most of which is classified as Grade 3b. A small pocket of the field is classified at Grade 3a (best and most versatile agricultural land) in the south-east corner.
- 1.2.6 There are a number of public rights of way in the surrounding area, but none which are materially affected by the proposed development.

2. PLANNING HISTORY

- 2.1 The table below details the relevant planning history of the application site, and the adjacent allocated housing site HER001, land at the end of Charlotte Close.

Reference	Description	Decision
16/03634/FULD	Erection of four dwellings and widening of access.	Granted planning permission 05/05/2017.
17/01144/FULEXT	Erection of 37 dwellings and associated landscape and highway works. Site: Land at end of Charlotte Close.	Refused planning permission 20/10/2017. Appeal lodged.
17/02796/SCREEN	EIA screening opinion request for the erection of 21 new dwellings.	Screening opinion issued 31/10/2017 confirming the proposal is not EIA development.

3. PROCEDURAL MATTERS

- 3.1 An EIA screening opinion was issued before the submission of this application (reference 17/02769/SCREEN). It concluded that the proposal is not considered EIA development.
- 3.2 Neighbour notification letters were sent to 153 surrounding addresses on 30/11/2017 requesting any responses by 19/12/2017. Multiple site notices were displayed around the site on 07/12/2017, expiring on 28/12/2017. The application was also advertised in the Newbury Weekly News (as major development and development potentially affecting the setting of a listed building) on 07/12/2017. The Council has therefore discharged its legal duty to publicise the application.
- 3.3 A package of amended plan and additional supporting information was received in March 2018 in response to officer-level feedback. According to the Planning Practice Guidance, where where an application has been amended it is up to the local planning authority to decide whether further publicity and consultation is necessary, taking into account a number of considerations including previous objections, and the significance of the changes. Accordingly, re-consultation letters were sent to all third parties who had responded to the initial consultation and all statutory/non-statutory consultees on 06/04/2018 request any further comments by 20/04/2018.
- 3.4 The development is CIL liable and chargeable as residential development. The CIL liability would be determined at the reserved matters stage when the gross internal area of the development is known.

4. CONSULTATION

4.1 Statutory and Non-Statutory Consultations

Hermitage Parish Council:	No Objection. HPC strongly agrees with the proposal of access from Newbury Road, which was not available at the time of the DPD and for cycle access from Lipscomb Close. It is concerned that vehicular access from Lipscomb Close would create a dangerous short cut or 'rat run' through this well planned housing development. HPC urges that when final plans are presented West Berkshire Council considers them in the line with the current outline plans.
Chieveley Parish Council (adjacent):	Objection. The proposed development does not meet the HSA DPD 25 criteria and goes against West Berkshire Council policy. This site should be developed in accordance with the Landscape Sensitivity Assessment (2011) and the West Berkshire Council HSA DPD 25 HER004 and allocations. The developer has disregarded the HSA25 policy for access via Lipscomb Close. 21 houses proposed is more than the HSA25 policy

allocation of 10 dwellings. The proposal should be development at a mass and density that reflects the adjacent settlement character. Density exceeds policy allocation.

Most of the dwellings do not have garages but parking at the front of the dwelling (3 spaces in some cases). Concerned this will look like a car park, too visible and not in keeping with a rural environment.

Impacts on the sensitive green infrastructure, landscape character, appearance and visual amenity of the area.

The proposal when read in conjunction with HSA24 fails to consider the impact on the B4009, Priors Court Road, Station Road mini roundabout. The number of dwellings proposed and the subsequent vehicle movements it will generate.

With this proposal and HSA DPD 24 there will be two accesses onto the Newbury Road in close proximity to each other and close to a mini roundabout raising highway safety concerns for the number of dwellings proposed.

Some funding will be required from CIL to mitigate some of the traffic and road layout issues on the approach to the B4009/Priors Court Road/Station Road mini roundabout. A review of the layout of the mini roundabout to accommodate future increase in vehicular movement and traffic flows is required.

Environment Agency:	No response.
Natural England:	No objection (statutory nature conservation sites); advice regarding AONB, protected species, local sites.
Landscape Architect Consultant:	No objections to amended plans.
WBC Highways Authority:	Conditional permission.
WBC Lead Local Flood Authority:	Detailed comments – see section below.
WBC Environmental Health:	Conditional permission.
WBC Ecology:	No response.
WBC Planning Policy:	No response, but direct liaison with case officer.
WBC Transport Policy Officer:	No response.
WBC Housing Officer:	No objections.

WBC Tree Officer:	Conditional permission.
WBC Conservation Officer:	No objections.
WBC Archaeological Officer:	Conditional permission.
WBC Waste Management Officer:	Detailed comments – see section below.
WBC Rights of Way Officer:	No response.
WBC Countryside Officer:	No objections.
WBC Education Officer:	No response.
WBC Minerals and Waste Planning Officer:	No response.
North Wessex Downs AONB:	No response.
Berks Bucks and Oxon Wildlife Trust:	No response.
Thames Water:	No objections.
Thames Valley Police:	No response.
Royal Berkshire Fire and Rescue Service:	Conditional permission.
NHS Care Commissioning Group:	No response.
Scottish and Southern Electric:	No response.

4.2 Public representations

Following public consultation, representations have been received from 19 individual contributors, all of which object to the application. The grounds for objection can be summarised as follows:

Principle of development

- Overdevelopment of the site with provision of additional dwellings over allocation and permitted development at The Old Farmhouse.
- Concern regarding potential for future development in field to the south.
- Hermitage has been subject to several large new housing estates over recent years, and so it is not appropriate to build more houses at the current time. Concern regarding cumulative impacts.
- The current proposal is of a greater scale than previously considered.

Design, character and appearance

- Site is located within the AONB.
- Cramped form of development.
- Development would harm the character and appearance of the area.
- Demolition of existing farmyard buildings would detract from the rural character of the village.

Residential amenity

- Insufficient landscape buffer for residents to east of the application site.
- Lighting should be restricted to respect the character of the area and protect wildlife.
- Historical farmyard buildings make a positive contribution to the character and appearance of the area, the loss of which would be detrimental.
- Pedestrian and cycle access to Lipscomb Close will impact on the environment and aesthetic experience.
- Development would harm neighbouring living conditions.
- Access to Lipscomb Close would increase passing pedestrian movements, impacting the safety of residents, and undermining the sense of community.

Transport and Highways

- Concern regarding new access onto Newbury Road and highway safety, having regard to the impacts of previous developments in the area.
- Proposed access will be hazardous during construction phase.
- Concern regarding traffic levels generated by the development, and the potential to exacerbate existing traffic levels.
- Increased noise and pollution from additional traffic.
- There have been a number of potentially serious accidents on the B4009.
- Inadequate traffic assessment.
- Objections to access for Charlottes Close development should apply to this scheme.
- Access via Lipscomb Close would be safer and more direct.
- Local bus service is inadequate.

Infrastructure and local community

- Insufficient infrastructure to support new housing in the village.
- Insufficient capacity in local schools. Existing residents have to travel further afield.
- Insufficient capacity in local medical centres.
- No supporting information submitted appraising social infrastructure.
- Development would be detrimental to the business of the adjacent public house due to the change in its setting.

Environmental

- Reduced size of the Ecological Management Zone compared to that approved under application 16/03634/FULD.
- Existing issues with surface water drainage, and parts of the site are critical for the effective drainage of land surrounding the proposed development.
- Detrimental to Great Crested Newt habitats.
- The site is used by 50+ species of bird, a range of large and small mammals, amphibians and reptiles.

- Several species of bat inhabit the area and use it both in the summer, for feeding and roosting, and in the winter for hibernating.
- Development would harm wildlife and habitats.
- Farmyard buildings are of historical interest, and their loss would be detrimental to local character.

5. PLANNING POLICY

- 5.1 West Berkshire Core Strategy 2006-2026 (WBCS):
Policies: NPPF, ADPP1, ADPP5, CS1, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18, CS19
- 5.2 Housing Site Allocations Development Plan Document (HSA DPD):
Policies: GS1, HSA24 (adjacent site), HSA25 (this allocation), C1, P1
- 5.3 West Berkshire District Local Plan 1991-2006 Saved Policies 2007 (WBDLP):
Policies: OVS.5, OVS.6, TRANS.1, RL.1, RL.2, RL.3
- 5.4 Material considerations:
- National Planning Policy Framework (NPPF)
 - Planning Practice Guidance (PPG)
 - North Wessex Downs AONB Management Plan 2014-2019
 - North Wessex Downs AONB Position Statement: Housing (October 2012)
 - Quality Design SPD (2006)
 - Planning Obligations SPD (2015)
 - A Village Design Statement (VDS) for Hermitage SPD (2004)
 - Hermitage Parish Plan 2013

6. APPRAISAL

6.1 Principle of development

- 6.1.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions. It requires planning applications for housing development to be considered in the context of the presumption in favour of sustainable development. For decision-taking this means (unless material considerations indicate otherwise), approving development proposals that accord with the development plan without delay.
- 6.1.2 The relevant development plan policies to the principle of development are Core Strategy Policies ADPP1, ADPP5 and CS1, and Policies GS1, HSA25, and C1 of the HSA DPD. Policies ADPP1 and ADPP5 comprise the spatial strategy for the district and AONB respectively. New homes will be located in accordance with the settlement hierarchy (ADPP1) and area delivery plan policies (ADPP5).
- 6.1.3 According to Policy ADPP1, the scale and density of development will be related to the site's current or proposed accessibility, character and surroundings. Significant intensification of residential (and other uses) will be avoided within areas which lack sufficient supporting infrastructure, facilities or services or where opportunities to

access them by public transport, cycling and walking are limited. Hermitage is designated as a 'Service Village', the third tier of the settlement hierarchy including settlements with more limited range of services and some limited development potential.

- 6.1.4 According to Policy ADPP5, the North Wessex Downs AONB will have appropriate and sustainable growth that conserves and enhances its special landscape qualities. During the Core Strategy period provision will be made for the delivery of up to 2,000 dwellings. There will be further opportunities for infill development and for development on previously developed land. New housing allocations will be focused on the rural service centres and service villages within the North Wessex Downs.
- 6.1.5 According to Core Strategy Policy CS1, new homes will be primarily developed on (amongst others) suitable previously developed land within settlement boundaries, other suitable land within settlement boundaries, and land allocated for residential development in subsequent Development Plan Documents. According to Policy C1, there is a presumption in favour of development and redevelopment within the settlement boundary of Hermitage.
- 6.1.6 The southern part of the application site (open field) was allocated for residential development of approximately 10 dwellings by Policy HSA25 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD) in May 2017. This land has been incorporated into the new settlement boundary for Hermitage. The site has been allocated on the basis that it is consistent with the spatial strategy for the district, including Core Strategy Policies ADPP1 and ADPP4. The principle of residential development is therefore acceptable on the southern part of the site.
- 6.1.7 The red line application site exceeds the new settlement boundary by approximately 15 metres. In this particular instance, this is not considered to render the principle of development unacceptable. This is because: (1) the settlement boundary does not follow any existing physical land lines, but is a notional line through the field and therefore can be considered approximate to a degree in this precise location; (2) the extent of the encroachment is limited in context; (3) no housing, roads or hard landscaping are shown beyond the settlement boundary, and (4) there are additional benefits to the comprehensive development of the whole site beyond those envisioned by the housing site allocation, which are enabled by the proposed parameters.
- 6.1.8 The northern part of the application site comprises the Old Farmhouse, a residential dwelling, together with ancillary buildings and associated land. There is also a large pond in the north-eastern corner. All of this land was located within the previous settlement boundary, and continues to be located within the revised settlement boundary. Provided the land is judged to be suitable (having regard to all material considerations), the principle of residential development is therefore also acceptable on the northern part of the site.
- 6.1.9 According to Policy GS1 of the HSA DPD, all housing sites will be developed in accordance with the West Berkshire development plan and adopted SPDs and SPGs. Each allocated site will be master-planned and delivered as a whole to achieve a comprehensive development that ensures timely and coordinated provision of infrastructure, services, open space and facilities. A single planning

application will be submitted for each allocated site, either an outline or full application, to ensure this comprehensive approach to development is achieved. Policies GS1 and HSA25 provide criteria with which the proposal must comply; these issued are examined throughout this report.

6.2 Coordinated and comprehensive development

6.2.1 Both the development of the allocated housing site, and the redevelopment of the land within the balance of the site, generally comply with the housing supply policies in their own right. This application is seeking to establish the principle of development across the whole site in a single comprehensive proposal.

6.2.2 The northern part of the site has permission under application 16/03634/FULD for the erection of four dwellings and widening of the access. This application seeks to incorporate this land into a wider site within the housing site allocation. The submissions make the following key points in support of the proposals for comprehensive development:

(a) The land is contiguous, is in single ownership and is deliverable as a single development (available, suitable and achievable). At the time of the SHLAA that informed the HSA DPD the Old Farmhouse and associated land was not available for development, but this situation has now changed. The availability of the site amounts to a significant change in circumstances from when the site was considered as an option for allocated under the HSA DPD.

(b) Policy GS1 of the HSA DPD states that all housing sites are to be master-planned and delivered as a whole to achieve a comprehensive development under a single planning application, and that this principle should be extended to unallocated sites in the interests of good planning.

(c) The independent development of the northern and southern parts of the site would underutilise the land, contrary to the policy expectations to make efficient use of land. Developing the site as a whole would allow for the provision of more housing, address the concerns of the Parish Council regarding access through Lipscomb Close, and realise additional development around the Old Farmhouse.

(d) The comprehensive development of the site would allow for increased affordable housing provision on site (eight units instead of four).

(e) The comprehensive development would improve the public open space offer, including a larger single area of public open space, and a local play area. It would also provide public access to the large pond to the rear of the Old Farmhouse.

6.2.3 Part 2 of the Quality Design SPD provides the following advice in support of coordinating infill development:

“For a number of reasons, developers and designers often fail to consider possible opportunities for a more comprehensive approach to infill development. The Council is concerned about the cumulative impact of

uncoordinated infill developments. Uncoordinated infill development is starting to fragment the existing coherent and legible urban fabric of the District's towns. It is of concern that uncoordinated development is creating inefficiencies in the use of previously developed land and a failure to deliver coordinated improvements to local facilities, infrastructure and amenities.

A more comprehensive approach to development proposals could result in positive additions to the urban structure of the town and a balanced, more coordinated approach to the provision of local facilities and infrastructure. A useful test may be: if the same pattern of development were applied to adjoining or nearby sites, would this be an acceptable way of developing a neighbourhood?

New development should consider future development opportunities nearby leaving options open for later development to be implemented in a sensitive and complementary way. Development should occupy the site in a way which makes sense in relation to neighbouring sites.

Where a development proposal could currently, or in the foreseeable future, form part of a potentially larger scheme, the Council will apply its relevant policies as if it is considering the larger scheme. This particularly applies to the policies for the provision of affordable housing and other developer contributions...."

- 6.2.4 It is considered that the points raised by the applicant are genuine benefits of comprehensive and coordinated development in this instance. Accepting the principle of comprehensive development of both northern and southern parts of the application site together would be consistent with the advice in the SPD and constitutes good planning.

6.3 Site accesses and connectivity

- 6.3.1 According to Core Strategy Policy CS14, development proposals will be expected to make good provision for access by all transport modes, and ensure environments are accessible to all and give priority to pedestrian and cycle access providing linkages and integration with surrounding uses and open spaces. According to Part 1 of the Quality Design SPD, new development should be readily permeable with connected layouts allowing safe, direct routes for pedestrians and cyclists. This will maximise opportunities for interaction and minimise personal risk and isolation. A movement strategy should be considered for any new development, prioritising the needs of pedestrians and cyclists, ensuring direct and convenient access to the main movement network and providing cycle storage appropriately located in a well-used overlooked location.
- 6.3.2 According to Policy HSA25, which relates solely to the southern part of the application site, the site will be accessed via Lipscomb Close with the provision of pedestrian and cycle linkages through the site to HER001 (Land off Charlotte Close). Access can also be provided off Station Road if the site is developed in conjunction with HER001. According to Policy HSA24 for the adjacent allocation, the adjacent site will be accessed via Station Road and Charlotte Close with the provision of pedestrian and cycle linkages through the site to this application site.

This is the starting point for considering the proposed access arrangements, but given the comprehensive nature of the proposal it is reasonable to consider alternative access strategies.

