

# Notice of Meeting



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## Eastern Area Planning Committee Wednesday, 3rd August, 2022 at 6.30 pm in the Council Chamber Council Offices Market Street Newbury

This meeting will be streamed live here: <https://www.westberks.gov.uk/easternareaplanninglive>  
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If members of the public wish to attend the meeting they can do so either remotely or in person. Members of the public who wish to speak at the meeting must notify the Planning Team by no later than 4.00pm on Tuesday 2 August, 2022 by emailing [planningcommittee@westberks.gov.uk](mailto:planningcommittee@westberks.gov.uk).

### 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, 26 July 2022

### FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

Plans and photographs relating to the Planning Applications to be considered at the meeting can be viewed by clicking on the link on the front page of the relevant report.

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 or email [planningcommittee@westberks.gov.uk](mailto:planningcommittee@westberks.gov.uk).

Further information, Planning Applications and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk).

Any queries relating to the Committee should be directed to the Democratic Services Team by emailing [executivecycle@westberks.gov.uk](mailto:executivecycle@westberks.gov.uk).



## Agenda - Eastern Area Planning Committee to be held on Wednesday, 3 August 2022

(continued)

- To:** Councillors Graham Pask (Chairman), Alan Macro (Vice-Chairman), Jeremy Cottam, Alan Law, Tony Linden, Ross Mackinnon, Geoff Mayes, Richard Somner and Keith Woodhams
- Substitutes:** Councillors Graham Bridgman, Lee Dillon, Nassar Hunt, Owen Jeffery, Joanne Stewart and Andrew Williamson
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# Agenda

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|---|-----------------|
| 1. <b>Apologies for absence</b><br>To receive apologies for inability to attend the meeting (if any).   |                 |
| 2. <b>Minutes</b><br>To approve as a correct record the Minutes of the meeting of this Committee held on 13 July 2022.  | To Follow       |
| 3. <b>Declarations of Interest</b><br>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' <a href="#">Code of Conduct</a> .  |                 |
| 4. <b>Schedule of Planning Applications</b><br><i>(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.)</i>  |                 |
| (1) <b>Application No. &amp; Parish: 22/00146/RESMAJ Lakeside, The Green, Theale</b><br><b>Proposal:</b> Section 73 application for variation of (condition 2) to allow for 9 dwellings, condition 3 (vary the phasing plan), condition 4 (materials), condition 9 (levels), condition 11 (landscaping), condition 14 (vehicle parking & turning) following grant of planning permission 20/00663/RESMAJ - Approval of reserved matters application for phase 1 (of the development, which is for 7 dwellings located off St Ives Close, details include access, appearance, landscaping, layout and scale) following Outline Permission Allowed on Appeal 15/02842/OUTMAJ (APP/W0340/W/16/3159722) - Outline application for Residential development of up to 325 houses and apartments (including 70 extra-care units) with | 5 - 20          |



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(continued)

associated access, parking, amenity space and landscaping. All matters reserved.

**Location:** Lakeside, The Green, Theale

**Applicant:** Ridgepoint Homes

**Recommendation:** To delegate to the Service Director of Development & Regulation to Grant Planning Permission

(2) **Application No. & Parish: 21/02450/REG4 Basildon Church of England Primary School, School Lane, Upper Basildon** 21 - 36

**Proposal:** Redevelopment of land of the school grounds including new play equipment with fencing and planting.

**Location:** Basildon Church Of England Primary School, School Lane, Upper Basildon, Reading, West Berkshire, RG8 8PD

**Applicant:** Basildon Church Of England Primary School

**Recommendation:** Delegate to the Service Director of Development and Regulation to grant conditional planning permission.

(3) **Application No. & Parish: 22/00719/HOUSE Abbey Gardens, Woolhampton** 37 - 48

**Proposal:** Rear orangery.

**Location:** 49 Abbey Gardens, Woolhampton, Reading, RG7 5TZ

**Applicant:** Mr and Mrs G Bradley

**Recommendation:** To delegate to the Service Director of Development and Regulation to Grant planning permission subject to conditions.

### 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,



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*(continued)*

- correspondence and case officer's notes.  
(e) The Human Rights Act.

*Sarah Clarke.*

Sarah Clarke  
Service Director – Strategy & Governance  
West Berkshire District Council

If you require this information in a different format or translation, please contact  
Stephen Chard on telephone (01635) 519462.



# Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	22/00146/RESMAJ Theale	25 <sup>th</sup> April 2022 <sup>1</sup>	<p>Section 73 application for variation of (condition 2) to allow for 9 dwellings, condition 3 (vary the phasing plan), condition 4 (materials), condition 9 (levels), condition 11 (landscaping), condition 14 (vehicle parking &amp; turning) following grant of planning permission 20/00663/RESMAJ - Approval of reserved matters application for phase 1 (of the development, which is for 7 dwellings located off St Ives Close, details include access, appearance, landscaping, layout and scale) following Outline Permission Allowed on Appeal 15/02842/OUTMAJ (APP/W0340/W/16/3159722) - Outline application for Residential development of up to 325 houses and apartments (including 70 extra-care units) with associated access, parking, amenity space and landscaping. All matters reserved.</p> <p>Lakeside, The Green, Theale</p> <p>Ridgepoint Homes</p>

<sup>1</sup> Extension of time agreed with applicant until 8<sup>th</sup> August 2022

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=22/00146/RESMAJ>

**Recommendation Summary:** To delegate to the Service Director of Development & Regulation to Grant Planning Permission

**Ward Member(s):** Councillor Alan Macro

**Reason for Committee Determination:** More than 10 letters of objections

**Committee Site Visit:** 27<sup>th</sup> July 2022

## Contact Officer Details

**Name:** Mrs Emma Nutchey  
**Job Title:** Principal Planning Officer  
**Tel No:** 01635 519111  
**Email:** emma.nutchey@westberks.gov.uk