- 6.3.3 It is proposed to serve the proposed development from a new priority junction to the B4009 Newbury Road. There is an existing 3.6m wide gated vehicular entrance to the farmyard from Newbury Road, with separate pedestrian gates to the farmyard and the Old Farmhouse. A new access has previously been agreed in principle by the Council through the granting of planning permission 16/03634/FULD. Approval for the same vehicular access arrangement is sought under this application to serve the whole development of 21 dwellings.
- 6.3.4 The proposed access is 5.5m wide and has visibility splays of 2.4 x 59m in each direction, which accords with the requirements of the DfT publication Manual for Streets (MfS), and are agreed with the Highway Authority. The details of the proposed access are shown on drawing JNY8620 - 17D. To achieve the necessary visibility splays, it will be necessary to demolish and relocate the existing entrance pillars and a section of wall. This is shown on drawing 16027/SK205 Rev A. The principle of affecting this change to the street scene was agreed under application 16/03634/FULD.
- 6.3.5 It is proposed that this new access onto Newbury Road be the only vehicular access to the site. The applicant purports that the Policy HSA 25 requirement for vehicular access to the site to be taken off Lipscomb Close is a matter of significant concern to Hermitage Parish Council and the residents of Lipscomb Close, because it will increase traffic on Lipscomb Close and will increase the use of the Newbury Road / Marlston Road junction, which has poor visibility. However, by combining the two sites, it would be possible to serve the entire development off Newbury Road, which would overcome these concerns. The concern of the Parish Council is confirmed in their consultation response, in which they state: *“HPC strongly agrees with the proposal of access from Newbury Road, which was not available at the time of the DPD and for cycle access from Lipscomb Close. It is concerned that vehicular access from Lipscomb Close would create a dangerous short cut or ‘rat run’ through this well planned housing development. HPC urges that when final plans are presented West Berkshire Council considers them in the line with the current outline plans.”*
- 6.3.6 The Highways Authority advises that they would normally resist the provision of additional accesses onto the B4009, although it is acknowledged that there is an existing access in this location. Highways would prefer the access onto Lipscomb Close to be retained, as the government publication MfS does encourage numerous accesses to provide loops and grid layouts that maximise permeability and will spread additional traffic. The Highways Authority also seek full vehicular access into the adjacent housing site allocation off Charlotte Close for the same reasons.
- 6.3.7 The desire for multiple vehicular accesses is recognised, and is consistent with conventional urban design principles that seek to maximise connectivity and permeability. However, on the other hand there is no policy requirement on the adjacent housing site (Policy HSA24) to provide full vehicular access between the two sites, and neither applicant has shown any intension of doing so. The concern of the Parish Council and local residents is also an important consideration. The Highways Authority has confirmed that, whilst a more connected road layout is

preferable, the proposed access onto Newbury Road would be capable of accommodating the traffic levels associated with 22 dwellings. It is also recognised that the original housing allocation was served by a singular vehicular access (albeit for less than half the number of dwellings). Taking all these considerations into account, it is concluded that the proposal for a singular full vehicular access onto Newbury Road is acceptable.

- 6.3.8 Notwithstanding the above, the proposal does include pedestrian and cycle links to Lipscomb Close and the adjacent housing site allocation. This would ensure that, despite the limited vehicular permeability, connectivity would be prioritised for pedestrians and cyclists, and would provide a permeable layout for local residents both of the development and nearby.
- 6.3.9 The pedestrian/cycle link through to Lipscomb Close would benefit from natural surveillance from overlooking houses on Lipscomb Close, and to a limited degree from the proposed houses which are set back from this route.
- 6.3.10 The pedestrian/cycle link through to the adjacent housing site allocation is shown to benefit from a good level of natural surveillance where it passes in front of the houses within the application site. In the absence of an agreed route between the two applicants there is, however, a concern that this route will not connect up with the neighbouring development, and if it did the extent to which it would be adequately overlooked. The proposed layout which was refused planning permission on the neighbouring site showed a narrow footway running down the side of the dwellings, and it was shown connecting to this application site at a different location (further north) than in shown on this application.
- 6.3.11 One of the reasons Application 17/01144/FULEXT (Charlottes Close) was refused is as follows:

“(3) The proposal is unacceptable by reason of its layout and density, as it would fail to provide satisfactory and sufficiently overlooked pedestrian/cycle links/routes, resulting in fear of crime and residents opting for using their private cars. The proposal would be contrary to NPPF, Core Strategy (2006-2026) policies CS13 and CS14 and West Berkshire Local Development Plan (saved policies 2007) policy TRANS1, the Local Transport Plan for West Berkshire (2011 to 2016) and policy HSA24 of the Housing Site Allocations Development Plan Document (2006-2026).”

- 6.3.12 For information, a copy of the refused layout under application 17/01144/FULEXT is provided below. The proposed pedestrian route runs along the side of the northernmost dwelling, creating a “dog leg” where indicated by the black arrow.



6.3.13 The applicants of both sites have been asked to work together to come to a mutually workable solution, but no substantive response has been forthcoming. As such, the application must be considered on its merits based on the information available.

6.3.14 In reaching a conclusion on this point, the following have been taken into account:

- The acceptable approach taken to achieving a soft transition to the open countryside on this application, which in turn dictates the position of the access road.
- The generally logical location of the access point in this application, in terms of the overall layout of the application site.
- The access point shown on the parameters plan is consistent with the policy plan.
- The indicative layout for this application indicates that this access point would facilitate a safe route that benefits from a good level of natural surveillance from this development.
- The flexibility allowed for under this outline application. The precise layout can be adjusted at reserved matters stage as necessary.
- The degree to which the alternative proposals for the neighbouring site were found to be unacceptable under 17/01144/FULEXT. On this basis, little if any weight should be attributed to the proposed location on that plan.

6.3.15 Overall, it is considered that the details proposed under this application give a reasonably good prospect that the reserved matters layout for this application could result in a successful pedestrian and cycling link to the neighbouring development

6.3.16 As such, the access arrangements are considered acceptable in principle. There is, however, insufficient detailed information contained within the application submission on the two pedestrian/cycle accesses. Access is not a reserved matter, so further information will be required by conditions. In practice, the details of these accesses would be finalised at detailed design stage and alongside the reserved matters applications. The additional detail can be secured by planning condition.

6.3.17 The applicants for the adjacent allocated housing site have offered the following view:

“Following the submission of our appeal in respect to the site to the south of the above application, it is our view that (on the basis the above application is approved) the party seeking RM approval should ensure its connection ties in with ours as the application was for full planning and all details of the path/connection where shown on the relevant layout plans. We, therefore, suggest the following condition be attached to any approval.

Prior to the commencement of development, the applicant should look to agree with the adjacent site owner an acceptable pedestrian/cycle connection point/route. The final details to be submitted to the LPA for approval.”

6.3.18 However, given the degree of objection to the refused scheme, including the poor design of the connection to this site, this is not considered an appropriate condition. A condition has been recommended which provides sufficient flexibility.

6.4 Traffic and trip distribution

6.4.1 According to Core Strategy Policy CS13, development that generates a transport impact will be required to (amongst others) mitigate the impact on the local transport network and the strategic road network. According to the supporting text, all development proposals will be required to demonstrate that they do not adversely affect these networks or that they can mitigate the adverse impact. Developers will need to work with the Council to establish a suitable mitigation package.

6.4.2 The application is accompanied by a Transport Note prepared by RPS. The Highways Authority has reviewed the Note and other aspects of the proposal along with letters of representation from nearby residents and other local stakeholders.

6.4.3 The southern part of the site is allocated for approximately 10 dwellings by Policy HSA25, which were to be accessed via Lipscomb Close. During the site selection process for the HSA DPD, broad assessments were made by the Highways Authority on this site in May 2014 and July 2015, but these assessments were only made for approximately 10 houses. The current proposal is for up to 21 new dwellings, and even taking into account four extant new dwellings, this represents an increase of seven.

6.4.4 Similarly, the assessments made for the adjacent site HER001 (Land off Charlottes Close) was on the basis of approximately 15 dwellings, whereas 37 dwellings were proposed (albeit refused on numerous grounds).

6.4.5 Given that both sites connect to Newbury Road in close proximity, it is necessary to assess the cumulative impact on the highway network and junctions such as the nearby B4009 / Priors Court Road / Station Road mini roundabout. This constitutes a material change in circumstances from the allocations that require careful consideration.

6.4.6 The following traffic projections have been provided by the applicant and agreed by the Highways Authority:

Traffic Generation	AM Peak 07.45 to 08.45 hours			PM Peak 17.30 to 18.30 hours		
	Arrive	Depart	Total	Arrive	Depart	Total
21 dwellings	4	9	13	8	4	12

6.4.7 A major concern is the impact of development on the nearby B4009 / Priors Court Road / Station Road mini roundabout. Traffic surveys were undertaken at this junction during November 2017 to enable traffic modelling to be undertaken at the mini roundabout.

6.4.8 As is standard practice, reputable traffic modelling software Junction 9 ARCADY, software that is produced by the Transport Research Laboratory. For the AM and PM peak periods, four traffic models were created as follows:

- a. Observed 2017 situation;
- b. Future year 2022 situation
- c. Future year 2022 situation plus flows generated by the adjacent allocated HER001 site (land off Charlotte Close);
- d. Future year 2022 situation plus flows generated by the adjacent allocation HER001 site (land off Charlotte Close) and the application site.

6.4.9 To grow the traffic levels from 2017 to 2022, as is standard practice, growth rates have been used, which the Highways Authority consider to be acceptable. Also included is the HER001 site. However only 15 dwellings have been included, which was much less than the recently refused planning application. 15 dwellings were allocated for HER001 within the HSA DPD.

6.4.10 Given the allocated number of dwellings on HER001, the AONB constraints, and the numerous refusal reasons for the adjacent development, it is considered that the inclusion of 15 dwellings is appropriate for the cumulative assessment in this application. As and when a further planning application is submitted for HER001, it will also need to take into account cumulative traffic impacts, based on the latest position at that time. Accordingly, the neighbouring applicants will need to demonstrate that any traffic increase over and above their allocation is acceptable, including the cumulative impact from this site.

6.4.11 The Highways Authority has checked all of the traffic modelling, and find them acceptable. They have checked the traffic figures input into the model and the road geometry. They have also checked the 2017 traffic model to ensure that the modelled traffic queues are in line with what was observed on site during the surveys of November 2017 that included traffic queue survey data. Any discrepancies that have been found in the checks would not affect the overall results. The traffic model results are all as follows:

Arm	Projected traffic queues (passenger cars stationary vehicles)				
	2017 surveyed	a.2017 modelled	b.2022	c.2022 plus committed development	d. c. plus proposed development
B4009 Newbury Road	1.0	2.3	3.0	3.1	3.2
Station Road	0.0	0.1	0.1	0.2	0.2

B4009 Long Lane	0.0	2.3	2.9	3.0	3.0
Priors Court Road	1.5	1.0	1.2	1.2	1.2

Traffic Modelling Results B4009 / Priors Court Road / Station Road mini roundabout 07.45 to 08.45 hours

	Projected traffic queues (passenger cars stationary vehicles)				
	2017 surveyed	a.2017 modelled	b.2022	c.2022 plus committed development	d. c. plus proposed development
B4009 Newbury Road	0.2	0.7	0.8	0.8	0.8
Station Road	0.0	0.0	0.0	0.0	0.0
B4009 Long Lane	0.0	0.7	0.8	0.8	0.8
Priors Court Road	2.9	1.4	1.8	1.8	1.8

Traffic Modelling Results B4009 / Priors Court Road / Station Road mini roundabout 17.30 to 18.30 hours

6.4.12 The Highways Authority considers that the model compares well to the observed November 2017 traffic queues. The results show that traffic growth from 2017 to 2022 will have some impact, but not to a level that causes concern. The Highways Authority are also satisfied that the development will have a very limited impact on the roundabout.

6.4.13 Taking into account the information that accompanies the application, and the independent assessment by the Highways Authority, it is considered that the proposal is capable of complying with Core Strategy Policy CS13 in terms of the impact of the development on the local road network and the strategic road network. No substantive information has been received that would lead to a different view.

6.5 Location and layout of public open space and landscape buffer

Policy requirements

6.5.1 The housing allocation was originally promoted as part of a larger site extending into the field to the south (reference HER004). The Landscape Sensitivity Assessment (2011) recommended that the site as a whole should not be pursued for allocation because of the resultant harm to the natural beauty of the AONB, but it was suggested that it may be that a relatively small area in the north-east of the site (between the public house and the access off Lipscomb Close) could be developed together with HER001 (Land off Charlottes Close). These recommendations were adopted by the SA/SEA for the HSA DPD, and Policy HSA25 has been adopted accordingly.

6.5.2 According to Policy HSA25, the site will be developed in accordance with the Landscape Sensitivity Assessment (2011) and will include: the protection and

enhancement of the existing tree belt; and the provision of landscaping along the south eastern boundary of the developable area. The policy also requires that the development design and layout must be further informed by a full detailed Landscape and Visual Impact Assessment (LVIA).

- 6.5.3 According to Core Strategy Policy CS18, new developments will make provision for high quality and multifunctional open spaces of an appropriate size and will also provide links to the existing green infrastructure network. Public open space is not a specific requirement of Policy HSA25 (irrespective of the smaller size of the allocation). However, Policy GS1 makes clear that all allocated housing sites will be delivered in accordance with the development plan and adopted SPDs.
- 6.5.4 Policy RL.1 of the West Berkshire District Local Plan provides a policy requirement for public open space. The requirement is between 0.16 and 0.23 hectares of public open space for this number of dwellings.
- 6.5.5 According to Part 1 of the Quality Design SPD, designers and developers should create a positive relationship between formal parks, local open spaces and new development. Open space has the potential to perform a number of functions at various scales, including formal parks and gardens, green corridors, amenity green space, provision for children and teenagers and civic spaces. All open space has the potential to benefit wildlife and biodiversity. Small areas of open space provide an important local amenity and for opportunities for recreation and play. In addition to its recreation role, open space can act as focal points within the development and as green 'lungs' providing a break in the urban fabric. Some buildings within a development should front on to the spaces to provide security and surveillance. Boundary treatments along development edges will require careful consideration and will need to reflect the prominence of the edge, activities within the spaces and the design approach of the particular character area.

Proposed open space and buffer

- 6.5.6 The proposal seeks to incorporate a large area of public open space within the heart of the scheme, running along the eastern side of the site between Lipscomb Close and the existing pond. This area provides multi-functional public open space, with a local play area near Lipscomb Close. Adjacent to the eastern boundary runs a strip of land which together with the pond are proposed to be used for ecological mitigation. A total of 0.165 hectares of public open space is proposed. The amount of public open space proposed therefore achieves the policy requirement of between 0.16 and 0.23 hectares. It is also considered that the proposed open space will achieve the aspirations of the Quality Design SPD for good quality open space.
- 6.5.7 The proposal includes a 10.5 metre wide landscape buffer along the south-eastern boundary of the developable area. This buffer is located beyond the settlement boundary and allocation, but for the reasons given in Section 6.1, this is considered acceptable in this particularly case. An additional 2.5 metres of width have been added to the landscape strip beyond the red line application site, within other land controlled by the applicant. This is in response to officer feedback seeking greater depth to the buffer, and as no operational development is proposed on this additional width (only planting), this can be controlled by Grampian condition outside the red line.

- 6.5.8 During pre-application discussions the Council's Landscape Architect Consultant provided preliminary feedback on the proposals. Overall, the Landscape Consultant is satisfied that outline approval for between 21 and 22 dwellings would not result in greater harm to the AONB than that already judged to be permissible under recent permissions and allocations. An issue was, however, raised regarding the location and layout of the open space in terms of the impact on the AONB, and in providing an acceptable relationship between the development and the open countryside and landscape setting to the south.
- 6.5.9 In the applicant's view, the landscape buffer shown on the plan for Policy HSA25 scales at 5m, whereas the landscape architect considers it to scale at 10m. Based on GIS measurements, the policy buffer scales around 10m. In any event, it is recognised that the purpose of the landscape buffer is to provide a soft interface between development and open countryside, and is intended to go beyond a simple hedge line.
- 6.5.10 In the landscape consultant's opinion, whilst the location and layout of the proposed open space provides benefits in terms of ecological mitigation/enhancement and residential amenity, it provides little additional benefit to the wider AONB, which is the consideration of paramount importance in this location. Moreover, it is advised that there is no strong design rationale in landscape terms for the provision of a green lunch within the site given the small scale of development.
- 6.5.11 On the balance of considerations, it is considered that there is a sound logic to the proposed location and layout of the open space. It would go hand in hand with the provision of the ecological mitigation area, and make a significant contribution to enhancing the character of the development. The position of the public open space would make the pond accessible to the public (residential of the development and beyond), and its located in the heart of the development would encourage a greater sense of ownership and territorial responsibility in residents.
- 6.5.12 Whilst landscape beauty is the primary purpose of the AONB designation, this designation does involve wider considerations, a number of which are relevant here. First, the townscape character of settlements within the AONB (i.e. not just the landscape character) are of importance within the AONB, as the quintessential rural feel of settlements makes an important contribution to the overall special qualities of the AONB. Second, fostering the economic and social well-being of local communities within the AONB is a statutory objective for AONB conservation boards. Third, paragraph 115 of the NPPF recognises that the conservation of wildlife and cultural heritage are important consideration in these areas. These considerations support the other benefits of the proposed open space location and layout.
- 6.5.13 The landscape consultant has expressed a preference for housing which backs onto the open countryside, in order that there is increased potential for planted rear gardens on the edge of the countryside, as is characteristic of the village. However, Part 2 of the Quality Design SPD encourages outward facing development across open countryside. It suggests that local access roads in the form of informal drives allow access to the frontage development and keep the edge 'active', and that hedgerows can be used to define the edge of development area and create a transition from enclosed to open space. On balance it is considered that a soft

transition to open countryside can be best achieved by dwellings fronting onto the open countryside together with an open buffer comprising the access road and swale, provided a good depth of planting is also provided to filter views.

- 6.5.14 Following extensive discussions, revised proposals were submitted in March 2018, which included an additional area 2.5m wide in the adjacent field to contribute to the required landscape buffer, bringing the total depth of the proposed landscape buffer to 10.5 metres. The detailed design of the landscape buffer can be agreed under a Grampian condition. Following the receipt of amended plans and further consultation with the Council's Landscape Consultant, it is considered that the landscape requirements of Policy HSA25 are achieved in principle. The Landscape Consultant raises no objections to the amended proposals.
- 6.5.15 It is important to be consistent in decision making, and it is recognised that part of the first reason for refusing application 17/01144/FULEXT (Land off Charlottes Close) was that the excessive scale and density of the development proposed would have led to the proposal failing to provide adequate landscape buffers along the boundaries and landscape treatment within the site. That proposal was therefore judged as causing demonstrable and significant harm to the rural character and appearance of a valued landscape at this edge of settlement location, and to views into and out of the site, in an area within the AONB.
- 6.5.16 Notwithstanding their physical adjacency, there are a number of key differences between the sites and proposals. First, the land off Charlottes Close has a well-defined existing boundary, with a fence line and established trees and vegetation. Second, the amount, scale and density of the development refused on the neighbouring site was very high in the local context, exacerbating any concern with inadequate landscape buffers. Third, the proposed buffer on the adjacent site was between 1 and 3 metres, plainly below the policy requirement. Fourth, there are other material benefits associated with providing the public open space in its proposed location, and arising from the layout of this proposed development which were not replicated on the neighbouring proposal.

Provision and governance of open space and landscape buffer

- 6.5.17 According to Policy RL.1, "the Council will seek the transfer of public open space to local authority ownership control in a condition appropriate for such use together with any appropriate sum for ongoing maintenance." The supporting text for Policy RL.2 states "In applying the appropriate public open space standard the Council will not normally accept areas of less than 0.2 hectares (0.5 acres) in size, unless adjoining an existing area where the total together would exceed the minimum viable size."
- 6.5.18 This position is considered time specific as for many years the Council has accepted the transfer of smaller pockets of public open space. The current Planning Obligations SPD seeks transfer to the Council but does stipulate a minimum size. As such, there is a policy basis for expecting the transfer of public open space into the Council's ownership.
- 6.5.19 There are, however, site-specific advantages to allowing a management company operate this public open space. In particular, the obligation to manage the public open space would go hand-in-hand with similar obligations to manage the

Ecological Mitigation Area and landscape buffer. As such, officers recommend that in this case the public open space could be owned and managed by a management company subject to clauses in the s106 agreement that prevent the opportunity for repeatedly raising the annual fee on residents without justification.

6.5.20 Agreement in principle has been achieved between officers and the applicant to include clauses to address such concerns. The applicant is willing in principle to agree clauses that *inter alia* ensure transparency in the calculation of the annual management fee and that residents are provided with a breakdown. For example, this could be secured by clauses relating to the contents of the Memorandum and Articles of Association of the Management Company. It is therefore recommended that the s106 is negotiated on this basis.

6.6 Housing mix

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

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

6.6.2 According to Policy HSA25, the proposed housing within the allocation should be developed at a mass and density that reflects the adjacent settlement character. Given the sensitivity of this AONB settlement, it is considered that the priority should also be given to conserving the character of the area on the northern part of the site when determining the mix of housing.

6.6.3 An Indicative Schedule of Accommodation has been submitted (recognising that the mix may vary at reserved matters stage). It shows:

- 1no. 5-bed house (private tenure)
- 3no. 4-bed houses (all private tenure)
- 8no. 3-bed houses (3no. affordable, 5no. private tenure)
- 4no. 2-bed houses (2no. affordable, 2no. private tenure)
- 2no. 2-bed maisonettes (both private tenure)
- 1no. 1-bed house (affordable tenure)
- 2no. 1-bed flats (both affordable tenure)

6.6.4 The 2016 Berkshire SHMA indicates a need for all housing types within the housing market area, but the most pronounced need is two and three bedroom dwellings. In this context, the proposal to include housing of different sizes, but with a larger proportion of 3-bed dwellings, is welcome.

6.6.5 The surrounding area comprises predominantly detached houses in individual plots, with occasional semi-detached pairs. This indicates that larger size dwellings would be most in keeping with local character, although the grain of development may allow some flexibility.

- 6.6.6 Overall, it is considered that the proposed indicative housing mix is considered to comply with Policies CS4 and HSA25, subject to other resultant considerations examined elsewhere (e.g. affordable housing distribution, character and appearance).
- 6.6.7 According to Policy CS4, development will make efficient use of land with greater intensity of development at places with good public transport accessibility. Lower density developments below 30 dwellings per hectare will be appropriate in certain areas of the District. Some parts of the urban areas and some villages are particularly sensitive to the impact of intensification and redevelopment because of the prevailing character of the area, the sensitive nature of the surrounding countryside or built form, and/or the relative remoteness from public transport. The location of the site within the AONB makes it particularly sensitive to excessive densities. The number of dwellings suggested within the housing site allocation was established using an indicative residential density of 20 dwellings per hectare.
- 6.6.8 According to the Planning Statement, based on a developable area of 0.98 hectares (thus excluding the area of public open space, ecological mitigation area, and landscape buffer), and a total of 22 dwellings (thus including the existing Old Farmhouse), the net residential density proposed is 22 dwellings per hectare. The proposed density is therefore considered to comply with Policy CS4, subject to other resultant considerations examined elsewhere (e.g. character and appearance).

6.7 Affordable housing

- 6.7.1 According to Core Strategy Policy CS6, in order to address the need for affordable housing in West Berkshire a proportion of affordable homes will be sought from residential development. The Council's priority and starting expectation will be for affordable housing to be provided on-site in line with Government policy. Subject to the economics of provision, 40% affordable housing is expected on this greenfield site. A tenure split of 70:30, social rented to intermediate affordable housing is required.
- 6.7.2 Recognising that the quantum of development may change slightly at reserved matters stage (as the description of development refers to "up to" 21 new dwellings, the table below sets out the possible scenarios for policy compliant affordable housing provision, the most likely scenario in bold. It shows the level of required affordable housing would remain the same with the reduction of a few units.

Number of dwellings	Private market housing	Affordable Housing (40%)		
		Total	Social rented (70%)	Intermediate (30%)
21	13	8	6	2
20	12	8	6	2
19	11	8	6	2

- 6.7.3 The applicant wishes to defer negotiations over affordable housing tenure (i.e. the proportion of social rented and intermediate forms) until reserved matters stage.

However, given the clear policy expectation and the absence of being provided with local evidence to suggest a more appropriate mix, it is considered appropriate to secure the precise tenure mix at this stage in line with the above ratios.

- 6.7.4 According to Policy CS6, the affordable units will be appropriately integrated within the development. The Council's adopted Planning Obligations SPD states that, *"to ensure satisfactory integration, affordable housing on new developments should be fully integrated within the general market housing. The Council expects affordable housing to be 'pepper potted' throughout a development. Where practicable, this means that affordable housing should be in groups of not more than 5 dwellings at any single location within the development. This approach is fully consistent with Government policy. The NPPF recognises the need 'to deliver a wide choice of high quality homes, widen opportunities for homeownership and create sustainable, inclusive and mixed communities' (paragraph 50, NPPF)."*
- 6.7.5 The indicative affordable housing units are distributed along the western side of the internal road, in two groups of four dwellings, with two dwellings separating the groups. In the context of the size of this site, this is considered an acceptable indicative distribution. A similar distribution would be required at reserved matters stage, and it will also be expected that the dwellings be designed so that they are "tenure-blind" (i.e. private tenure housing is not visually distinguishable from affordable tenure housing, for example due to use of materials and architectural features).
- 6.7.6 Affordable housing provision can be secured by a S106 legal agreement to enable the scheme to comply with Policy CS6.

6.8 Infrastructure and services

- 6.8.1 According to Core Strategy Policy CS5, the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery, whilst protecting local amenities and environmental quality.
- 6.8.2 Except for access arrangements, no specific infrastructure requirements are set out in Policy HSA25. Consultation requests have been sent to Thames Water, WBC Education, Royal Berkshire Fire and Rescue Service (RBFRS), Scottish and Southern Electric, and the NHS Newbury & District Clinical Commissioning Group.
- 6.8.3 Given the number of houses proposed, any increases in local school capacity would be incremental and so mitigation may be funded through CIL. Only extensions to schools made necessary by a specific development will fall within the scope of S106.
- 6.8.4 No response has been received from the NHS Care Commissioning Group. However, given the number of dwellings proposed, it is considered that the development would have a strategically incremental impact on local healthcare facilities. According to the Planning Obligations SPD, only extensions and/or new doctor surgeries required directly as a result of a development will fall within the scope of S106, whereas, increasing capacity at local surgeries falls within the scope of CIL.

- 6.8.5 Thames Water have raised no concerns in terms of water supply of foul drainage, recommending only that informative notes be included on the decision notice.
- 6.8.6 Thames Water have recommended applying a condition stipulating that petrol/oil interceptors be fitted on all car parking, washing and repair facilities to reduce the likelihood of oil-polluted discharges entering local watercourses. This condition is normally requested for commercial developments where there is typically a significant risk of a large volume of foul drainage being polluted. As a solely residential development, the potential for such pollution is considered minimal, and there is insufficient information to demonstrate that such a condition is necessary. Accordingly, no such condition is recommended.
- 6.8.7 Royal Berkshire Fire and Rescue Service have advised that the site does not currently have sufficient emergency water supplies, and seeks a requirement for private fire hydrants and emergency water supplies. This is normally achieved by way of a condition, but RBFRS also seek a developer contribution to fund such supplies. In practice, this requirement is often discharged by Thames Water supplying the site with mains water, and RBFRS are consulted on this separate statutory process. A planning requirement therefore acts as a fallback position in the unlikely event that this is not captured by other means. Taking into account these points and the scale of development, a developer contribution is not considered necessary or proportionate. Instead a planning condition should suffice.

6.9 Highway matters (accesses and traffic considered separately)

- 6.9.1 According to Core Strategy Policy CS13, development that generates a transport impact will be required to (amongst others): reduce the need to travel; improve and promote opportunities for healthy and safe travel; demonstrate good access to key services and facilities; and prepare Transport Assessments and Travel Plans to support planning proposals in accordance with national guidance.

Layout and parking

- 6.9.2 As this is an outline planning application, the proposed layout is only illustrative at this stage. However for future reference, all roads serving more than five dwellings should be designed and constructed to an adoptable standard including two metre wide margins on both sides of the access road that can either be footway or grass verge. No objections have been raised by the Highways Authority based on the illustrative information.
- 6.9.3 The development will also need to comply with parking standards set in Policy P1 of the HSA DPD. It should be noted that garages are not counted as car parking spaces. No objections have been raised by the Highways Authority based on the illustrative information.
- 6.9.4 The road up to and fronting indicative Plot 21 will also need to be provided to an adoptable standard. Swept path drawings have been provided to demonstrate that the Council's larger refuse collection vehicle can satisfactorily manoeuvre around this road layout.

New pedestrian crossings

- 6.9.5 The Highway's Authority originally sought three dropped-kerb tactile-paving pedestrian crossings across Lipscomb Close, and one across Newbury Road near the junction with Marlston Road. The applicant accepts the need for the Newbury Road crossing, but has challenged the need for crossings across Lipscomb Close due to (in summary) the low traffic levels and location of local services. Following consideration of the applicant's response, the Highway's Authority has agreed to seek only one crossing of Lipscomb Close.
- 6.9.6 The single crossing of Lipscomb Road now sought by the Highways Authority follows the pedestrian desire line from the site to the existing pedestrian route to Marlston Road. Paragraph 6.3.8 of Manual for Streets states: "The specific conditions in a street will determine what form of crossing is most relevant. All crossings should be provided with tactile paving...."
- 6.9.7 Taking into account the applicant's response, the material increase in pedestrian movements crossing Lipscomb Close arising from the development, the clear advice in Manual for Streets, and the safety benefits of tactile crossing, it is considered that notwithstanding the low traffic levels on Lipscomb Close, the requested crossing is both reasonable and necessary to ensure safe and suitable pedestrian access to the site. A condition is recommended accordingly.

Travel information packs

- 6.9.8 According to Policy GS1 of the HSA DPD, which applies to each allocated housing site (and repeated in Policy P1) measures will be included to improve accessibility by, and encourage use of, non-car transport modes. A travel plan is only expected for sites of 80 dwellings or more in this location, but for developments of 10 or more dwellings, a travel information pack is required. These can be secured by the recommended condition.

Waste storage and collection

- 6.9.9 The Highways Authority has assessed the indicative site layout as being able to accommodate the largest refuse collection vehicle currently operated by the Council. As the road layout is only indicative it is considered that it has been subject to sufficient scrutiny at this outline application stage.
- 6.9.10 Waste Management Officers have highlighted that the Design and Access Statement has made incorrect reference to the size of refuse and recycling receptacles, but it is considered that this matter can be adequately addressed at the reserved matters stage,

6.10 Character and appearance

- 6.10.1 According to Core Strategy Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense

of place. Development proposals will be expected to (amongst others) make efficient use of land whilst respecting density, character, landscape and biodiversity of the surrounding area.

- 6.10.2 According to Part 1 of the Quality Design SPD, new development should begin with an understanding of the area's existing character and context and its design should evolve from West Berkshire's rich landscape and built heritage. Development should seek to complement and enhance existing areas, using architectural distinctiveness (through construction materials and techniques) and high quality urban design, to reinforce local identity and to create a sense of place. This is consistent with the NPPF, as paragraph 60 advises that planning should seek to promote or reinforce local distinctiveness.
- 6.10.3 The surrounding area is predominantly residential in character, although there is sporadic commercial and retail development along Newbury Road (including a public house adjacent to the site, and retail and vehicle uses towards Charlottes Close). Hermitage is primarily a linear settlement which has evolved from ribbon development along Newbury Road and connected roads. There is more recent development in depth, most notably around Marlston Road, Yattendon Road, and a new estate at Little Hungerford.
- 6.10.4 The proposed development would therefore respect the way in which the settlement has historically evolved. The road layout replicates the curvilinear street structure prevalent in the area. The development comprises mainly individual dwellings on individual plots at regular intervals fronting onto the road, consistent with the existing character.
- 6.10.5 Houses in the area are mainly two storey detached, with occasional semi-detached pairs. The proposed development is shown as two storey in scale, with indicative heights of up to 9 metres. Whilst the acceptability of the precise heights of individual buildings would be a consideration for the scale reserved matters application, the proposed two storey scale is in keeping with the area. Whilst there is a greater proportion of semi-detached dwellings than currently existing, this enables more efficient use of land and overall the indicative grain of development is not considered to be out of keeping with the existing character.
- 6.10.6 According to Part 2 of the Quality Design SPD, The manner in which car parking is arranged can have a fundamental effect on the quality of the place. Vehicles should not be allowed to dominate the space or to inconvenience pedestrians or cyclists.
- 6.10.7 The majority of houses in the area have significant set backs from footways. Some estates, such as Lipscomb Close, have open boundaries to the footway with driveways fronting garages and front lawns with low level planting and sporadic street trees. Properties along Newbury Road tend to have more formally defined front boundaries with brick walls and hedgerows.
- 6.10.8 The proposed indicative layout suggests sets backs which will accommodate the depth of parked cars on the frontage, with limited frontage boundary treatment, so that open boundaries are provided in keeping with estates such as Lipscomb Close. Pockets of soft landscaping are shown between hard surfaced parking spaces. However, the amount of frontage parking is greater than in surrounding area. The

prominence of parking is more pronounced along the main access road, where lines of up to four parking spaces are separated by small areas of landscaping.

- 6.10.9 The indicative layout does include a good number of street trees, and the belt of public open space provides a good level of open space to counteract the built form on the western side of the road. The visual impact is also localised, and the proposed density of development (22dph) is comparable with the nominal 20dph used to approximate housing number on allocated housing sites within the AONB.
- 6.10.10 Overall, it is considered that the proposed density and layout results in frontages that would be materially more dominated by parked cars than is typical of the current character of the area, but not to a degree that would justify the refusal of the application.
- 6.10.11 Existing dwellings in the surrounding area generally benefit from good size gardens, and many have mature landscaping that reflects the age of the properties. The gardens of the indicative layout are generally smaller than existing garden sizes, limiting the opportunities for mature landscape to establish over time. On balance with the desire to make efficient use of land within allocated sites, this is not considered objectionable as the illustrative information demonstrates that the site can be developed and maintain a good degree of spacing between dwellings.
- 6.10.12 The indicative form, massing, architectural detailing and use of materials are broadly in keeping with the character of the area, but detailed examination of such matters would take place as part of the appearance reserved matters application.
- 6.10.13 Newbury Road has a distinct historic character. The proposal responds to this character through the retention of The Old Farmhouse, the new build replication of the existing farmyard building (Plots 3 and 4), and the reinstatement of a comparable wall to the existing either side of the newly formed access. The proposed road layout would encourage a layout of buildings that replicate the siting of existing farmyard buildings (as shown by illustrative Plots 3-7).
- 6.10.14 It is therefore considered that the site can be developed with up to 21 new dwellings whilst respecting the character and appearance of the area, and responding to the Newbury Road street scene. The proposal is therefore capable of complying with Policy CS14 in this respect.

6.11 Conservation of the North Wessex Downs AONB

- 6.11.1 According to paragraph 115 of the NPPF, great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in these areas.
- 6.11.2 According to Core Strategy Policy ADPP5, the provision of housing is subject to the overarching objective for the AONB set out at the beginning of this policy. Recognising the area as a national landscape designation, development will conserve and enhance the local distinctiveness, sense of place and setting of the AONB whilst preserving the strong sense of remoteness, tranquillity and dark night

skies, particularly on the open downland. Development will respond positively to the local context, and respect identified landscape features and components of natural beauty. Development will respect and respond to the historic environment of the AONB.

6.11.3 The proposals have been assessed to respect the character and appearance of the area, and this assessment includes matters which are special qualities within the North Wessex Downs. It is considered that the proposal is capable of delivering a development that responds to local distinctiveness, protects views across AONB countryside, and responds to the historic core of Hermitage. Accordingly the proposal conserves the AONB and complies with the aforementioned policies.

6.11.4 One of the special qualities of the AONB is “dark night skies”. Given the location of the development of the edge of the settlement and forming a transition to open countryside, it is considered important that any external lighting is subject to prior approval to ensure it is appropriate. This is consistent with advice in the Council’s Quality Design SPD.

6.11.5 Owing to the number of dwellings proposed comparative to the size of Hermitage, the proposed development is not considered “major development in the AONB”, to which the NPPF policy in paragraph 116 (to refuse planning permission except in exceptional circumstances) would apply. This judgement is made having regard to a body of appeal decisions on this matter (“major development” in the context of paragraph 116 is not the same as “major development” in planning law). This does not lessen the importance of conserving the AONB under other policies.