## 1. Introduction

- 1.1 This S73 application seeks consent to vary conditions on reserved matters consent 20/00663/RESMAJ, under which approval was granted for 7 dwellings. This application seeks to vary condition 2 to allow for the construction of 9 dwellings thus increasing the number of units on the site. Other conditions are also affected by this change to the layout to include: condition 3 (phasing plan), condition 4 (materials), condition 9 (levels), condition 11 (landscaping), condition 14 (vehicle parking & turning).
- 1.2 The application site, phase 1 of the Lakeside development, comprises a parcel of land which is accessed from St Ives, a private road. The site benefits from a number of extant residential consents independent of the wider Lakeside site. This proposal however relates to a wider outline permission across the whole site and will be the first phase of development in bringing forward the site.
- 1.3 The proposal is for 9 detached dwellings which largely face onto the lake with the exception of plots 4 and 5 which back onto the properties on Volunteer Road. The properties comprise of a mix of 4, 5 and 6 bed houses. The properties are typically served by parking spaces to the side of the dwellings while plots 5-9 are also served by a single garage.
- 1.4 Since the determination of earlier applications on the site the Oak tree to the west of the access is covered by a tree preservation order while the trees around the lake are protected by an area preservation order.

## 2. Planning History

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

Application	Proposal	Decision / Date
14/02195/OUTD	Erection of 7 x 2 storey family dwellings on an area of vacant land known as North Lakeside, situated at the head of St Ives Close, Theale. Matters to be considered: Access, Layout and Scale.	Refused 2 <sup>nd</sup> December 2014  Allowed on appeal
19/00256/REM	Approval of reserved matters following outline permission 14/02195/OUTD (Appeal ref APP/W0340/W/15/3033307) Matters to be considered: Appearance and Landscaping,	Approved 3 <sup>rd</sup> April 2019
15/02842/OUTMAJ	Outline application for Residential development of up to 325 houses and apartments (including 70 extra-care units) with associated access, parking, amenity space and landscaping. All matters reserved.	Allowed on appeal 15 <sup>th</sup> March 2017
20/00663/RESMAJ	Approval of reserved matters application for phase 1 (of the development, which is for 7 dwellings located off St Ives Close, details include access, appearance, landscaping	Approved

	layout and scale) following Outline Permission Allowed on Appeal 15/02842/OUTMAJ.	27 <sup>th</sup> November 2020
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### 3. Procedural Matters

- 3.1 **Environmental Impact Assessment (EIA):** Outline application 15/02842/outmaj was screened on the 11th April 2016 against the 2011 Regulations. This confirmed that the proposal is not considered to be EIA development. The regulations have since been updated (2017) however screening should take place at outline stage. This application comprises the submission of details only and as such further screenings are not required.
- 3.2 **Publicity:** The application was originally advertised by way of a site notice which expired on the 24th March 2022. Following the receipt of amended plans and a change to the description a new site notice was displayed in the same location which expired on the 22nd April 2022. All third parties who originally made representations on the scheme were also notified directly and given 21 days to comment.
- 3.3 **CIL:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the development. All new dwellings are CIL liable and as such CIL will be charged on this scheme. The relevant forms have been completed by the applicant and CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil).

### 4. Consultation

#### ***Statutory and non-statutory consultation***

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

<b>Theale Parish Council:</b>	No comments received.
<b>Sulhampstead Parish Council:</b>	No objections. Concern was however raised for the potential impact on the TPO trees.
<b>WBC Highways:</b>	Amendments requested: 3.73m wide emergency access is required to link into phase 2. Proposal must comply with car parking standards. A 7Kw electric vehicle charging point to be provided for each house.  Amended plans received and no objections raised.
<b>Waste:</b>	Revert to highways: No objection subject to an acceptable Highways design.

<b>Housing:</b>	No objection to the absence of any affordable housing in phase 1 due to extant permissions and site history.
<b>Trees:</b>	Following the receipt of amended plans no objections are raised subject to conditions.
<b>Ecology:</b>	Following the receipt of amended plans no objections are raised subject to conditions.
<b>Thames Valley Police:</b>	Objections raised for the following reasons: Concerns regarding lack of surveillance over the public realm. Concerns for the parking layout and difficulties accessing vehicles and potential neighbour conflict. Unclear where the rear garden access points are.  Further comments were received on the 6 <sup>th</sup> April referring to earlier comments regarding parking, rear garden access and surveillance.
<b>Office Nuclear Regulation:</b>	No comments to make
<b>Emergency Planning:</b>	No objection
<b>Environmental Health:</b>	No objection
<b>Archaeology:</b>	The archaeological fieldwork on this site has been completed and no further investigations are required in relation to this proposal.
<b>Berkshire Fire &amp; Rescue:</b>	No objection
<b>CIL Team:</b>	The development is CIL liable. Information has been passed to the applicant.
<b>Minerals &amp; Waste:</b>	The application site has been the subject of mineral extraction in the past and the viable mineral reserves have been removed.
<b>Drainage:</b>	Concerns raised as insufficient evidence has been submitted regarding the suitability of the lake as a discharge point and questions regarding the calculations and design of the strategy remain.

### ***Public representations***

4.2 Representations have been received from 12 contributors, all of which object to the proposal. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Garage for plot 5 is within the middle of a tree preservation area. Potential tree impact.



- The houses are 3 stories tall. Out of keeping with the character of the area and dominate the landscape.
- Plots 6, 7 & 8 overlook a bungalow and the impact is accentuated by their height.
- The three storey nature of the buildings will result in a loss of privacy and light to neighbours on Volunteer Road and St Ives.
- Impact of extra traffic on St Ives Close. Existing problems at the pinch point on St Ives and accessing The Green.
- Drains can't cope with additional houses.
- Increased pressure on local services which are already at capacity; doctors, schools.
- Impact on wildlife.
- Development not in keeping with the character and scale of the village. Overdevelopment.
- Access via St Ives Close is poor for both traffic (narrow and a tight bend) and pedestrians with no footpath, lighting or drainage.