6.12 Functional design

6.12.1 According to Core Strategy Policy CS14, good design relates not only to the appearance of a development, but the way in which it functions. According to paragraph 58 of the NPPF, planning decisions should aim to ensure that developments (amongst others):

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and

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

Street structure and grain of development

6.12.3 According to Part 2 of the SPD, a key feature of character will be the ratio of street width to building height. For infill development this proportion should be respected. Medium sized development proposals should ensure that the proposed street structure is integrated with existing layout and articulated in the same manner. The indicative layout has an informal structure with a curvilinear road. The mix of predominantly semi-detached dwellings results in a slightly tighter grain of development than in the surrounding area, but the overall street structure is considered to adequately respect local character. The indicative layout is considered to strike the correct balance between making efficient use of land and respecting surrounding street structure.

Distinction between public and private spaces

6.12.4 New development needs to ensure that public and private spaces are clearly distinguished. Successful public spaces are usually well defined by buildings, structures and hard or soft landscaping. These tend to be spaces which are edged by active frontages (E.g. front doors, shop fronts, large windows); spaces which are overlooked or benefit from natural surveillance, enabling people to keep an eye on the public realm and therefore make it feel safer and free from crime and vandalism. Successful private spaces tend to be enclosed by buildings and only overlooked by the user's home or property. In general, it is best that access is only gained from the property itself.

6.12.5 Overall, the indicative layout provides for a clear distinction between public and private spaces. The dwellings are outward facing and fronting the road, and gardens and generally well enclosed to the rear, with minimal lengths of garden boundaries running adjacent to the public realm. The public open space is well defined and edged by the active frontages of the houses opposite. The building lines and well defined open space will also serve to enhance the legibility of the site, helping users understand and identify the public open space, and be a memorable features to aid wayfinding.

Safety and security

6.12.6 The indicative layout shows well defined routes, spaces and entrances that provide for convenient movement without compromising security. All publically accessible spaces are shown to be overlooked, which will provide an inherently safer and more appealing environment. The location of the public open space is likely to engender a sense of communal ownership and territorial responsibility in local residents over this space

6.12.7 There is a potential risk for conflicting uses between new dwellings and the adjacent pub garden; however, with appropriate boundary treatment to ensure physical protection (which will be a consideration at the landscaping reserved matters stage) this can be mitigated.

Outdoor amenity space

6.12.8 Part 2 of the Quality Design SPD seeks the provision of suitable outdoor amenity space with most new residential developments. It is the quality of outdoor space, as detailed above, that matters most but as a general guide the following garden sizes are suggested for houses:

- 1 and 2 bedroom houses and bungalows, from 70 sq.m;
- 3 or more bedroom houses and bungalows from 100 sq.m

6.12.9 For flats, a reasonable provision of communal outdoor space is suggested. However, it is noted that there are a variety of approaches to providing outdoor amenity space for flats which will vary according to the location and character of the proposed development;

- 1 and 2 bedroom flats; from 25 sq.m communal open space per unit
- 3 or more bedroom flats; from 40 sq.m communal open space per unit.

6.12.10 An indicative Garden Sizes Layout drawing has been submitted, which demonstrates that the minimum garden sizes of the Quality Design SPD can be achieved for all plots in the indicative layout. The garden sizes, shapes and positions are generally considered acceptable. As such, there are no reasons to conclude that the development cannot achieve acceptable provision of outdoor amenity space at reserved matters stage.

6.12.11 Overall, it is considered that the illustrative information demonstrates that the site is capable of achieving a high standard of design in terms of the way in which it functions, and is therefore capable of complying with the aforementioned policies in this respect.

6.13 Neighbouring relationships and amenity

6.13.1 One of the core planning principle of the NPPF is that planning should always seeks to secure a good standard of amenity for all existing and future occupants of land and buildings. The acceptability of individual relationships will need to be determined at reserved matters stage, but the indicative information has been assessed to determine whether there are any fundamental concerns that a good standard of amenity could not be achieved.

Relationships with The Old Farmhouse, Vine Cottage and Barnaby Thatch

6.13.2 Plots 1 and 2 have relatively long rear gardens, such that the separation distance to Vine Cottage and Barnaby Thatch exceeds the minimum 21m guideline distance in the Quality Design SPD. The closest back-to-back distance is approximately 24m between the rear of Plot 2 and the south-western corner of Vine Cottage. The side of Plot 2 faces the rear of The Old Farmhouse, in a position where it is offset from the rear outlook of The Old Farmhouse. None of these relationships raise concern in terms of overlooking, overshadowing, or any overbearing impact.

Relationships with the White Horse (public house)

6.13.3 The existing farmyard buildings back straight onto the side access road of The White Horse. Plots 3 and 4 are shown to replicate the front-most building, which has no windows facing the pub. Provided the replacement building is designed in a similar fashion, with the careful placement of any windows facing the pub, then it is considered that an acceptable relationship could be maintained.

- 6.13.4 Plots 5 to 7 are shown to have a side-on relationship with the pub, so it is anticipated that windows could be readily located to avoid unacceptable relationships.
- 6.13.5 Plots 8 to 10 back directly onto the pub garden, and are shown with garden depths between 10 and 13 metres, which is considered acceptable.
- 6.13.6 There is a significant drop in ground levels between the pub garden and the application site. The Design and Access Statement confirms that no significant changes to existing ground levels are proposed. As such, boundary treatments between the pub garden and the adjacent housing would require careful consideration at landscaping reserved matters stage. However, there are no fundamental objections at this stage.

Internal relationships

- 6.13.7 The dwellings are shown to be located in a loose arrangement fronting onto the access road. As such, the majority of relationships would be side-to-side, minimising any concerns of unneighbourly relationships. There are a few relationships, however, that require careful scrutiny.
- 6.13.8 The rear of Plot 7 backs onto the side of Plot 8 at a distance of some 11 metres. Rear windows in Plots 5 and 6 will face the rear of Plot 8 at a right angle and distance of between 15 and 20 metres. Given the angle, this relationship is considered acceptable.
- 6.13.9 Plots 11 to 14 back onto the rear of Plots 18 to 21 with increasingly tighter relationships toward the corner in the road. The separation distances range from some 30 metres down to a few distances as short as 15 metres, but the majority of the relationships exceed the recommended 21 metres. Where the separation distances fall below 21 metres in the illustrative layout (16 metres between Plots 14-18; 20 metres between Plots 14-19), the respective orientation of the buildings and opportunities for intervening landscaping indicate that an acceptable relationship can be achieved with careful design.
- 6.13.10 The gardens of Plots 11 and 21 back onto the rear of the pub garden at an angle. The rear elevations of both houses face the pub garden at a similar angle. Given the angle these relationships are considered acceptable.

Dwellings on Lipscomb Close

- 6.13.11 Owing to the location and layout of the public open space and internal roads, which would be fixed by the Parameters Plan, there is a considerable separation distance between the proposed dwellings and the existing dwellings on Lipscomb Close. The shortest distance on the indicative layout is approximately 29 metres between Plot 15 and 31 Lipscomb Close, and neither dwelling are shown to directly face one another.

Dwellings on HER001 (Land off Charlottes Close)

- 6.13.12 Consideration must be given to the likelihood that dwellings will be construction on the neighbouring site. However, only limited weight can be given to

the proposed layout that was refused permission under application 17/01144/FULEXT, due to the number of objections to that scheme. It is noted that the majority of dwellings on the indicative layout are a considerable distance from the neighbouring site, separated by the intervening pub garden and boundary treatment. Plot 21 is located adjacent to the HER001 site. It is shown to have a side-on relationship, so there are no fundamental concerns that the parameters for this development would result in unneighbourly relationships with the adjacent development.

Conclusions

- 6.13.13 Overall, it is considered that the illustrative information demonstrates that the site is capable of accommodating up to 21 new dwellings. There are a few tight relationships that would require particular scrutiny if they followed through to a reserved matters application, but the amended description of “up to 21 new dwellings” provides some assurances that the development can be accommodated without unacceptable harm to residential amenity.

6.14 Sustainable construction, renewable and low carbon energy

- 6.14.1 According to Core Strategy Policy CS15, new residential development will meet a minimum standard of Code for Sustainable Homes Level 6. However, the Written Ministerial Statement of 25th March 2015 withdraws the Code for Sustainable Homes. According to the Planning Practice Guidance, local planning authorities have the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access and water, and an optional nationally described space standard. Local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans. There is no current policy with the statutory development plan that is consistent with this guidance.

- 6.14.2 Core Strategy Policy CS15 also requires major development to achieve minimum reductions in carbon dioxide emissions from the use of renewable energy or low/zero carbon energy generation on site or in the locality. For residential development the policy requirement is zero carbon. Following the withdrawal of the Code for Sustainable Homes, the baseline for this assessment no longer exists for the residential element of the development, and as such compliance is not possible for practical reasons.

6.15 Flood risk and sustainable drainage

- 6.15.1 The NPPF encourages a sequential risk-based approach to determine the suitability of land for development in flood risk areas. It advises local planning authorities to demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed. In areas at risk of river flooding, NPPF advises that preference be given to new development in Flood Zone 1. If there are no reasonably available sites in Flood Zone 1 the flood vulnerability of the development can be considered in locating development in Flood Zone 2 and then Flood Zone 3. Within each flood

zone new development should be directed to sites at the lowest probability of flooding from all sources.

- 6.15.2 According to Core Strategy Policy CS16, the sequential approach in accordance with the NPPF will be strictly applied across the District. Development within areas of flood risk from any source of flooding, including Critical Drainage Areas and areas with a history of groundwater or surface water flooding, will only be accepted if it is demonstrated that it is appropriate at that location, and that there are no suitable and available alternative sites at a lower flood risk.
- 6.15.3 The application site lies outside of EA Flood Zones 2 and 3. The site is therefore deemed to fall within Flood Zone 1, where the annual probability of flooding from rivers or sea is less than 1 in 1000 in any given year (<0.1%). The NPPF advises that all land uses are appropriate in Flood Zone 1. The sequential test is therefore passed, and the exception test does not need to be applied.
- 6.15.4 The site is, however, located within a critical drainage area, and shown to be at high risk of surface water flooding. The Council's 2007 Flood Investigation Report indicates that surface water flood water emanated from Newbury Road to the east and land to the north and culminated at the pond within the site boundary. Properties immediately adjacent to the site were reported to have flooded.
- 6.15.5 The EA has not provided a consultation response. However, the FRA proposals have been subject to extensive negotiation between the Lead Local Flood Authority (LLFA) and the applicant's consultants, particularly in terms of appropriate surface water flood mitigation. The LLFA's original consultation response dated 23 January 2018 highlighted a number of issues with the original FRA. Following negotiations, a revised FRA (dated 3 April 2018) satisfies the majority of the LLFA's minor concerns raised in their original consultation response. However, whilst the ground investigation undertaken at the site is sufficient to demonstrate that infiltration is possible, the results are not appropriate for use in the design of the surface water drainage system. As part of any reserved matters application, the LLFA would expect the applicant to undertake further soakaway testing in accordance with the BRE365 methodology.
- 6.15.6 Given that this is an outline application with matters such as layout and landscaping being reserved for later consideration, it is agreed that it is appropriate to allow some flexibility in terms of how a detailed mitigation scheme is designed.
- 6.15.7 Notwithstanding the need for flexibility, the LLFA are strongly of the view that a detailed hydraulic model should be produced and submitted to the Council to confirm the risk of surface water flooding to the proposed development. The hydraulic model should be used to inform an appropriate mitigation strategy to ensure that proposed properties are protected from flooding up to the 1 in 100 year, including climate change, flood event; and to demonstrate that the proposed development and mitigation does not increase the risk of flooding off-site. Mitigation measures could include attenuation or diversion of surface water flow routes and/or avoiding development within areas shown to be at risk of flooding.
- 6.15.8 Given that this application is made in outline, the LLFA are satisfied that their requested conditions (as amended following negotiation) are sufficient to ensure

that flood risk is minimised and the formulation of an appropriate drainage strategy. Without the proposed conditions, the LLFA would recommend refusal.

- 6.15.9 Given that the LLFA suggest that part of the proposed mitigation measures may be to avoid development within areas shown to be at risk of flooding (applying the sequential approach to the detailed layout of the development), this adds further justification for amending the description of development to read "... up to 21 new dwellings...", as it will enable flexibility at the reserved matters stage.
- 6.15.10 Subject to applying the recommended conditions, it is considered that the development is capable of complying with Core Strategy Policy CS16, and the NPPF guidance on flood risk.

6.16 Biodiversity

- 6.16.1 According to Core Strategy Policy CS17, biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. Habitats designated or proposed for designation as important for biodiversity or geodiversity at an international or national level or which support protected, rare or endangered species, will be protected and enhanced. The degree of protection given will be appropriate to the status of the site or species in terms of its international or national importance. Development which may harm, either directly or indirectly, locally designated sites (Local Wildlife Sites and Local Geological Sites), or habitats or species of principal importance for the purpose of conserving biodiversity, or the integrity or continuity of landscape features of major importance for wild flora and fauna will only be permitted if there are no reasonable alternatives and there are clear demonstrable social or economic benefits of regional or national importance that outweigh the need to safeguard the site or species and that adequate compensation and mitigation measures are provided when damage to biodiversity/geodiversity interests are unavoidable. In order to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity and geodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan.
- 6.16.2 There are no international/European protected sites within the vicinity. The site is within a consultation zone for a SSSI, and Cold Ash Quarry SSSI is located to the south of Hermitage village. There are records of a number of protected/notable species in and around the application site. There are also a number of locally protected sites and biodiversity opportunity areas in the surrounding area, but these are wholly outside the application site. The local wildlife sites are as follows:
- Fence Wood LWS (woodland) approximately 270m to south-east.
 - Doctor's Row LWS (woodland) approximately 135m to north-west.
 - Roebuck Wood LWS (woodland) approximately 450m to north.
- 6.16.3 According to Policy HSA25, an extended phase 1 habitat survey will be required together with further detailed surveys arising from that as necessary. A Great Crested Newt Survey will also be required to cover all ponds within the vicinity of the site. The final developable area will be dependent upon the extent of any appropriate avoidance and mitigation measures required to be implemented, to ensure any protected species will not be adversely affected.

6.16.4 The application is accompanied by an Ecological Appraisal, containing the results and recommendations of an initial Phase 1 ecological survey, and Phase 2 bat, reptile and great crested new surveys.

Bats

6.16.5 The surveys identified a number of bat roosts at the site including low status day roosts of up to 20 common pipistrelle, low status day roosts of up to five brown long-eared bat and a peak count of two roosting barbastelle. A European Protected Species Mitigation (EPSM) licence in respect of bats will be required prior to the commencement of the development. Potential impacts of the development include the loss of day roosts for the three bat species, and direct impacts on bats from the demolition of the farmyard buildings.

6.16.6 Suitable mitigation including sensitive demolition methods, construction of a dedicated roost void and inclusion of new roost features such as bat access tiles and bat boxes have been incorporated into the proposals.

Slow worm, common lizard and grass snake

6.16.7 A population of slow-worm, common lizard and grass snake were recorded within the suitable habitat within the site. Potential impacts would arise as a result of vegetation clearance and long-term loss in reptile habitat. Accordingly, a reptile translocation exercise will be required prior to the commencement of the development. The population is to be translocated to the proposed Ecological Mitigation Area.

Great crested newts

6.16.8 A medium population of great crested newt was recorded within the on-site pond. Small areas of suitable terrestrial habitat for great crested newt are present within the site including areas of tussocky grassland. Therefore, an EPSM licence in respect of great crested newt will be required prior to the commencement of the development. Potential impacts on great crested newts arise as a result of clearance of suitable terrestrial habitat and long-term loss in suitable habitat.

6.16.9 The proposed mitigation strategy involves translocation of the areas of suitable terrestrial habitat and relocation to the proposed Ecological Mitigation Area. The pond supporting the breeding population is to be retained as part of the proposals.

Nesting birds

6.16.10 Potential direct impacts on nesting birds may arise should any vegetation clearance or building demolition be undertaken during nesting bird season (March to August inclusive). Such impacts can be mitigated/minimised by a condition restricting such works taking place during this time.

Designated nature conservation sites

6.16.11 A number of Local Wildlife Sites are present within 1km of the site boundary. A single SSSI (Cold Ash Quarry) is present within 2km of the site; however this is

primarily designated for geological interest. Given the small scale of the proposals and separation of the site from surrounding designated sites by areas of existing development and roads, no direct impacts are anticipated. There is the potential for increased recreational pressure on those publically accessible sites in proximity. However, the judgement in the Ecological Appraisal is that the scale of this impact is not considered to be significant given the relatively small size of residential development proposed at the site. No mitigation measures are recommended.

- 6.16.12 Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected nature conservation sites. No response has been received from WBC Ecology or BBOWT.

Other species

- 6.16.13 The Ecological Appraisal surveyed a range of species which were judged to be absent, or did not result in specific mitigation recommendations.

- 6.16.14 A range of vegetation and habitats are supported by the site, but the Ecological Appraisal judges these as common and widespread and of limited ecological value. The features of relatively greater ecological value are the pond and immediate surrounds which are proposed to be retained and enhanced. Appropriate new landscaping will also help mitigate the loss of existing vegetation and habitats.

- 6.16.15 There is no evidence of badger on the site, but the site does provide suitable foraging habitat which would be lost; the wildflower meadow and scrub planting in the Ecological Mitigation Area will provide new foraging habitat. The site habitats are also likely to support common and widespread terrestrial invertebrate species, but no significant impacts are anticipated; nonetheless the Ecological Mitigation Area will also provide new habitats for such species.

Habitats Assessment

- 6.16.16 Bats and great crested newts 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 person 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*'.

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

1. Consenting the operations that would have potential impacts on bats would enable the development of the site, which is considered to constitute an imperative reason of overriding public interest. The NPPF seeks to boost significantly the supply of housing. The southern part of this site has been allocated to meet the housing supply needs of the district, and the redevelopment of the northern part of the site would enable optimum use of the site and further boost supply.
2. In terms of satisfactory alternatives, a “do nothing approach” would not facilitate the comprehensive and coordinated development of the site, and owing to the layout of the farmyard buildings their retention would also not achieve this aim; their demolition is necessary to facilitate development.
3. The potential impacts on bat species is noted in this report above. To maintain the favourable conservation status of the bat roosts at the site mitigation is proposed by the Ecological Appraisal that provide interim roosting opportunities, control over demolition timings and operations, the provision of long-term replacement roosts and bat boxes, a sensitive lighting scheme, and monitoring. Together these mitigation measures are considered sufficient to satisfy the third test.

6.16.18 The following comprises an assessment of these **derogation tests** in relation to the **great crested newts** on the site:

1. Consenting the operations that would have potential impacts on bats would enable the development of the site, which is considered to constitute an imperative reason of overriding public interest. The NPPF seeks to boost significantly the supply of housing. The southern part of this site has been allocated to meet the housing supply needs of the district, and the redevelopment of the northern part of the site would enable optimum use of the site and further boost supply.
2. In terms of satisfactory alternatives, a “do nothing approach” would not facilitate the comprehensive and coordinated development of the site. It would not be possible to achieve development of the site without the loss of suitable terrestrial habitat for great crested newt. The proposals have been designed in order to retain the breeding habitat present within the pond and the immediate terrestrial habitat around the breeding pond. The proposals also include an area of newly created suitable terrestrial habitat to be situated on the northern boundary of the site.
3. The potential impacts on great crested newts is noted in this report above. To maintain the favourable conservation status of great crested newts at the site the Ecological Appraisal proposes mitigation measures. These include a translocation scheme, exclusion fencing to the protected area, a subsequent destructive search of the translocated area, provision and enhancement of the Ecological Mitigation Area, and the implementation of a Management Plan to ensure the area is managed for the benefit of greater crested newts in perpetuity. Together these mitigation measures are considered sufficient to satisfy the third test.

Further surveys and mitigation measures

6.16.19 If works have not commenced by July 2018, the Ecological Appraisal recommends that it is updated. This is because many of the species considered during the current survey are highly mobile and the ecology of the site is likely to change over this period. Accordingly, planning conditions will need to ensure that

the surveys are revisited before commencement of development, and that these inform updated mitigation strategies.

- 6.16.20 The aforementioned mitigation strategies must be secured by condition. The establishment of an Ecological Mitigation Area on the eastern boundary and around the retained pond is a key element of this proposal. The mitigation area is to be sown with a mixture of wildflower meadow seed and scrub planting. This area will be enhanced in order to increase its suitability for both reptiles and great crested newt through the inclusion of hibernacula.
- 6.16.21 Subject to conditions and a S106 legal agreement to secure the aforementioned surveys and mitigation strategy, it is considered that the proposal is capable of complying with Policy CS17, the NPPF, and the statutory controls that apply to the ecology of the site.

6.17 Historic environment

- 6.17.1 The Old Farmhouse and associated farmyard buildings are recognised as non-designated heritage asset, being of historic interest and local significance, despite not being listed buildings. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 6.17.2 Barnaby Hatch is a Grade II listed building outside but adjacent to the application site. The development is therefore likely to have an impact on the setting of this designated heritage asset, which may in turn affect the designated heritage asset's significance.
- 6.17.3 The application proposals were subject to extensive pre-application discussions, and original proposals included the proposed subdivision of The Old Farmhouse.
- 6.17.4 The application is accompanied by a Heritage Desk-Based Assessment, which seeks to identify heritage assets, their significance, and the impact of the proposed development on their significance. On balance no objections have been raised to the proposals from a building conservation point of view, because no designated heritage assets are directly affected by the proposals and the proposed layout echoes the current courtyard/farmyard layout on the site, of a similar scale, design and use of materials, maintaining the aesthetic value/significance of the site, thus retaining something of its historic character/significance. The development also complies with design parameters set out in the Hermitage Village Design Statement.
- 6.17.5 During pre-application discussions, the greatest level of concerns related to the subdivision of The Old Farmhouse and its setting. The omission from the scheme of the subdivision addresses this main concern. In order to ensure that the detailed scheme presented at reserved matters stage does not re-introduce this concern, a condition is recommended to stipulate that the new 21 dwellings are not taken to mean the subdivision of The Old Farmhouse.

- 6.17.6 In terms of the impact on Barnaby Thatch. The proposals would introduce new residential development to the rear, but maintaining a reasonable separation distance. The retention of the pond also ensure a good degree of openness for the outlook of Barnaby Thatch. Taken into account the indicative layout, it is considered that the proposed development will result in limited if any material harm to the setting of the listed building. Giving special weight to the conservation of the designated heritage asset (as is a statutory duty), it is considered that the proposed development will be acceptable from a building conservation perspective.
- 6.17.7 In terms of archaeological considerations, the proposal involves the demolition of several farm buildings at Hermitage Farm, the farm itself being documented from at least 1842. The applicants have provided several heritage assessments and further information at the request of the Council's Archaeological Officer. These have demonstrated that the farmstead is of some significance, although this is perhaps of local value. The Old Farmhouse is the most important building within the farm, but this will be retained unaltered as part of the proposal.
- 6.17.8 The Archaeological Officer does not concur with the heritage statement's conclusion that the Old Farmhouse is a late 19th century building – it is an interesting building and clearly of more than one period of construction, as can be ascertained by the interrupted string course on the northern facade. It is noted that the author of the report did not gain access to the attic or cellar. Indeed, the Archaeological Officer considers it may potentially be much older. There are timbers visible in the ceilings of some of the internal photographs, and the rather strange structure sticking out on the back of the house appears like a stair tower which is a feature generally associated with timber framed buildings. The true age of the farmhouse is relevant in terms of its significance, but in any case the Archaeological Officer considers it should be considered a heritage asset under NPPF.
- 6.17.9 Although the report considers the farm buildings of limited significance, it also mentions the documented presence of a malthouse which is potentially of significance. The northern most building on the farmyard seems likely to have been the malthouse, or to have originated with this function. The report also gives little detail and no photographs of the timber building which is at right angles to the others.
- 6.17.10 The Archaeological Officer's conclusion is that the house and its surviving farm buildings are of historic interest and contribute to the character of Hermitage, giving an understanding of its rural history and economy. It is regrettable from a heritage perspective that none of the agricultural buildings are able to be retained and reused under this scheme. However, the benefits of the scheme (including the comprehensive development of the site) outweigh the harm arising from the loss of these non-designated heritage assets.
- 6.17.11 In order to ensure that historic information is not destroyed as part of the development process without record, the Archaeological Officer recommends a building recording condition. Such an approach follows the guidance set out in paragraph 141 of the National Planning Policy Framework. The level of recording necessary should be guided by the advice specified by Historic England in Understanding Historic Buildings: A guide to good recording practice (2016). Given

that demolition is proposed the Archaeological Officer would expect recording at Level 3 would be appropriate for most of the buildings. Level 3 is an analytical record, which would consist of drawings, photographs and a written account. Some analysis and research has obviously already been completed which could be included.

6.17.12 In addition, new dwellings are proposed within the farmhouse garden and yard, and on land to the south (within the allocation). Cropmarks of former ridge and furrow were recorded over part of this area by English Heritage (now Historic England). Although these features of medieval or early post-medieval agriculture had been ploughed level, the Archaeological Officer considers that there could be some archaeological potential on this land. The applicants commissioned a geophysical survey which is submitted with this application. There were few obvious archaeological anomalies identified through this work, but in the light of the farmhouse perhaps being an older timber-framed building, the Archaeological Officer would wish to see some archaeological supervision of the groundworks to ensure the recording of any assets of archaeological interest.

6.17.13 The Archaeological Officer recommends that the applicants be required by condition to commission a programme of archaeological supervision (watching brief) during the excavation of the foundations and any related groundworks for the housing. Such an approach follows the guidance set out in paragraph 141 of the National Planning Policy Framework.

6.17.14 Subject to the imposition of the aforementioned conditions, it is considered that the impacts of the heritage assets is justified, and the proposal is thereby capable of complying with Core Strategy Policy CS19 and the heritage advice of the NPPF.

6.18 Environmental quality (contamination, air quality, noise)

6.18.1 The application submissions include details of a preliminary risk assessment followed by an intrusive ground investigation (RPS Ground Investigation Interpretative Report Ref JER1205 October 2107). The report states that:

- sample analysis concludes that there is no exceedance of any assessment criteria for contaminants of concern;
- there is no discernible risk to ground water or surface water;
- fragments of possible asbestos containing material were visually identified;
- and preliminary gas monitoring concludes that Characteristic Situation 1 exists on this site with recommendation for further monitoring.

6.18.2 Accordingly, Environmental Health recommend a condition to ensure that the site is assessed for hazardous materials, particularly following demolition of existing structures on the site. Environmental Health also recommend that precautionary gas protection membranes are installed unless further gas monitoring confirms that this is not required.

6.18.3 No objections have been raised by Environmental Health in terms of adverse impacts on local air quality targets.

6.18.4 The illustrative site layout shows a dwelling close to the boundary with the White Horse Public House and the applicant acknowledges that the site could be affected by noise from the pub. The potential commercial impact on the pub could also be an issue in the future if complaints are made. It is not clear whether the site layout could be amended to address this at reserved matters stage. However, the applicant has suggested that this matter could be dealt with by condition to ensure that internal noise levels satisfy the standards set out in BS8233. Noise affecting external amenity areas should also be included. A condition is recommended accordingly.

6.18.5 Construction activities have the potential to cause noise and disturbance to the local area. Conditions and informative notes are recommended to minimise any harm that may arise.

6.19 Trees

6.19.1 The site comprises a number of significant trees which are landscape features. There has been an arboricultural assessment of the trees carried out by Landscape Collective, ref: LC/00050 dated May 2017. This is considered to be adequate for the purpose of determining this application as far as tree initial implications are concerned, and should be sufficient to minimise the impact of the access on retained trees.

6.19.2 The tree survey shows the location of the trees and the possible impact they would have on the proposal. The trees have also been graded in accordance with the BS5837, which is acceptable and the Council's Tree Officer largely agree with the grading.

6.19.3 The theoretical root protection areas (RPAs) of the trees have been shown and morphed taking into accounts the existing site considerations in accordance with section 4.6.2 of the BS5837:2012.

6.19.4 The properties have then been shown outside the RPAs (though very close which gives no working room, this would need to be taken into account in an impact assessment and method statement) on all the trees retained on the Sketch Layout drawing number 16027 C201C by OSP Architecture. On the Coloured sketch none of the hedging has been shown to be removed against the roadside. Only cutting back of the hedgerow has been shown to provide the site visibility plans.

6.19.5 An arboricultural impact assessment and method statement of the trees will take into account the current impact but also future impact on the growth of the trees and any works required, along with any works required for the development. Shading arcs in line with the BS5837 will demonstrate the shade caused to any property and garden.

6.19.6 The indicative landscaping scheme by Landscape Collective drawing number 00016 dated 05/10/17 shows mitigating planting, although a more detailed response should be given by the landscape architect.

6.19.7 Overall, the Council's Tree Officer has raised no objections in principle to this application, subject to a number of conditions.

6.20 Agricultural land

- 6.20.1 The southern part of the site is agricultural land, most of which is classified as Grade 3b. A small pocket of the field is classified at Grade 3a (best and most versatile agricultural land) in the south-east corner.
- 6.20.2 According to paragraph 112 of the NPPF, local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. The agricultural classification of the land was taken into account in the selection process for housing site allocations. Accordingly, the loss of a small area of best and most versatile agricultural land does not render this application unacceptable.

6.21 Other matters

- 6.21.1 Representations have indicated that there has been public consultation of a new scheme to redevelop land in the area (in addition to the two allocated sites). No application is currently before the Council, and so it is not possible to assess cumulative impacts. It would, however, be incumbent on any new planning application to demonstrate an acceptable cumulative impact based on all known committed and planned developments at that time.

6.22 PLANNING BALANCE AND CONCLUSION

- 6.22.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.22.2 The proposed development complies with the development plan policies in terms of the location of new homes, both in terms of the housing site allocation and the balance of the site which is also within the settlement boundary. There is a limited degree of conflict with the development plan in terms of the extent of the red line and developable area beyond that shown on Policy HSA25, but for the reasons set out in this report the benefits of the proposal outweigh this conflict. There are demonstrable additional benefits arising from the comprehensive approach taken to the development of the whole site, including additional affordable housing, and a layout which achieves a high standard of design. The compliance with the development plan and the benefits of new housing on in this location attracts substantial weight.
- 6.22.3 Great weight must be given to conserving the landscape and scenic beauty of the AONB. The allocation for the site therefore seeks to incorporate a landscape buffer on the southern edge of the development, and the Council's Landscape Consultant is satisfied that the amended proposals meet the landscape requirements of Policy HSA25, subject to the detailed design at reserved matters stage.

- 6.22.4 The application proposals have been scrutinised by the Highways Authority in terms of the impact of additional traffic arising from the development, and the impact on the highway network. The cumulative impacts with other planned development have also been taken into account as appropriate. It is concluded that the traffic generated by the proposal would not be to an unacceptable level.
- 6.22.5 The illustrative information indicates that the proposed parameters are capable of delivering a scheme which may achieve a high standard of design. This includes a density and layout of development which respects the character and appearance of the area, the provision of high quality open space, and in terms of the way in which the development would function.
- 6.22.6 Special consideration has been given to the impact on the setting of the adjacent listed building, with great weight being given to the asset's conservation. Given the existing setting of the listed building, and the separation distance demonstrated to be possible between new dwellings, it is considered that the development would have an acceptable impact.
- 6.22.7 The site is designated as a critical drainage area, and it is recognised that there are associated concerns with surface water drainage. The submitted Flood Risk Assessment has been scrutinised by the Lead Local Flood Authority, who are satisfied that the development can be made acceptable in flood risk terms. The precise mitigation would depend on further hydraulic modelling and proposed mitigation measures which respond to the detailed design of the proposals.
- 6.22.8 The application is accompanied by the required ecological surveys, which identified the necessary mitigation measures and opportunities for ecological enhancement. This includes a significant area designated as an Ecological Mitigation Area, which would be subject to long-term management, secured via planning condition and s106.
- 6.22.9 Various other technical matters have been scrutinised as part of this application, as detailed in this report. The degree of compliance with the development plan indicates that planning permission should be granted, and there are no material considerations that individually or cumulatively indicate that permission should otherwise be refused. As such, it is recommended that planning permission is granted subject to planning conditions and a planning obligation, as detailed in the full recommendation.

7. FULL RECOMMENDATION

Subject to the completion of a S106 legal agreement within two months from the resolution date (or any longer period as agreed in writing in consultation with the Chairman/Vice Chairman of the Eastern Area Planning Committee and Ward Members) for the Heads of Terms listed below (7.1), to delegate to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the conditions listed below (7.2).

Or, if a S106 legal agreement within the above specified time, to delegate to the Head of Development and Planning to **REFUSE PLANNING PERMISSION** for the reason listed below (7.3).

7.1 S106 HEADS OF TERMS

Affordable Housing:

- 40% of total units being affordable housing (up to 8 units).
- Transfer to Registered Housing Provider.
- Of the affordable housing units, 70% being social rented tenure, 30% being an intermediate form of affordable housing.
- Detailed requirements and specifications in accordance with the Planning Obligations SPD.

Public Open Space:

- Provision of public open space, including a local area of play.
- Governance by a management company, subject to clauses to ensure transparency in annual fees for residents.

Environmental Management Plan:

- To submit to the Council for approval pursuant to the Planning Conditions, a Environmental Management Plan to include details of the management, maintenance and long term protection of the hard and soft landscaping, public open space and Ecological Mitigation Area within the Site (as shown on the S106 Site Plan to include the Application Site and the additional landscaping strip secured by Grampian condition).
- Not to permit the Occupation of the Development without first forming a Management Company (which for the avoidance of doubt shall assume responsibility for implementing the Environmental Management Plan) and not to wind up the Management Company or alter its constitution unless the whole of the Development shall have been demolished or unless the Council have otherwise first agreed in writing.
- To provide that the first and all subsequent buyers of each Residential Unit within the Development enters into covenants with the Management Company to pay the Management Company a pro rata proportion (according to the number of Residential Units in the Development) of the costs and expenses incurred by the Management Company in respect of its administration and of insuring, maintaining, repairing and as necessary renewing the hard and soft landscaping, public open space and Ecological Mitigation Area in accordance with the Environmental Management Plan.

Council's Costs

- To pay the Council for the reasonable legal costs incurred in the review, negotiation, preparation and execution of the Agreement and an administration fee of £1,350.00.

7.2 PLANNING CONDITIONS

1. Reserved matters

Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local

Planning Authority before any development is commenced.

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

2. **Approval of reserved matters**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

3. **Reserved matters time limit**

The development to which this permission relates shall be begun before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the approved matters to be approved, whichever is the later.