## 5. Planning Policy

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

- Policies ADPP1, ADPP4, CS1, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
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- Policy P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
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- Policies TRANS1, RL1, OVS5, OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance
- Impact on neighbour amenity and the amenity of future residents
- Highways
- Ecology
- Trees
- Drainage
- Housing

- Police

### ***Principle of development***

- 6.2 The principle of residential development is established under outline application reference 15/02842/OUTMAJ. The site benefits from permission for up to 325 houses and 70 extra care units. Reserved matters approval has already been granted for 7 dwellings which comprise phase 1 of the development. This was approved under application 20/00663/RESMAJ. This Section 73 application seeks to vary this approval to allow for 9 dwellings within phase 1. The overall number of dwellings across the Lakeside site as a whole will not change.
- 6.3 The principle of development is considered to be acceptable. The scheme is assessed in detail below in accordance with the Development Plan and other material planning considerations. The report aims to focus on the changes now proposed in the context of the extent permission for 7 dwellings on this part of the site.

### ***Character and appearance***

- 6.4 The application site is accessed from St Ives Close and at the point of entering the site is a large Oak tree which is now protected by a tree preservation order. There is also an area preservation order on the trees around the lakeside edge. The proposed houses largely front onto the lake with a band of open space which wraps around the waters edge. This is reflective of the approved layout with the main change being the introduction of plots 4 and 5 which are orientated to back onto the properties on Volunteer Road.
- 6.5 The pattern of development within the wider area is varied as Theale has grown over time. The parcel of land subject to this application sits on the edge of this developed area and is read independently from it. The most prominent views of the site will be from the wider Lakeside development with views from properties and the walking route around the lake. The changes to the position of the houses within the site are not considered to have a harmful impact on the character of the area.
- 6.6 The proposals also see the introduction of an emergency vehicular access route connecting this phase of the development to the wider site to the west. This has been requested by the Highways officer and is welcomed from an accessibility and safety perspective. The introduction of this is not considered to harm the layout or design of the development.
- 6.7 Since earlier approvals on the site the trees around the lakeside edge are now protected by an order and as such to minimise any engineering works close to or under the canopy of the trees the pedestrian path which will form part of the circular walking route around the lake is diverted along the road and via the emergency link. This change is not considered to be detrimental to the appearance of the scheme. The proposal maintains the circular walk and the route remains desirable, safe and attractive to pedestrians.
- 6.8 The police have raised concerns for the layout of the scheme with reference to parking, rear garden access and surveillance. During the application amendments to the design have been received and the highways officer has confirmed the parking layout is acceptable. While the Police continue to raise concern for surveillance windows have been added to the side of plot 5 to increase levels of overlooking and this has the added benefit of creating a more visually attractive elevation. With regards to access to rear gardens there are no alleyways being created and each property has space for a gate within their boundary fence. The concerns raised have been carefully considered

however the proposal for these reasons is not considered to have an overly harmful impact.

- 6.9 The proposals also seek to alter the design of the dwellings. The properties are reflective of other dwellings in the area and fairly traditional in their appearance with features such as bay windows and brick detailing to add visual interest. Some concern has been raised by third parties for the heights of the dwellings particularly given their proximity to the bungalows on St Ives Close. The dwellings proposed are approximately 8.9m high to the ridge. The dwellings approved under 20/00663/RESMAJ were approximately 8.4m - 8.6m high to the ridge. It is however material to note that under the outline permission the approved parameter plan (condition 6) allows for dwellings on this part of the site up to 9.35m high. As such the principle of buildings of this height and taller has been established. The appearance of the dwellings is in keeping with the character of the area.
- 6.10 As a result of the changes to the design the applicant is seeking to use different materials to those which have been approved and as such this application seeks to also amend the wording of condition 4 to a pre-commencement condition. Similarly condition 9 which seeks details of the finished floor levels of the dwellings will be changed to a pre-commencement condition. The wording of the revised conditions have been agreed with the applicant.
- 6.11 In conclusion the proposed addition of 2 extra dwellings and the alterations to the layout and appearance of the properties is not considered to have a harmful impact on the character and appearance of the area. As such the proposals comply with Policies ADPP1, ADPP4 and CS14 of the Core Strategy 2006-2026 and the guidance within the NPPF.

### ***Impact on neighbour amenity and the amenity of future residents***

- 6.12 The application site is bound by residential development to the north and east. Under previous schemes the nearest dwelling to the properties on Volunteer Road has always been side on to the rear garden boundaries. As a result of the proposed changes two of the dwellings now back onto the rear gardens on these properties, plots 4 and 5. Supplementary Planning Document Quality Design states that there must be a minimum rear to rear distance of 21m between properties. The proposed layout achieves this.
- 6.13 During the course of the application amendments have been received to remove/reposition windows in the rear elevation of plot 5. The eastern boundary of the application site steps into the site behind number 28 Volunteer Road creating an irregular shape. This provides this neighbouring property with a much larger garden. As a result plot 5 is situated in close proximity to the fence line and as such amendments have been made to the first floor fenestration to avoid any harm from overlooking. The repositioning of these openings in the side elevation overlooking the lake also introduces an element of natural surveillance of the public space to the south.
- 6.14 A concern raised by residents on Volunteer Road is that the properties have rooms in the roof and the height of the buildings increases any overlooking and the perception of overlooking. The skylights will have a minimum cill height of 1.8m above the internal floor level to prevent any overlooking. This is secured by condition 15 and has been agreed with the applicant.
- 6.15 The relationships between windows in the rear elevations of plots 1, 2 and 3 and number 13 St Ives Close is considered to be acceptable and is reflective of that approved under the extant consents. Plot 4 in its new position now faces westwards. There is a distance of at least 21m between the front elevation of plot 4 and rear elevation of the existing

property. Any overlooking will be oblique and at this distance it is considered sufficient to mitigate any overlooking impact.

- 6.16 The garden serving Greystoke has been subdivided and a new detached property, Peyia House has been constructed. Plot numbers 6-8 are closest to this neighbouring property. There is an obscure glazed window at a first floor level in the side elevation of Peyia House serving an en-suite. The rear windows in plots 7 and 8 are approximately 13.5m away from this non-habitable window. Weight is also given to the fact that the neighbouring window is obscurely glazed. For these reasons this relationship is considered to be on balance acceptable. The skylights in the roof of these three properties have been removed to improve the relationships between the properties and a condition has been attached to remove permitted development rights to restrict any alterations being made to the roof slopes and prevent more windows from being added.
- 6.17 In conclusion the proposed development is not considered to have a harmful impact on the amenity of neighbouring occupiers and creates a pleasant living environment for new residents. As such the proposal accords with Policy CS14 of the Core Strategy and the guidance within the framework with regards to protecting neighbouring land uses.

### ***Highways***

- 6.18 Policy CS13 of the Core Strategy relates to transport and emphasises that road safety is a key consideration for all development. Particular focus should be given to the safety of pedestrians, cyclists and other vulnerable road users. The proposal does not change the design of the access into the main site or off St Ives Close and as such these conditions on the original permission remain relevant.
- 6.19 Following the receipt of amended plans the proposed internal road layout is acceptable and there is adequate turning space within the site for refuse vehicles. At the request of Highways Officers an emergency vehicular access has also been provided linking into the main development to the west which will come forward under later phases. This is a benefit of the scheme as under the approved permissions the site as a whole is served by one access only thus in an emergency this was the only point of entry/exit. This new layout will provide an additional emergency access. Residents on St Ives Close have expressed concerns for the access but it is to be used in an emergency only and as such won't increase vehicular movements.
- 6.20 The proposals provide largely for on plot driveway parking with some off site visitor spaces. The parking provisions comply with Policy P1 of the Housing and Site Allocations Development Plan Document. Condition 14 on the original permission secured the parking layout with reference to an approved plan. This condition will be reworded to now reference the new layout which is deemed acceptable by Highways.
- 6.21 In conclusion no objections have been raised by the Highways Officer and the proposals accord with Policy TRANS.1 of the Local Plan, CS13 of the Core Strategy and Policy P1 of the Housing and Site Allocations Development Plan Document and the guidance within the NPPF.

### ***Ecology***

- 6.22 Policy CS17 of the Core Strategy states that biodiversity assets across West Berkshire will be conserved and enhanced. At outline stage the impact of the development on the ecological value of the site was assessed and condition number 6 secures the submission of a Construction Environmental Management Plan before works commence.

- 6.23 The ecological impacts of the development were fully considered under application 20/00663/RESMAJ. This proposal does not seek to alter those principles however the landscaping scheme has been reviewed to ensure the planting and species are suitable for the site from a biodiversity perspective. No objections have been raised by the Ecologist and in conclusion the proposal is considered to comply with Policy CS17 of the Core Strategy and the guidance within the NPPF.

### ***Trees***

- 6.24 Policy CS14 of the West Berkshire Core Strategy recognises the contribution that open spaces and the natural environment can make to good design. The application is supported by a revised landscaping scheme to accommodate the change to the layout. The proposals include some semi-mature trees which are intended to have an immediate visual impact however due to their size will require maintenance of at least 3 years to ensure successful establishment. No objections have been raised by the Tree Officer subject to conditions.

### ***Drainage***

- 6.25 The site is located within flood zone 1, which indicates a low risk of fluvial (river) flooding. It is also not within any critical drainage area identified by the Strategic Flood Risk Assessment for the district. Condition 25 of the outline consent seeks details of a surface water drainage scheme to be submitted before development takes place. The application is accompanied by a sustainable urban drainage assessment. Concerns have been raised by the Drainage Officer for detailed aspects of the design submitted and a number of technical questions have been raised. Insufficient evidence has been provided with regards to the suitability of the lake as a discharge point with no need to limit flow rates. Questions have also been raised with regards to some of the calculations behind the design. In order to ensure the conditions on the outline can be complied with further information has been sought from the applicant to demonstrate that a suitable drainage solution can be achieved. The Drainage Officer's response to the new information submitted will be reported in the update sheet.

### ***Housing***

- 6.26 Under the outline approval for the whole site condition 1 stipulated that a phasing plan was submitted as part of the first reserved matters application for the site. Such a plan was approved under application 20/00663/RESMAJ however this proposal seeks to amend the phasing plan. The phasing and delivery of units across the site has been subject to extensive discussions with the Housing Officer and the phasing plan is considered to be acceptable.
- 6.27 There will be no affordable units within this first phase of development which is disappointing however no affordable housing was previously secured under phase 1 and in light of the planning history it would now be difficult to insist upon it. The proposals do however seek to bring forward all of the affordable units within phase 2. The development will be built out in five phases and as such the delivery of the units within phase 2 is within the early stages of the development of the site as a whole.
- 6.28 It is noted also that officers are currently considering an application to modify the legal agreement associated with this site to increase the provision of affordable housing across the site as a whole. While very limited weight can be given to this at this time as it is not approved discussions have moved forward positively and the extra provision of affordable units is welcomed.

- 6.29 In conclusion officers are satisfied that the proposals meet with the overall aim of Policy CS6 of the Core Strategy.

## 7. Planning Balance and Conclusion

- 7.1 All planning authorities are required to determine planning applications in accordance with the development plan, unless material considerations indicate otherwise. In addition, the NPPF seeks to significantly boost the supply of homes through a plan-led approach. The principle of residential development is established and as such this report focuses on the details of the consent, matters of layout, siting, scale and landscaping in the context of the previously approved application for 7 dwellings, reference 20/00663/RESMAJ which this proposal seeks to amend.
- 7.2 The proposed changes to the layout and the appearance of the dwellings is not considered to have an adverse impact on the character and appearance of the area or on the amenity of neighbouring occupiers. There are no technical objections to the scheme and as such the application is recommended for approval.