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

4. **Approved plans**

The development hereby permitted shall be carried out in accordance with the following approved plans;

- Site Location Plan 16027/S201 Rev B
- Parameters Plan 16027/SK202 Rev E
- Site Access Boundary Wall 16027/SK205 Rev A
- Site Access Plan JNY8620 - 17D
- Site Survey 16027/SS.01 Rev B

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

5. **Advance planting of landscape buffer**

All planting within the landscape buffer (as defined by the Parameter Plan) shall be completed no less than six months in advance of any development taking place on the application site. Detailed planting plans, schedules and specifications shall accompany the landscaping reserved matters application. These details shall ensure a depth of no less than 4.5 metres of the landscape buffer is planted as woodland edge and hedgerow; and include large native trees and woodland edge mix and include oak and wild cherry.

Reason: To ensure that all planting in the landscape buffer has had time to establish prior to construction, and therefore provides a good level of screening immediately from commencement of development. Advanced planting is necessary given the high sensitivity of the surrounding AONB open countryside. This condition is applied in accordance with the NPPF, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

6. **Layout and design standards**

The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision. The 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).

7. **Environmental Management Plan**

No development shall take place until a detailed Environmental Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority. The EMP shall:

- (a) Apply to all land within the red line application site, and the full extent of the Landscape Buffer (as defined by the Parameter Plan).
- (b) Be based on and informed by the Ecological Assessment prepared by Ecosa (Reference 2752-2.F2, Final Revision 2, dated 01/11/2017) (therein referred to an Ecological Management Plan), and deliver the recommendations of this Assessment to ensure the appropriate protection and conservation of protected habitats and species.
- (c) Include (but not necessarily be limited to) details of management, maintenance and long-term protection of the hard and soft landscaping, public open space, and ecological mitigation area.
- (d) May incorporate any/all mitigation measures secured by other planning conditions attached to this permission.

The approved EMP shall be implemented in full upon commencement of development.

Reason: The EMP is necessary to ensure the adequate protection and conservation of protected species and habitats on the site, and to achieve the specific recommendations of the submitted Ecological Assessment. A comprehensive EMP will also ensure that interrelated landscape and ecological proposals are delivered and management in a holistic manner. Detailed provisions for implementation are contained with the s106 legal agreement. The detailed EMP is required before commencement of development because insufficiently detailed information has been submitted at the application stage, and it may include measures that require implementation during the construction phase. This condition is applied in accordance with the NPPF, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Planning Obligations SPD.

8. **Updated Ecological Appraisal**

No development shall take place until an updated Ecological Appraisal been submitted to and approved in writing by the Local Planning Authority, together with any additional surveys recommended by the updated Ecological Appraisal. The

updated surveys shall be used to inform the mitigation measures for this development.

Reason: The submitted Ecological Assessment advises that, if works have not commenced by July 2018, the ecological appraisal should be updated. This is because many of the species considered during the current survey are highly mobile and the ecology of the site is likely to change over this period. This condition is applied in accordance with the statutory provisions relating to the protected species and habitats on the site, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

9. Natural England licence (bats and great crested newts)

Any works which affect bats or great crested newts, or result in loss or deterioration of their habitats (including the demolition of the existing farmyard buildings) shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- (a) A licence issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010 authorising the specified activities to go ahead; or
- (b) A statement in writing from Natural England to the effect that it does not consider that the specified activity will require a licence.

Reason: This condition is applied to avoid contravention of the Conservation of Habitats and Species Regulations 2010 (as amended), and in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

10. Bat mitigation scheme

No development (including demolition) shall take place until a bat mitigation scheme has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing, suitable mitigation shall include (but not necessarily be limited to) sensitive demolition methods and timings, the provision of long-term replacement roosts and bat boxes, a sensitive lighting scheme, construction of a dedicated roost void, and inclusion of new roost features such as bat access tiles and bat boxes incorporated into the development. The scheme shall include details of implementation timings. Thereafter, the development shall not take place except in accordance with the approved mitigation scheme.

Reason: To ensure the implementation of appropriate mitigation for bats, in line with the recommendations of the submitted Ecological Assessment. The approval of this information is required before development commences because insufficient information accompanies the outline application and mitigation measures need to be in place before commencement. This condition is applied in accordance with the statutory provisions relating to bats, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

11. Reptile translocation

No development shall take place until details of a reptile translocation exercise have been submitted to and approved in writing by the Local Planning Authority. The

reptile populations shall be translocated to the Ecological Mitigation Area, as defined by the approved Parameter Plan. The submission shall include details of implementation timings. Thereafter, the development shall not take place without the reptile translocation exercise taking place in accordance with the approved scheme.

Reason: To ensure the implementation of a reptile translocation exercise, in line with the recommendations of the submitted Ecological Assessment. The approval of this information is required before development commences because insufficient information accompanies the outline application and the reptile translocation needs to take place before any development takes place. This condition is applied in accordance with the statutory provisions relating to reptiles, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

12. **Great crested newt mitigation scheme**

No development shall take place until a great crested newt mitigation scheme has been submitted to and approved in writing by the Local Planning Authority. The mitigation scheme shall include (but not necessarily limited to) translocation of the areas of suitable terrestrial habitat, and translocation of the species, to the Ecological Mitigation Area, as defined by the approved Parameter Plan. The submission shall include details of implementation timings. Thereafter, the development shall not take place except in accordance with the approved scheme.

Reason: To ensure the implementation of appropriate mitigation for great crested newts, including a translocation exercise, in line with the recommendations of the submitted Ecological Assessment. The approval of this information is required before development commences because insufficient information accompanies the outline application and mitigation will be required before any development takes place. This condition is applied in accordance with the statutory provisions relating to great crested newts, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

13. **Sustainable drainage measures**

Alongside or before the first reserved matters application, details of sustainable drainage measures to manage surface water shall be submitted to the Local Planning Authority for approval. 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;
- (b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels. Any soakage testing should be undertaken in accordance with BRE365 methodology;
- (c) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- (d) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- (e) Include pre-treatment methods to prevent any pollution or silt entering SuDS

- features or causing any contamination to the soil or groundwater;
- (f) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines;
- (g) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
- (h) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises.

No development shall take place until the above details have been approved in writing by the Local Planning Authority, and thereafter the development shall not be undertaken without incorporating the approved measures.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies this outline 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.

14. Hydraulic modelling and flooding mitigation strategy

No development shall take place until a mitigation strategy to ensure that the proposed dwellings are protected from flooding up to the 1 in 100 year (including climate change) flood event has been submitted to and approved in writing by the Local Planning Authority. The mitigation strategy shall be informed by a detailed hydraulic model, details of which shall accompany the above submission. No development shall take place without incorporating the approved mitigation strategy, and any ongoing management or maintenance shall be undertaken as approved thereafter.

Reason: To prevent the increased risk of flooding. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies this outline application; mitigation 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.

15. Emergency water supplies

No dwelling shall be first occupied until either:

- (a) Private fire hydrant(s), or other suitable emergency water supplies, have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority (in consultation with Royal Berkshire Fire and Rescue Service); or
- (b) Royal Berkshire Fire and Rescue Service confirm that such provision is not

required (for example, because the main water supply for the development is sufficient) and confirmation of the same has been given in writing by the Local Planning Authority pursuant to this condition.

Reason: At present there are no available public mains in this area to provide suitable water supply in order to effectively fight a fire. Suitable private fire hydrant(s), or other suitable emergency water supplies, are therefore required to meeting Royal Berkshire Fire and Rescue Service requirements, in the interests of public safety. The approval of this information is required before development commences because insufficient information accompanies the outline application and it will affect the servicing of the development. This condition is applied in accordance with the National Planning Policy Framework.

16. **Access details**

No development shall take place until detailed plans of the pedestrian and cycle accesses onto Lipscomb Close and to the adjacent housing site HER001 have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the details shall provide for a three metre wide footway/cycleway in both locations. The footways/cycleways shall be provided before first occupation of the 15th dwelling in accordance with the approved details.

Reason: Access is not a reserved matter, but insufficiently detailed information has been provided for these pedestrian and cycles accesses. Detailed access designs are required to ensure safe and suitable access for pedestrians at these points. This condition is applied in accordance with the NPPF, Policies CS13 and CS14 of the West Berkshire Core Strategy, and the Quality Design SPD (design guidance on safe and high quality environments).

17. **Parking and turning**

No development shall take place until details of vehicle access, parking, and turning spaces for every dwelling have been submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling hereby permitted shall be occupied until the vehicle access, parking, and turning spaces associated to that dwelling have been surfaced, marked out and provided in accordance with the approved details. The access, parking, and turning spaces shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. The approval of this information is required before development commences because insufficient information accompanies the outline application and parking provision may affect the overall layout of the development. 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).

18. **External lighting**

No development shall take place 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 the above species;
- (c) Include and isolux diagram of the proposed lighting;
- (d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

Reason: Firstly, to ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. Secondly, to conserve the dark night skies characteristics of the North Wessex Downs AONB. The approval of this information is required before development commences because insufficient information accompanies the outline application. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2014-19, and Policies ADPP5, CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026).

19. **Archaeological building recording**

No development, demolition or other site works shall take place until a written scheme of investigation for a programme of building recording has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not take place unless the programme of building recording is undertaken and/or incorporated in accordance with the approved details.

Reason: To ensure that an adequate record is made of these buildings of architectural, historical or archaeological interest. The approval of this information is required before development commences because insufficient information accompanies the outline application and building recording will need to take place prior to demolition. This condition is applied in accordance with the NPPF, and Policy CS19 of the West Berkshire Core Strategy (2006-2026).

20. **Archaeological work**

No development, demolition or other site works shall take place until a written scheme of investigation for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not take place unless the programme of archaeological work is undertaken and/or incorporated in accordance with the approved details.

Reason: To ensure that any significant archaeological remains are found and adequately recorded. The approval of this information is required before development commences because insufficient information accompanies the outline application and archaeological work will need to take place before development. This condition is applied in accordance with the NPPF, and Policy CS19 of the West Berkshire Core Strategy (2006-2026).

21. **Hazardous materials**

No development (including demolition) shall take place until an assessment has been carried out to determine whether any harmful materials (including asbestos) are present, and to determine the steps that will be taken to remove or treat such harmful materials so as to prevent to the contamination of the site. No development shall take place until a scheme of remedial works has been submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall not take place except in accordance with the approved details.

Reason: To prevent any contamination of land, and to ensure that the site is suitable for its new use taking account of ground conditions, including pollution arising from former activities. The approval of this information is required before development commences because insufficient information accompanies the outline application and remediation may be required as part of development operations. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

22. **Construction method statement**

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

- (a) 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) Erection and maintenance of security hoarding including decorative displays and facilities for public viewing;
- (e) Temporary access arrangements to the site, and any temporary hard-standing;
- (f) Wheel washing facilities;
- (g) Measures to control the emission of dust and dirt during construction;

Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. The approval of this information is required at this stage because insufficient information has been submitted with the application. The approval of this information is required before development commences because insufficient information accompanies the outline application and the CMS must be in place before demolition/construction operations commence. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

23. **Tree protection**

No development shall take place until a tree protection scheme has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The details shall include a plan showing the location of protective fencing, and shall specify the type of protective fencing, all in accordance with BS5837:2012. Notice of commencement of development shall be given to the Local Planning Authority at least 2 working days before any development takes place. The scheme shall be retained and maintained for the full duration of building/engineering operations, or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. The approval of this information is required before development commences because insufficient information accompanies the outline application and tree protection needs to be in place before demolition and construction take place. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS17 and CS18 of the West Berkshire Core Strategy (2006-2026).

24. Arboricultural method statement

No development shall take place until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. The statement 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.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. This condition relates specifically to works that will take place in close proximity to retained trees, and so does not duplicate other tree protection conditions. The approval of this information is required before development commences because insufficient information accompanies the outline application and method statements need to be in place before demolition and construction take place.

This condition is applied in accordance with the National Planning Policy Framework, Policies CS17 and CS18 of the West Berkshire Core Strategy (2006-2026).

25. Hours of work (construction/demolition)

No demolition or construction works shall take place outside the following hours:

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).

26. Vegetation clearance and the bird breeding season

No demolition or vegetation clearance shall take place outside of the bird nesting season (March to August inclusive) unless a suitably qualified ecologist undertakes checks for the presence of breeding birds immediately prior to demolition/clearance, and any active nests shall be left with a suitable buffer until nesting ends.

Reason: To prevent harm to nesting birds from demolition and vegetation clearance. This condition is applied in accordance with the statutory provisions relating to nesting birds, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

27. Access provision

No dwelling shall be first occupied until the access to Newbury Road has been provided, and the boundary wall constructed, in accordance with the approved plans.

Reason: Firstly, to ensure the new dwellings have safe and suitable access. Secondly, to ensure that the boundary wall is constructed so that the access respects the historic character of the street scene. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS13, CS14, and CS19 of the West Berkshire Core Strategy (2006-2026).

28. Visibility splays

No vehicular access to the highway (Newbury Road) hereby permitted shall be brought into use until visibility splays of 2.4 metres by 59 metres have been provided at the new 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 applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

29. Landscape buffer provision

No dwelling shall be first occupied until the landscape buffer (as defined by the Parameter Plan) has been completed in accordance with the approved details (including the landscaping reserved matters).

Reason: To ensure that the landscape buffer is provided at the appropriate time to mitigate the visual impact of the development on the open AONB countryside. This condition is applied in accordance with the NPPF, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

30. Gas protection measures

Unless further monitoring and mitigation measures have been submitted to and approved in writing by the Local Planning Authority to demonstrate that gas protection measures are not required (or alternative mitigation is appropriate), no

dwelling shall be occupied until precautionary gas protection measures appropriate to 'characteristic situation 2' have been provided for that dwelling.

Reason: To protect future occupants from the potentially harmful effects of migrating ground gas, with measures as recommended by the submitted Ground Investigation Report. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

31. Protection from external noise (prior approval)

No dwelling shall be first occupied until external noise mitigation measures have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The details shall be informed by an appropriately detailed investigation to address the noise impacts from the White Horse Public House, and any other noise sources in the area. The details shall include a scheme of works for protecting occupants of the new dwellings from externally generated noise.

Reason: To protect future occupants from the adverse effects of excessive noise levels that may be generated by the adjacent public house and any other noise sources in the area. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Quality Design SPD.

32. Travel information packs (prior approval)

No dwelling shall be first occupied until a scheme for the provision of travel information packs for new residents has been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide a scheme that seeks to deliver sustainable transport objectives, such as encouraging the use of local public transport and other non-car modes of transport. The provision of travel information packs to new residents is a scheme that is proportionate to the size of the development. This condition is applied in accordance with the NPPF, Policy CS13 of the West Berkshire Core Strategy (2006-2026), and Policies GS1 and P1 of the Housing Site Allocations DPD (2006-2026).

33. Cycle storage (prior approval)

No dwelling shall be occupied until cycle storage 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.

Reason: To encourage the use of cycles in order to 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), and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

34. **New pedestrian crossings (prior approval)**

New dropped kerbing and tactile paving crossings shall be provided before the first occupation of the 15th dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Where necessary these details shall ensure that any statutory undertaker's equipment or street furniture located in the position of the footway has been re-sited to provide an unobstructed footway. The new crossings shall be provided in the following location:

- Across Lipscomb Close between numbers 27 and 8 (Fallow Chase);
- Across the B4009 south of the Marlston Road.

Reason: To ensure safe and suitable access to the site for pedestrians from Lipscomb Close, and to ensure adequate and unobstructed provision for pedestrians. This condition is applied in accordance with the NPPF, Policy CS13 of the West Berkshire Core Strategy (2006-2026), and the DfT Manual for Streets.

INFORMATIVES

1. **Proactive actions of the LPA**

The Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application. In particular, the LPA:

- a) Provided the applicant with a case officer as a single point of contact.
- b) Alerted the applicant to issues that were raised during the consideration of the application.
- c) Accepted amended plans to address issues arising during the consideration of the application.
- d) Agreed an extension of time before determining the application to enable negotiations with the applicant.
- e) Entered into protracted considerations/negotiations in order to find a solution to problems with the proposed development, rather than refusing planning permission without negotiation.

2. **Legal agreement**

This decision notice must be read in conjunction with the terms of the Section 106 Legal Agreement dated [to be inserted once completed]. You are advised to ensure that you have all the necessary documents before development starts on site.

3. **Surface Water Drainage**

It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

4. **Thames Water main**

There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

5. **Construction noise**

The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to West Berkshire Environmental Health. For more information: email ehadvice@westberks.gov.uk, call 01635 519192, or visit <http://info.westberks.gov.uk/environmentalhealth>.