## 8. Full Recommendation

- 8.1 To delegate to the Service Director of Development & Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.

### **Conditions**

1. **Link to outline**

This permission relates solely to the reserved matters referred to in Condition 2 of the Outline Planning Permission granted on 15th March 2017 under application reference 15/02842/OUTMAJ (appeal reference APP/W0340/W/16/3159722). Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions imposed on that outline planning permission.

Reason: The reserved matters cannot be considered separately from the permission to which they relate and the conditions imposed on that outline permission are still applicable.

2. **Approved plans**

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

Site Layout Phase 1 21.009.101 O  
Plot 1 House Type B 21.009.B01 A  
Plot 2, 3 House Type E Elevations 21.009.E02 B  
Plot 2, 3 House Type E Plans 21.009.E01 B  
Plot 4 House Type F 21.009.F01 B  
Plot 5 House Type C 21.009.C02  
Plot 6 House Type G Plans 21.009.G03 A  
Plot 6 House Type G Elevations 21.009.G04 A  
Plot 7 House Type G Plans 21.009.G01 B  
Plot 7 House Type G Elevations 21.009.G02 B  
Plot 8 House Type G Plans 21.009.G05  
Plot 8 House Type G Elevations 21.009.G06  
Plot 9 House Type D 21.009.D01 B  
Plots 5, 6, 7, 8, 9 Garages 21.009.GA A  
Phasing Plan drawing number 92

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

3. **Phasing plan**

Each reserved matters application for the subsequent phases of the development shall be designed in accordance with the details shown on the Phasing plan drawing number 92 with respect to the number of market and affordable dwellings.

Reason: To ensure that the affordable housing and open space is distributed through the development to deliver a high quality scheme. It should be noted that the housing layout on the plan is not approved only the phasing and number of units. This condition is applied in accordance with the National Planning Policy Framework, Policies CS6 and CS18 of the West Berkshire Core Strategy, 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.

4. **Materials**

No development shall take place until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the development hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is required because the approved materials will be used throughout construction.

5. **Access off The Green**

No dwellings in phase 2 or later shall be occupied until the access from the development onto The Green, within the red line, has been constructed in accordance with the approved drawing titled Masterplan - Phasing Plan P.01 K. The detailed engineering layout of the access road shall comply with the Local Planning Authority's standards in respect of road and footpath design. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety and flow of traffic and to ensure waste collection. The approved details relate to the access design only. All other details on this approved plan are superseded. 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). Please note that the S278 works associated with creating the access are not approved and the island within The Green will need to be widened. These highways works are subject to separate approval.

6. **Access from St Ives**

No dwelling shall be occupied until the access from the development onto St Ives has been constructed in accordance with the approved drawing 4712.001 B. The detailed engineering layout of the access road shall comply with the Local Planning Authority's standards in respect of road and footpath design. This condition shall apply

notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety and flow of traffic and to ensure waste collection. 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).

**7. Boundary treatment**

The dwellings hereby approved shall not be occupied until the boundary treatments across the site have been completed in accordance with the details shown on drawing titled 9 Unit Hard Landscape plan number RID22928-14B. The approved boundary treatments shall thereafter remain in perpetuity.

Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

**8. Hard surfacing**

The dwellings hereby approved shall not be occupied until the hard landscaping of the site has been completed in accordance with the hard surfacing details as shown on drawing titled 9 Unit Landscape plan number RID22928-14B. The approved boundary treatments shall thereafter remain in perpetuity.

Reason: In the interests of visual amenity. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

**9. Floor levels**

No development shall take place until details of the finished floor levels of the dwellings hereby permitted in relation to existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

**10. Obscure glazing**

The windows shown on the approved floor plans as being obscurely glazed shall be fitted with obscure glass before the dwelling is occupied. The obscure glazing shall be permanently retained in that condition thereafter and no additional windows shall be inserted at a first floor level or above in these elevations.

Reason: In the interests of the privacy and amenity of neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (2006).

**11. Landscaping**

All landscape works shall be completed in accordance with the drawing titled 9 Unit Soft Landscape RID22928-13C. Any trees, shrubs or hedges planted in accordance



with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy July 2006-2026.

**12. Electric Charging Point**

No dwelling shall be occupied until details of an electric vehicle charging point for that property have been submitted to and approved in writing by the Local Planning Authority. The dwelling thereafter shall not be occupied until the charging point has been installed in accordance with the approved plans and shall thereafter be retained and kept available for the potential use of an electric car.

Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

**13. Layout and Design Standards**

For roads serving more than five dwellings, the detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design to an adoptable standard. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety and flow of traffic and to ensure waste collection. 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).

**14. Parking and turning**

No dwelling shall be occupied until the associated vehicle parking and/or turning space has been surfaced, marked out and provided in accordance with the parking details shown on the drawing titled Site Layout Phase 1 21.009.101 O. The parking and 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 that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy P1 of the Housing Site Allocations DPD 2006-2026.

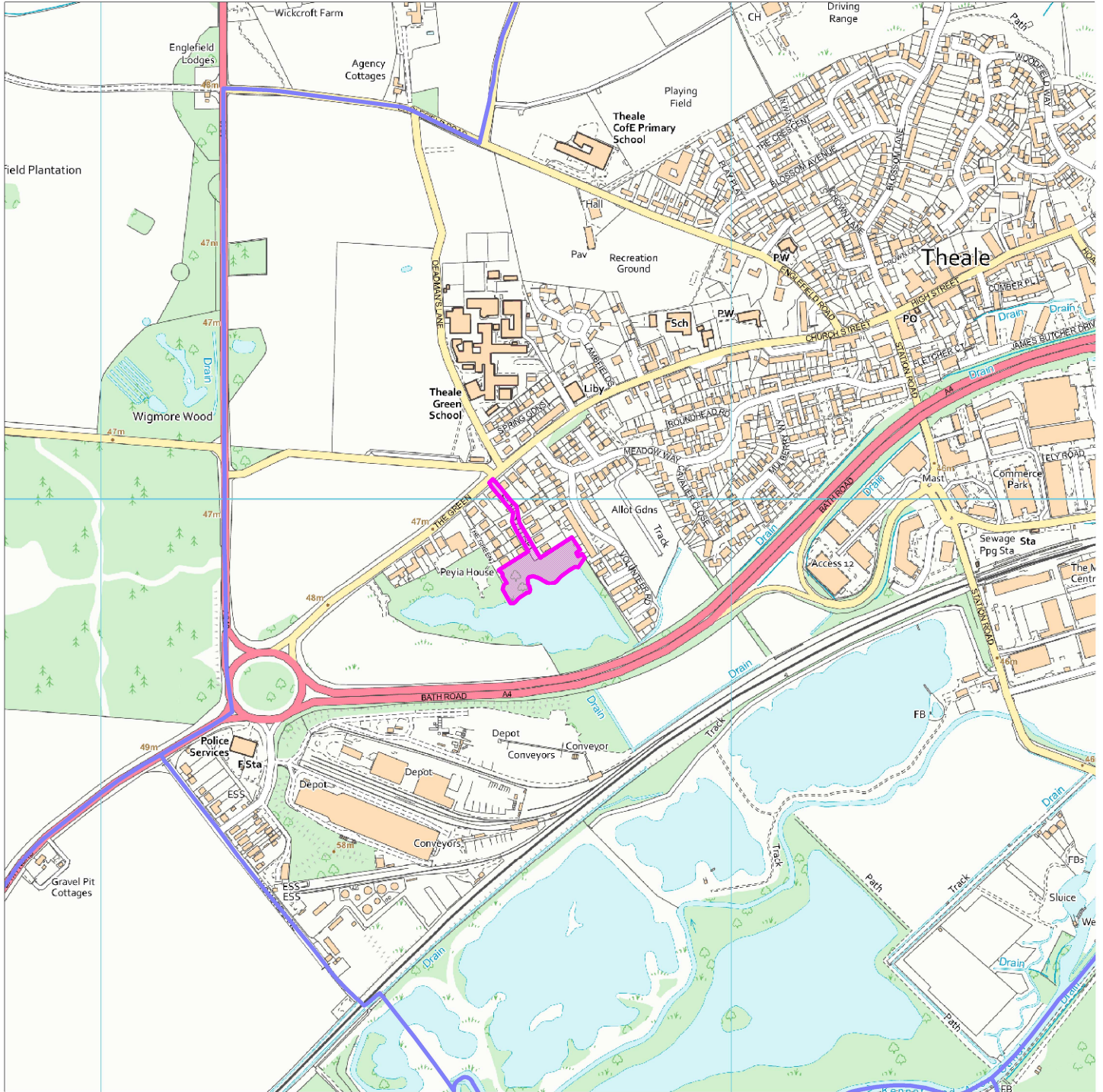
**15. Skylights**

The skylights in the east facing elevation of plots 4 & 5 shall have a minimum cill height of 1.8m above internal floor level. No new openings shall be inserted into the east facing roof slopes of these properties or the north facing roof slopes of plots 6-8 without the prior written approval of the Local Planning Authority by way of a planning application.

Reason: To prevent any overlooking of neighbouring properties in accordance with the guidance within the National Planning Policy Framework and Policy CS14 of the Core Strategy which seeks to protect the amenity of neighbouring occupiers.

### ***Informatives***

1. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. The local planning authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area.
2. The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)



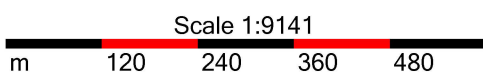
Map Centre Coordinates :

Scale : 1:9141

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	21 July 2022
<b>SLA Number</b>	0100024151



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# Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	21/02450/REG4 Basildon	22.11.2021 <sup>1</sup>	Redevelopment of land of the school grounds including new play equipment with fencing and planting.  Basildon C Of E Primary School, School Lane, Upper Basildon, Reading, West Berkshire, RG8 8PD  Basildon C Of E Primary School

<sup>1</sup> Extension of time agreed with applicant until 08.08.2022

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/02450/REG4>

**Recommendation Summary:** Delegate to the Service Director of Development and Regulation to grant conditional planning permission.

**Ward Member:** Councillor Alan Law

**Reason for Committee Determination:** 15 objections were received.

**Committee Site Visit:** 27<sup>th</sup> July 2022

## Contact Officer Details

**Name:** Sissi Yang  
**Job Title:** Senior Planning Officer  
**Tel No:** 01635 513979  
**Email:** Sissi.Yang1@westberks.gov.uk

## 1. Introduction

- 1.1 This application seeks planning permission for redevelopment of land of the school grounds with new play equipment with fencing and planting. The development would be at north side of the site to replace the existing pond area.
- 1.2 The site comprises of a school building, areas for children's activities and parking. A public footpath (5/1) runs through the site from north to south. Neighbouring dwellings are situated to the north, west and south of the site.
- 1.3 The site is located within the settlement boundary of Upper Basildon, and within the North Wessex Downs Area of Outstanding Natural Beauty.

## 2. Planning History

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

Application	Proposal	Decision / Date
17/00289/FUL	Regulation 3: New fuel storage tank and short fire track vehicle access road constructed between existing service road and playground	Withdrawn
13/00830/FUL	Regulation 3 - Alterations and extension to provide a replacement classroom - part retrospective.	Approved 17.06.2013
12/01653/CERTP	Regulation 4 - Refurbish covered walkway.	Approved 21.08.2012
08/00013/FUL	Erection of lobby area to provide access from classroom to toilets	Approved 26.02.2008
05/01730/FUL	Extensions to staff area and nursery.	Approved 03.10.2005
04/00307/FUL	Canopy structure to be erected between two external doors to provide covered play area	Approved 14.05.2004
03/00764/FUL	Development is to improve an entrance and create a lobby.	Approved 29.05.2003

## 3. Procedural Matters

- 3.1 **EIA:** Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 **Publicity:** A site notice was displayed at site on 18.10.2021 for 21 days. The expiry of these site notices was on 08.11.2021. The application was also advertised in the Newbury Weekly News on 07.10.2021.