7.3 **REFUSAL REASONS**

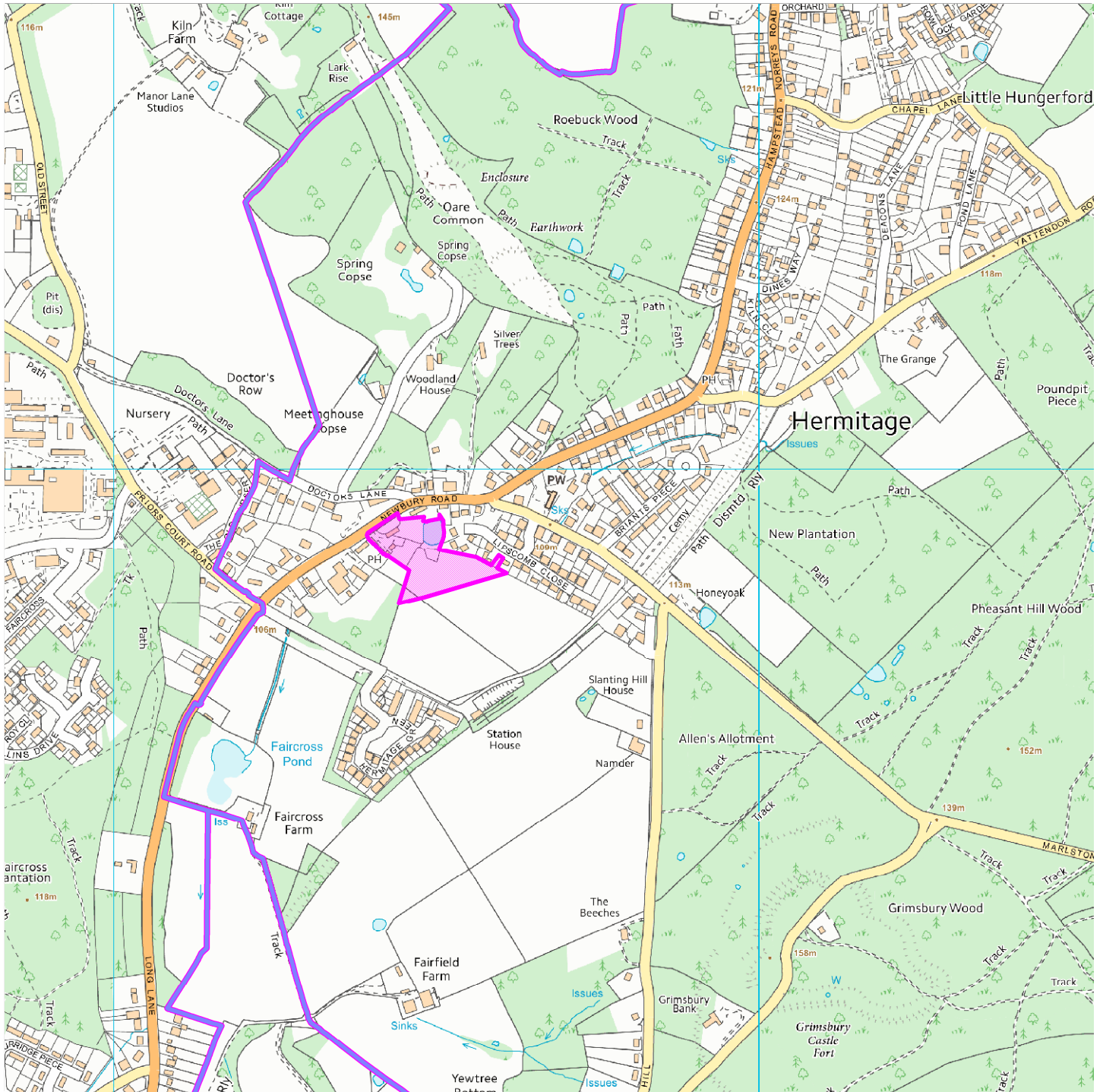
1. **S106 Planning Obligation**

The application fails to provide a Section 106 Planning Obligation to deliver necessary infrastructure and mitigation measures, including:

- (a) Affordable housing, without which the proposal would be contrary to the NPPF, Policy CS6 of the West Berkshire Core Strategy (2006-2026), and the Planning Obligations SPD.
- (b) Public open space, including local area of play (provision and governance), without which the proposal would be contrary to the NPPF, Policy CS18, Policies RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and the Planning Obligations SPD.
- (c) An Environmental Management Plan (to secure provision and long-term management and maintenance of landscape and ecological assets), without which the proposal would be contrary to the NPPF, Policies CS5, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy HSA25 of the Housing Site Allocations DPD (2006-2026), and the Planning Obligations SPD.

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Land at The Old Farmhouse, Newbury Road, Hermitage, Thatcham



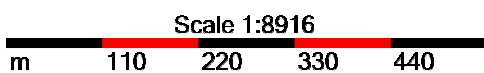
Map Centre Coordinates :

Scale : 1:8916

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	19 April 2018
SLA Number	0100024151



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Agenda Item 4.(2)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(2)	17/03334/FULD Hermitage	01 February 2018 (agreed extension of time 05 May 2018)	Demolition of outbuildings and erection of 1 x two bedroom, 2 x three bedroom dwellings and associated works. 4 High Street Hermitage Thatcham Berkshire RG18 9SR Mr Broadbent

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/03334/FULD>

Recommendation Summary: To **DELEGATE** to the Head of Development & Planning to **GRANT PLANNING PERMISSION**

Ward Member(s): Councillor Quentin Webb
Councillor Graham Pask

Reason for Committee determination: More than 10 letters of objection

Committee Site Visit: 14 March 2018

Contact Officer Details

Name: Simon Till
Job Title: Senior Planning Officer
Tel No: (01635) 519111
Email: Simon.till@westberks.gov.uk

1. PLANNING HISTORY

- Planning application 17/01911/FULD: Demolition of former Crown Butcher's (no. 4), flats (4a) and outbuildings. Erection of 1 no. two-bedroomed detached, 2 no. three-bedroomed semi-detached and 2 no. four-bedroomed detached dwellings with associated works. Withdrawn 28 September 2017.

2. PUBLICITY

Site Notice Expired: 12 January 2018
Neighbour Notification Expired: 03 January 2018

3. CONSULTATIONS AND REPRESENTATIONS

3.1 Consultations

Parish Council: Hermitage Parish Council OBJECTS to the above application for the reasons laid out below.

The impact of the proposed design on the character and appearance of the area:

The current application still includes a narrow, 2-bedroom, detached house on the street frontage to the B4009 road through Hermitage. The council views it as a very narrow and small house out of keeping with the surrounding street scene.

Quality of life and impact of the proposed building on adjoining properties:

Overcrowding, lack of consideration of impact on village amenities, loss of visual amenity as reasons for objection

Parking and road safety:

Parking and access for visitors is very restricted in the proposed plan with no margin for additional parking. This will lead, inevitably, to an increased number of parked vehicles on the B4009 at a pinch point on this road so leading to traffic flow restrictions, particularly for buses and HGVs travelling along the main street.

HPC continuously requests developers to submit clear and unequivocal Construction Work Plans illustrating how works will be progressed without danger or interruptions to traffic flows on the B4009. As previously stated, this is a pinch point for traffic so it is imperative that no construction vehicles at all are parked at the road side.

Waste Management: The application raises no concerns with regard to the storage and collection of refuse and recycling. A bin collection point has been provided in a suitable location at the proposed new properties' curtilage on the High Street.

Highways:	Amended block plan received showing sufficient parking. No objections.
Tree Officer:	No objections subject to conditions.
Environmental Health:	Recommend conditions restricting working hours and a control on dust.
Ecology:	No consultation response received by date of writing.
Forestry Commission:	No consultation response received by date of writing.
Natural England	No objections. Refer to Standing Advice on protected species and Ancient Woodland.
Archaeologist:	No objections.
Public Rights of Way:	No consultation response received by date of writing.
Forestry Commission:	No consultation response received by date of writing.

3.2 Community Infrastructure Levy

The amount of CIL has been provisionally calculated at £31,443.75 based on the information submitted by the agent in respect of creating 223.6 square metres of new gross internal floor area.

3.3 Representations

Total: 18 letters Object: 18 Support: 0

Summary of material planning considerations raised in representation letters:

Against

- Highway safety and impact of additional vehicle movements on busy road
- Visibility at access
- Inadequate parking provision will lead to on street parking
- No garages on the site
- Detrimental impact on ancient woodland and trees to the rear of the site
- Detrimental impact on local ecology
- Visual impact of the modern single dwelling and tandem development on the character of the street scene
- Flood risk and previous flooding of the site and surrounding dwellings
- Impact on local services and amenities, particularly school places
- Impact of house 1 on light reaching front elevation of Sarnia, to east of site
- Loss of privacy to approved new dwelling to rear of Sarnia (planning permission 17/00740/FULD)

- Disruption caused by contractor parking during development
- Overdevelopment of the site
- Unclear what is planned for open area to north-west of site
- Impact on the pattern of development in the AONB
- Contrary to the requirements of the Hermitage VDS which recommends that gravel is used for driveways to assist permeability and reduce surface water runoff

In favour

- Retention of the existing dwelling (4 High Street, former Crown Butcher's)
- Retains the building line between Fernbank to the west and the approved new dwelling rear of Sarnia to the east

Other matters that do not form material planning considerations

- Too much development in the surrounding area
- Clearance of trees that has already taken place on site
- Disputed land ownership of land alongside Sarnia
- Sets a precedent for other housing development in the area

4. PLANNING POLICY

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise.

4.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. The NPPF is supported by the Planning Practice Guidance (PPG).

4.3 According to paragraph 215 of the NPPF, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

4.4 The West Berkshire Core Strategy (2006-2026) is the first development plan document (DPD) within the new West Berkshire Local Plan. It sets out a long term vision for West Berkshire to 2026 and translates this into spatial terms, setting out proposals for where development will go, and how this development will be built. The following policies from the Core Strategy are relevant to this development:

- NPPF Policy
- ADPP1: Spatial Strategy
- ADPP5: North Wessex Downs Area of Outstanding Natural Beauty
- Policy CS13: Transport
- Policy CS14: Design Principles
- Policy CS16: Flooding
- Policy CS 17 Biodiversity and Geodiversity
- Policy CS18: Green Infrastructure
- Policy CS19: Historic Environment and Landscape Character

4.5 4.4 The policies within the Housing Site Allocations Development Plan Document (DPD) attract full weight. The following policies are relevant to this application:

- C1: Location of New Housing in the Countryside;
- P1: Residential Parking for New Development

4.6 The following local policy documents adopted by the Council are material considerations relevant to the development:

- West Berkshire Supplementary Planning Document Series: Quality Design (SPDQD), (adopted June 2006) -Part 1 Achieving Quality Design, -Part 2 Residential Development
- Planning Obligations SPD
- The Hermitage Parish Plan 2004

4.7 The requirements of the following other pieces of legislation are also a material consideration in respect of this planning application:

- The Wildlife and Countryside Act 1981 (as amended).
- The Conservation of Habitats and Species Regulations 2010.

5. DESCRIPTION OF DEVELOPMENT

5.1 The application site is land forming the curtilage of the existing two dwellings, 4 and 4A High Street. Number 4 was previously in use as a butcher's shop, but this use recently ceased and the dwelling is now in sole residential use, although it is not known to be occupied. The flat at number 4a appeared to be occupied during your officer's visit. To the east of the existing dwellings are a collection of outbuildings. To the rear of the site is a generous rear curtilage and there is Ancient Woodland impinging on the northern site boundary, with a number of mature trees in varied condition in this area. The rear third of the site falls partially within a biodiversity opportunity area. It is noted that prior to your officer visiting the site clearance of a number of mature trees appeared to have taken place in this northern part. Nevertheless, this part of the site forms part of the residential curtilage associated with the existing dwellings.

5.2 The proposed works seek the demolition of the existing outbuildings to the east of the site, the creation of a new access road through the existing drive, and the erection of three new dwellings, a two bedroom dwelling to the front of the site alongside the High Street, and two semi-detached three bedroom dwelling to the rear of the site alongside the neighbouring dwelling, Fernbank.

5.3 During the course of consideration of this application an amendment to the site boundary was made to avoid including trees that form part of the Ancient Woodland north of the site.

5.4 A previous application for demolition of the existing 2 flats and erection of 5 new dwellings on the , reference 17/01911/FULD, was withdrawn on officers' advice following concerns being raised with the potential impact on Ancient Woodland and the pattern of development surrounding the site.

5.5 This application was deferred for consideration by the Eastern Area Planning Committee on 21 March 2018 in order for a revised parking layout to be considered.

6. APPRAISAL

The main issues for consideration in the determination of this application are:

- Principle of the development
- Impact on the character and appearance of the area;
- The impact on residential amenity;
- The impact on trees and ecology;
- Parking provision and highway safety
- Flood risk and drainage
- The presumption in favour of sustainable development

6.1 Principle of the development

6.1.1 The application site is located within the defined settlement boundary of Hermitage, and forms the residential curtilage and parking area attached to the former Crown Butcher's and associated flat at number 4 and 4a The High Street. The site is situated within the North Wessex Downs AONB. It is noted that letters of objection raise concerns in terms of the amount of development taking place within the surrounding area, with a recently approved new dwelling in the rear curtilage of Sarnia, east of the site, and a number of new tandem and infill development taking place to the west. However, the site is located within the defined settlement boundary where Policy C1 states that there is a presumption in favour of residential development. Policy ADPP1 of the Core Strategy identifies Hermitage as being a Service Village with some limited development potential, and the concerns regarding the amount of development taking place on this part of the High Street are noted, particularly in terms of the impact on local services and amenities. Nevertheless, the Council has adopted the CIL to seek to mitigate such impacts, and the proposed residential development would attract payment of the CIL as stated above. Therefore, in light of the site's in-settlement location in land that is already in residential use, and the presumption in favour of sustainable residential development stated in both Policy C1 of the DPD and the NPPF, and in consideration of the Council's adoption of the CIL to seek to mitigate impacts on services, amenities and infrastructure, these concerns are not considered to be sufficient to merit a reason for refusal of the application and the principle of development is accepted.

6.2 Impact on the character and appearance of the area

6.2.1 The street scene in the High Street is presently very mixed, with predominantly single dwellings in a variety of plot sizes along the road. To the west of the site houses tend to directly address the road while some houses such as Fernbank have been built as tandem development in deep plots. To the east houses are set back from the road behind the public right of way that is located to the south, crossing the road opposite to the site. Properties in this location reflect a large variety of ages, with some late Victorian properties interspersed amongst early 20th Century, inter-war, late 20th Century and modern examples, reflecting a diversity in the street scene and pattern of development.

- 6.2.2 The proposed dwelling at plot 1 would be erected on the existing parking area associated with the residential use of the site and its former use as a butcher's shop. The site layout would borrow from the street scene using the access road to retain space between the existing flats to the east. It would be well separated from Sarnia to the west, preventing the appearance of a cramped street scene that is referred to in objections. While objections also refer to the impact of a modern dwelling in the street scene the site is not located in a conservation area, and planning must not seek to be prescriptive about such matters even in visually sensitive areas such as the AONB that surrounds the site. The proposed design of the dwelling is simple, with a lower ridge line than number 4 to the west and Sarnia to the east. While narrow by comparison to these properties, due to the separation between the three buildings and the subservient ridge height your officer does not consider that the new dwelling would appear either alien to or at odds with the existing street scene, and would not result in harmful visual intrusion on views from the neighbouring road or public right of way.
- 6.2.3 To the rear of the site, the proposed plots 2 and 3 are of similarly simple design and have been contained to the same line as the existing dwelling, so as to appear tucked away behind it. Their impact on views would be fleeting, with views from the street scene confined to those immediately surrounding the access. The impact of these proposed dwellings is considered to be low key and not such as to result in detriment to visual amenity.
- 6.2.4 The proposed access road would be laid out on land that is already partially given over to a hard surfaced parking area. The plans indicate that brick pavements would be used for surfacing. However, this is not considered to be any more urbanising than the impact of the existing parking area, while mown grass areas and residential boundary treatments would all be set well back from the street scene resulting in minimal visual intrusion.
- 6.2.5 Objections raise concerns with the layout of development. The proposed works have been located so as to retain an established building line between Fernbank to the west and the approved dwelling at Sarnia (formerly a large outbuilding) to the east. Following discussions with your officer a previous proposal that entailed imposing dwellings further to the north and north east of the site was withdrawn and the proposed layout is considered to be sympathetic to the pattern and form of surrounding development.
- 6.2.6 The proposed works would also entail demolition of an existing collection of makeshift outbuildings on the eastern boundary. These outbuildings are currently in a poor state of repair and their removal is encouraged in the interests of tidying up the site and consolidating development into buildings of a good quality of design. In accordance with these considerations the design and layout of the proposed works is considered to be acceptable.

6.3 The impact on residential amenity

- 6.3.1 Several objections refer to concerns regarding the layout of the proposed dwellings on privacy and amenity of the future occupant of the approved dwelling to the rear of Sarnia. Your officer notes that a separation distance of approximately 19 metres is proposed between the rear bedrooms of the dwelling on plot 1 and those of the approved dwelling rear of Sarnia. While this is less than the recommended back to

back distance of 21 metres stated in the SPD the angle windows in these two properties would be indirect, preventing significant overlooking of opposing bedrooms. Additionally it is noted that the relationship with existing windows in Sarnia itself and the approved dwelling to the rear of Sarnia is considerably closer than 21 metres. The location of open amenity space that forms part of the site alongside the rear boundary of the approved dwelling does not raise any concerns as this land already forms part of the rear curtilage of 4/4a the High Street.

- 6.3.2 Plots 2 and 3 are located alongside Fernbank. However, they are not situated such as to have an impact on the outlook or levels of light in habitable rooms of this dwelling. Concerns are raised in terms of the impact of the new dwelling at plot 1 on levels of light to windows of habitable rooms in the southern (front) elevation and western (side) elevation of Sarnia. Your officer notes that the separation, as referred to above, between Sarnia and the proposed dwelling is approximately 6 metres to Sarnia's ground floor side extension and over 8 metres to the side elevation of the main dwelling. While the proposed dwelling would be set forward to the south west of Sarnia, the spacing between the two dwellings, the ridge height proposed (approximately 8 metres) and the relationship between the two dwelling would be sufficient to prevent any significant degree of overshadowing such as would result in a loss of amenity for the occupant of Sarnia to result.
- 6.3.3 Your officer notes that a rear facing window of Fernbank would be located close to the side wall of Plot 2, and the window would be presented with a view of this side wall. Your officer has have considered the location of the window relative to the proposed dwelling on plot 2, and that the side wall of plot 2 would be presented to this window. However, this window is part of an extended, north west facing part of Fernbank that has an extremely compromised outlook due to its relationship with the existing main dwelling of Fernbank, and therefore, despite appearing to serve a bedroom, has a secondary quality and compromised light. The location of the proposed works is not considered to lead to a significant further reduction to levels of daylight reaching this window in consideration of its orientation and relationship to the roof ridge and slop of plot 2, and the degree of overbearing generated by the new side wall of plot 2 would be no worse than that of the existing wall of Fernbank itself. It is therefore not considered that the impact on amenity of the room served by this window would be sufficient to merit a reason for refusal of this application.
- 6.3.4 In terms of amenity area, the proposed dwellings at plots 2 and 3 would be afforded generous amenity spaces well in excess of the recommended 100 square metres discussed in the SPD. Land to the north east of the site behind the boundary with Sarnia would be incorporated into the garden associated of Plot 3, giving this dwelling a very generous garden. While the proposed amenity space associated with Plot 1 would be considerably smaller, at just over 60 square metres of rear amenity space, this is considered to be laid out to form a practical, usable private area for the future occupant, and your officer does not consider it to result in the appearance of a cramped layout to the front of the site. As such your officer considers the amount of amenity space associated with the development sufficient to secure a good standard of amenity for the future occupants. Therefore the proposed works are considered acceptable in terms of their impacts on the amenity of future and surrounding occupants.