## 4. Consultation

### *Statutory and non-statutory consultation*

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

<b>Sports England:</b>	The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306)
<b>Trees (WBC):</b>	No comments received
<b>Parish Council:</b>	The Parish Council objected on the grounds that the proposal will have a negative environmental impact. In replacing the current 'wild' area with something that did nothing positive for the local environment was a backwards step.
<b>Rights of Way (WBC):</b>	<p>Basildon Footpath 5/1 runs immediately adjacent to the site. The application includes a Block Plan showing a sketch of the route of this footpath, therefore I have included an extract from the Definitive Map of Public Rights of Way, for the sake of accuracy.</p> <p>The application does not appear to include any details of boundary treatments or construction methods. The existing boundary vegetation should be retained in order to retain as much screening as possible between the site and the footpath. The following informatives should also apply at this stage:</p> <ul style="list-style-type: none"> <li>• The applicant is advised that this planning permission does not in any way allow the public right of way to be obstructed at any time during the course of the development.</li> <li>• The applicant is advised that all visitors to the site should be made aware that they would be driving along a public footpath. As a result they should drive with caution when manoeuvring into and out of the site, and should give way to pedestrians at all times.</li> <li>• Nothing connected with either the development or the construction must adversely affect or encroach upon the footpath, which must remain available for public use at all times.</li> <li>• The applicant is advised that the Rights of Way Officer must be informed prior to the laying of any services beneath the path.</li> <li>• Where the ground levels adjacent to the path are to be raised above the existing ground levels, a suitable drainage system must be installed adjacent to the path, to</li> </ul>

	<p>a specification agreed with the Local Authority, prior to development commencing.</p> <ul style="list-style-type: none"> <li>No alteration of the surface of the right of way must take place without the prior written consent of the Rights of Way Officer.</li> </ul>
<b>Pang Valley Group of Ramblers:</b>	The works are adjacent to PF/BASI/5/1 that passes through the school grounds. It is important that the footpath is kept clear and unobstructed by contractors' plant and machinery at all times.
<b>Environmental Health (WBC):</b>	<p>EH raised no concerns regarding the above application. The whole of the site obviously already has planning permission to be used as a school, so a certain amount of noise is to be expected. Whilst the proposals will bring children closer to adjacent gardens and houses than at present I doubt whether this will adversely affect the residents of these houses during the day to any great extent. The school is only operational for something like 200 (fairly short) days per year and a lot of this time the weather will not be conducive to the use of the proposed facilities.</p> <p>No objections to the proposed use of shredded tyre mulch within the proposed development. Its use is commonplace throughout the country. The relevant British Standard is BS EN1177.</p> <p>If this application is approved I recommend that the standard "hours of noisy construction work" condition should be imposed.</p>
<b>Ecology (WBC):</b>	<p>No objection</p> <p>The recommendations from the submitted ecology report will need to be undertaken, this includes in our opinion the need for a mitigation and enhancement plan to include measures (but not limited to) to address 5.2 to 5.4, with regard to point 5.4 we suggest that the applicants speak with the LPAs managing agents for the District licence for GCN. Submission pre commencement.</p> <p>The construction management plan will need to adhere to the protected species and tree protection measures including the access to the site and where materials storage areas are to be placed as a pre commencement condition, the plans details/submission are to be subject to scrutiny by the LPA. This includes the environmental safeguarding measures/RAMS in the submitted Ecology report. These and other environmental safeguards will need to be delivered through the construction management plan document before commencement of the proposals. Submission pre commencement.</p> <p>A condition that requires the submission of an Isolux lighting plan showing the predicted levels of lighting before external lighting can be installed, affectively removing PD rights for external lighting. Plans details/submission are to be subject to scrutiny by the LPA. Submission pre commencement of any additional lighting to be installed.</p>



	A condition stating that each ecological report (with regard to the aspect that it covers) is only valid for 3 years (for bat aspects of the report these will need updating after 12 months) from when it is written, this includes relevancy as to how these documents inform other necessary related submissions, the reports details/submission is subject to scrutiny by the LPA.
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### **Public representations**

4.2 Representations have been received from 17 contributors, 14 of which object to the proposal and 3 of which support the proposal. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Overlooking issue
- Noise pollution and security
- Loss in Wildlife
- Forest zone is misleading
- Plan borders public path
- Biodiversity study is needed
- Which hours will it be used?
- Site visit been done?
- Other locations would be more suitable
- What is improvement to the existing situation, does it improve education quality?

*Officer comments - issues raised above are discussed in detailed assessment in below.*

- Playground would be coated with tarmac which have negative impact on children's health

*Officer comments - Council's Environmental health Officer was consulted and raised no objection to the proposed material.*

## **5. Planning Policy**

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

- Policies ADPP1, ADPP5, CS5, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS.5, OVS.6, of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2019-24
- Quality Design SPD (2006)

- Sustainable Drainage SPD

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance
- Neighbouring amenity
- Highways and public rights of ways
- Drainage and flooding
- Ecology

### ***Principle of development***

- 6.2 Policy ADPP1 states that the scale of development will be related to the site's current or proposed character and surroundings. In the open countryside only appropriate limited development will be allowed.
- 6.3 Policy ADPP5 states that development will conserve and enhance local distinctiveness, sense of place and setting of the Area of Outstanding Natural Beauty. Development will respond positively to the local context and respect identified landscape features and components of natural beauty.
- 6.4 Paragraph 95 of the NPPF states that local planning authorities should give great weight to the need to create, expand or alter schools.
- 6.5 The proposed development is considered to be acceptable in principle.