6.4 The impact on trees and ecology

- 6.4.1 Objections to this application refer to the removal of trees and the impact on local wildlife. Your officer notes that clearance of land to the rear of the site has been undertaken. However, this matter, as work that can be undertaken to trees not subject of a TPO at any time, falls outside of the proper remit of planning to consider. The proposed works are accompanied by tree protection measures in order to seek to avoid damage to the root protection area of trees within the neighbouring Ancient Woodland to the north. During consideration of the application the site area has been reduced to prevent incursion of residential boundaries into the ancient woodland, due to concerns that the pressure that may result on trees from such use in close proximity. Therefore the impact on trees is considered to have been sufficiently addressed subject to the conditions recommended by the tree officer.
- 6.4.2 The proposed works fall partially within a biodiversity opportunity area and representations have been made on the impact on local ecology. The application is not accompanied by an ecological assessment. The ecologist has not commented on the content of the application. However, your officer notes that such works as taken place within the biodiversity opportunity area relate to creation of gardens on land that is already cleared garden curtilage. These works are therefore not considered to be such as to have a significant impact on conditions for local ecology. The proposed works would entail demolition of the sheds/outbuildings to the east of the site, but these buildings could be demolished at any time without the need for planning permission. It is further noted that a recent survey on a similar building to be demolished to the north east of the site forming part of the application site for permission 17/00740/FULD and surrounding land yielded no indication of roosting bats or other protected species. In light of these considerations you officer is satisfied that the proposed works would not result in any detrimental impact on protected species or the Ancient Woodland to the rear of the site.

6.5 Parking provision and highway safety

- 6.5.1 The proposed works have attracted objections from the Parish and local residents in terms of parking provision and safety at the access. Your officer notes that until recently the site was used as a butcher's shop, which could be expected to attract a higher level of vehicle movements than that associated with the proposed use. In terms of the current parking standards, following a query from your officer the highways officer identified a shortfall in proposed parking. This was addressed in an amended plan, which was received too late to be considered by Members at the Committee meeting on the 21st March, and Members decided to defer consideration of the application until time had been allowed for this revised plan to be consulted on and included in the recommendation. The amended plan proposes sufficient additional parking to accommodate the level of dwellings proposed in accordance with Policy P1 of the DPD, and therefore attracts no objections from the highways officer. The Parish's concerns regarding on street parking during construction are noted. However there is ample space on the site to accommodate contractor parking and materials storage, and a condition requiring provision of a construction method statement to control such matters is recommended.

6.6 Flood risk and drainage

- 6.6.1 The site is located within a critical drainage area. Objections raise concerns in terms of potential for flooding in the surrounding area and one objection notes that

the Hermitage VDS recommends use of gravel surfacing to provide a permeable surface to mitigate surface water runoff. The drainage engineer has been consulted on this application and has recommended a condition requiring provision of appropriate drainage measures to address surface water runoff. Your officer has considered this matter and concluded that where a comprehensive scheme of drainage measures to secure appropriate management of surface water is proposed, and the drainage engineer has not concluded that such a scheme would not be possible within the constraints of the site, surface water can be controlled adequately through use of the recommended condition. While the preference for gravel surfacing indicated in the VDS is noted, equivalent porous or permeable surfaces that do not raise concerns regarding overspill of gravel onto the highway can be provided should the use of such surfaces prove necessary in order to mitigate surface water runoff from the site. The current surface of the drive and parking area is tarmac, as are a number of other surfaces in nearby sites.

6.7 Assessment of sustainable development

6.7.1 The NPPF states that there is a presumption in favour of sustainable development. It goes on to define three roles of sustainable development: An economic, social and environmental role. The proposed works are assessed against these roles as follows:

-In terms of the economic dimension, the proposed works would provide economic benefits to the developer and applicant through the course of development. These, however, are not considered to contribute significantly in terms of their impacts on the local rural economy.

-In terms of the social dimension, the proposed works would increase the diversity of available housing in a preferred area for residential development whilst not resulting in any significant disbenefit to the local community.

-In terms of environmental sustainability the proposed works would result in a sensitively designed development that would not detract from the character and pattern of surrounding built form, or detriment to the local ecological environment, and are therefore considered neutral.

In light of these considerations it is your officer's view that the benefits of the scheme in terms of housing provision in an area where a presumption in favour of sustainable development operates, contributing positively in terms of the social dimension of sustainable development is sufficient for this application to meet with a recommendation of approval.

6.8 Other matters

6.8.1 Objections raise concerns in respect of land ownership. The agent submitting this application has submitted a declaration in the accompanying Certificate of Ownership in terms of the lawful ownership of the land forming part of the application site. Your officer has not been presented with evidence to indicate that this Certificate has been completed incorrectly. Land ownership is a civil matter between the owners of the pieces of land concerned and it is the applicant's responsibility to ensure that the Certificate of Ownership is completed correctly, and Notice of the application served on any other owner where appropriate. The ownership of land is not considered to affect the conclusions reached in recommending approval of this application.

- 6.8.2 Objections raise concerns with the approval of the proposed works establishing a precedent for similar development in the surrounding area. The site is located within the defined settlement boundary, where the principle for additional residential development is established. Your officer further notes that the process of change in this area of Hermitage would appear to be well underway, with a number of roadside and tandem residential developments already being undertaken along this part of the High Street. For the reasons given in this report the principle of development on this site is acceptable and the specific impacts of the proposal have been carefully considered. Equally, any future application nearby would be considered on its own merits.
- 6.8.3 Objections raise concerns with the potential for future development on the Ancient Woodland to the rear of the site. Such a scheme is not proposed under this application, and your officer notes that the Ancient Woodland itself would form a significant material constraint when considering any future application for residential development to the north.
- 6.8.4 The environmental health officer has recommended a separate condition for the control of dust arising from the development. This requirement has been consolidated into the condition requiring provision of a construction method statement in order to avoid an overlap or duplication of the requirements of these two conditions.
- 6.8.5 During the Committee meeting on the 21st March 2018 Members raised queries in respect of the subdivision of the former single dwelling at 4 High Street into two flats, and the former use of part of the ground floor as a butcher's shop. The agent has confirmed that only a part of the ground floor was used as the butcher's shop, which ceased trading in 2017, the rest being given over to residential accommodation. The conversion of the butcher's shop to residential accommodation is lawful under the provisions of Schedule 2, Part 3, Class M of the Town and Country (General Permitted Development) Order 2015, as amended, subject to formal notification. Your officer has queried the Council Tax and Business Rates records for the property and notes that both flats have been banded for Council Tax from 1st April 1993, and that the butcher's shop was banded for Business Rates on 1st April 1990. Therefore your officer's view is that on the balance of probability the two flats and the shop have existed on the site in their current use for a period of over 10 years, rendering them immune from planning enforcement action under the provisions of section 191 of the Town and Country Planning Act 1990 (as amended), and lawful in these uses by virtue of time, while subject to a notification being made to the Council the conversion of the shop back to residential accommodation for use as part of the ground floor flat would also be lawful.
- 6.8.6 During the Committee site visit an attending Member of the public and a representative of the Parish Council raised concerns regarding the ownership of the land to the north-east of the site, rear of the recently approved dwelling at Sarnia. Officers have checked the Ownership Certificates submitted with the application, and the Land Registry records, as well as the location plan approved for the new dwelling at Sarnia, and are satisfied that as far as can be demonstrated from the Land Registry record and the Council's own records it would appear that the entire application site is within the same ownership with the exception of highway land to

the front of the site that forms part of the visibility splay. The records do not demonstrate any other ownership of any part of the application site. Notice has been served on the Council in respect of the highway land forming part of the visibility splays and it would therefore appear to officers that the Certificate of Ownership accompanying the application has been completed correctly.

7. CONCLUSION

- 7.1 The proposed works are considered to be a well-designed and modest scheme for residential development of an appropriate scale on this site within the North Wessex Downs AONB. Your officer welcomes the proposal to retain the existing well established dwelling, which forms an attractive part of the surrounding street scene, and considers that the proposed layout of the surrounding development would respond appropriately to the context and pattern of surrounding development. The scheme would address the impact on Ancient Woodland to the north while providing sufficient parking and amenity space to future occupants. The proposed works would not result in disruption to the amenity of surrounding occupants or detrimental impacts on trees and ecology. It is therefore your officer's view that the scale and nature of works proposed is acceptable.

8. FULL RECOMMENDATION

DELEGATE to the Head of Development & Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.1).

8.1 Schedule of conditions

1. Full planning permission time limit

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); to enable the Local Planning Authority to review the desirability of the development should it not be started within a reasonable time.

2. Standard approved plans

The development hereby permitted shall be carried out in accordance with drawing numbers 001 Rev. A, 201 Rev. C, 202, 203, 210, 207 Rev. A.

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

3. Materials

No construction of the dwellings hereby approved shall commence until a schedule of all external materials to be used has been submitted and approved in a formal discharge of conditions application. Development of the approved dwellings shall be carried out in accordance with the approved schedule.

Reason: In the interests of visual amenity in the AONB in accordance with the

NPPF (2012) and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2012-2026) 2012.

4. **Construction method statement**

No construction of the approved dwellings 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 any security hoarding or public displays
- (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

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 (March 2012), Policies CS5, CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5. **Drainage**

No development of the approved dwelling 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;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include a drainage strategy for surface water run-off from the site since no discharge of surface water from the site will be accepted into the public system by the Lead Local Flood Authority;
- d) Include attenuation measures to retain rainfall run-off within the site, off site discharge will not be permitted;
- e) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- f) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- g) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- h) Ensure any permeable paved areas are designed and constructed in

accordance with manufacturers guidelines.

- i) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
- k) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises.

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

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

6. **Working hours**

The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:

7.30 am to 6.00 pm on Mondays to Fridays, 8.30 am to 1.00 pm on Saturdays and no work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with the NPPF (2012) Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

7. **Contaminated land**

Should any unforeseen contamination be encountered during the development, the developer shall inform the Local Planning Authority immediately. Any subsequent investigation/remedial/protective works deemed necessary by the Local Planning Authority shall be carried out to agreed timescales and approved by the Local Planning Authority in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the Local Planning Authority upon completion of the development.

Reason: In order to protect the amenities of proposed occupants/users of the

application site in accordance with the NPPF (2012) and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

8. 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.

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.

9. 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.

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.

10. Footway resurfacing

The development shall not be brought into use until the footway fronting the site has been resurfaced in accordance with details to be submitted and approved under a formal discharge of conditions application.

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 (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

11. Visibility splays

No development shall take place until visibility splays of 2.4 metres by 43.0 metres have been provided at the site access onto the B4009. 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 (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

12. Parking and turning

No dwelling shall be occupied until the vehicle parking and turning space associated with it has been surfaced, marked out and provided in accordance with

the approved plans. The parking and turning space shall thereafter be kept available for parking of private motor cars 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 imposed in accordance with the National Planning Policy Framework (March 2012), 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).

13. Access

The development shall not be brought into use until the site access onto the B4009 has been constructed in accordance with the approved drawings.

Reason: In the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

14. Cycle Parking

No dwelling shall be occupied until the cycle parking associated with it has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), 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).

15. Permitted development restriction

Irrespective of the provisions of Schedule 2, Part 1, Classes A, B, C or E of the Town and Country (General Permitted Development) Order 2015, or any subsequent version thereof, no additions or extensions shall be made to, or outbuildings erected in the curtilage of the dwellings hereby approved without planning permission having first been granted on an application made for these purposes.

Reason: To secure sufficient amenity space for the future occupants of the site and to prevent an overdevelopment of the site and visual alterations to the roof form of the dwellings on the site that might result in a detrimental impact on visual amenity in the North Wessex Downs AONB in accordance with the requirements of the NPPF (2012) and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy (2012).

Informatives

Access construction

The Highways Manager, West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

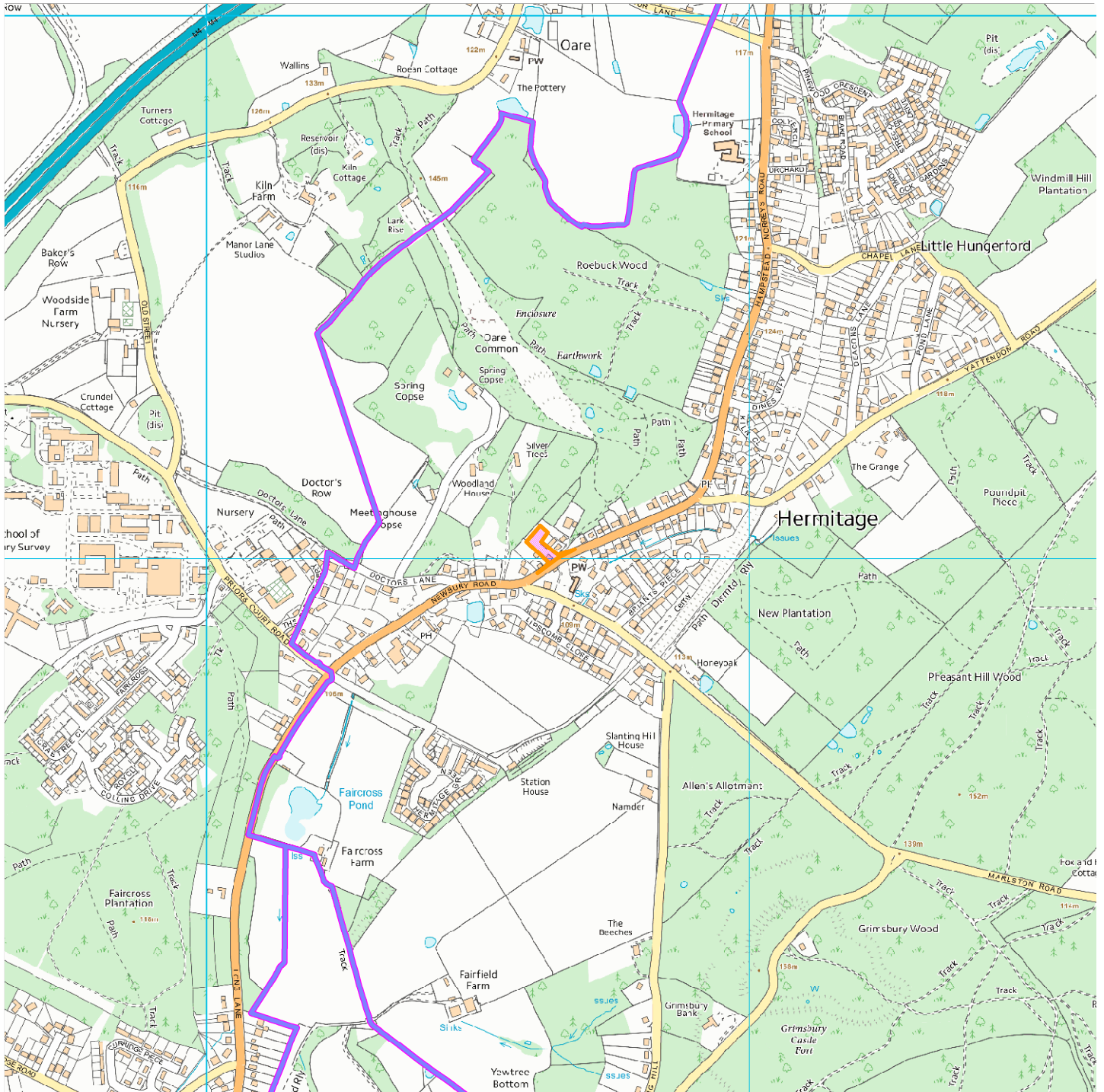
Damage to footways, etc.

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

Extraordinary traffic

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

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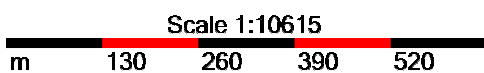


Map Centre Coordinates :

Scale : 1:10614

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Organisation	West Berkshire Council
Department	
Comments	
Date	23 April 2018
SLA Number	0100024151

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Agenda Item 5.

APPEAL DECISIONS EASTERN AREA-COMMITTEE

Parish and Application No Inspectorate's Ref	Location and Appellant	Proposal	Officer Recommendation	Decision
BUCKLEBURY 17/01787/HOUSE PINS Ref 3186220	Nuttage House Bucklebury Mr and Mrs Hindle	Extension to annexe	Delegated Refusal	Dismissed 5.4.18
BASILDON 17/01503/FULD PINS Ref 3189300	Outbuilding at Lower Basildon View Reading Road Lower Basildon Mr Robert Walton	Conversion and extension of existing out building into a single residential dwelling	Delegated Refusal	Dismissed 10.4.18
BASILDON 17/00376/FUL PINS Ref 3189199	Witneys Four Gardeners Lane Upper Basildon	Conversion and extension of existing out building into a single residential dwelling Mr and Mrs Spencer	Delegated Refusal	Dismissed 13.4.18

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