### ***Character and appearance***

- 6.6 As outlined in the principle of development policy ADPP1 includes consideration of character and surroundings, policy ADPP5 relates to considerations of factors relevant to the conservation of the Area of Outstanding Natural Beauty, and considerations of landscape character and rural setting.
- 6.7 According to Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Good design relates not only to the appearance of a development, but the way in which it functions. 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.
- 6.8 Policy CS19 relates to landscape character. It states that particular regard be given to the sensitivity of the area to change and that development be appropriate in location, scale and design in the context of the existing settlement form, pattern and character.
- 6.9 The development would be located at northern side of the school which would form a triangle shape. Proposed development would remove all of the surface installed in the pond area including the fencing the area will be resurfaced with a variety of apparatus for imaginative play and seating including three tier log amphitheatre, woodland hut,

playhut, shelter with seating and picnic table. There will be soft landscaping including planters and planting.

- 6.10 The proposed shelter would be approx. 2.6m high x 4.5 wide x 3.4m deep and the woodland would be approx. 2.1m high x 2.4m wide x 2.2m deep. The other proposed elements would be low height. Overall the proposal would be modest in terms of height, scale and massing and appropriate in terms of location and design. The materials of the structure would be timber and the surface would be rubber mulch. There will be soft landscaping in the proposed development area.
- 6.11 In the context of the wider site it is considered that the overall landscape character would be sufficiently retained and not result in a significant loss of landscape features. Overall it is considered that the proposal complies with policies ADPP1, ADPP5, ENV.27 and CS19.

### ***Neighbouring amenity***

- 6.12 According to Policy CS14, new development must demonstrate high quality and sustainable design that makes a positive contribution to the quality of life in West Berkshire. Paragraph 127 of the NPPF states planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.
- 6.13 Consequently, all development should be designed in a way to avoid any unacceptable harm to neighbouring living conditions. Applications will typically be assessed in terms of any significant loss of light, overlooking of neighbouring buildings or land, and whether the proposal would result in any undue sense of enclosure, overbearing impact, or harmful loss of outlook to neighbouring properties.
- 6.14 The closest dwellings (on Emery Acres) to the proposal would be more than 25m away. It is considered that the proposal is sufficient distance away from neighbouring properties. The scale and massing of the proposed elements are considered modest. Therefore it would not give rise to amenity issues, such as loss of privacy, overlooking, over shadowing or loss of natural light.
- 6.15 Objections have been raised in regards to noise. Environmental Health have been consulted with regards to this matter and have raised no concerns. The site already has planning permission to be used as a school, so a certain amount of noise is to be expected. Whilst the proposals will bring children closer to adjacent gardens and houses than at present, it will not adversely affect the residents of these houses during the day to any greater extent. It is considered the proposal will not give rise to unaccepted noise levels which would be materially harmful to neighbouring amenity.
- 6.16 Taking the above matters into account, it is considered the proposal will not have a materially harmful impact on neighbouring amenity. The proposal is considered comply with policy CS14 of the West Berkshire Core Strategy 2006-2026 and OVS5 of the West Berkshire Local Plan Saved Policies 2007.

### ***Highways and public rights of ways***

- 6.17 Policy CS13 of the Core Strategy concerns transport. It emphasises that road safety in West Berkshire is a key consideration for all development. Particular focus should be given to the safety of pedestrians, cyclists, and other vulnerable road users.
- 6.18 Public rights of way are regarded as green infrastructure under Policy CS18. The policy states that District's green infrastructure will be protected and enhanced. Developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public

will not be permitted. Where exceptionally it is agreed that an area of green infrastructure can be lost a new one of equal or greater size and standard will be required to be provided in an accessible location close by.

- 6.19 Given the proposed location and scale of the proposal, it is considered the proposal will not have a material impact on highways. It is considered the proposal is compliant with CS13 of West Berkshire Core Strategy (2006-2026), and TRANS.1 West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- 6.20 Basildon Footpath 5/1 runs immediately adjacent to the site. Objections have been received regarding the plan borders the public path. The Council's Right of Way Officer advised that the application does not include any details of boundary treatments or construction methods. The existing boundary vegetation should be retained in order to retain as much screening as possible between the site and the footpath.
- 6.21 Public rights of way are governed by separate legislation which a planning permission should not seek to duplicate, but informatives would be attached to the decision to draw these matters to the applicant's attention. Condition will be attached to secure details of boundary treatment.
- 6.22 It is considered that the proposal will be compliant with policy CS18 subject to conditions.

### ***Drainage and flooding***

- 6.23 The site is located within Flood Zone 1, which indicates the lowest risk of fluvial flooding. It is not located within any critical drainage area identified by the Strategic Flood Risk Assessment for the district. As minor development, a Flood Risk Assessment (FRA) is not required by Policy CS16, and there are no objections to the development on grounds of flood risk.
- 6.24 Notwithstanding the absence of any flood risk objections, Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS) in accordance with best practice and the proposed national standards and to provide attenuation to greenfield run-off rates and volumes, for all new development and re-development and provide other benefits where possible such as water quality, biodiversity and amenity. The Council has adopted a Sustainable Drainage SPD which supports this policy, and provides examples of measures that can be incorporated into even minor developments.
- 6.25 Conditions will be attached to decision regarding drainage.

### ***Ecology***

- 6.26 An ecological survey report has been provided to support the application. It confirms that no statutory sites are impacted, and that there is no identified ecological link between the site and two areas of ancient woodland within the vicinity. The report identifies that the application site contains a pond, dense scrub and a small adjacent section of amenity grassland. It is proposed to infill the pond, clear the site, and create an outdoor "forest area" with new playing equipment and rubber mulch surfacing.
- 6.27 The Council's Ecologist reviewed the application and advised that conditional permission can be granted subject to securing the recommendations from the submitted ecology report, including a requirement for a mitigation and enhancement plan. The Ecologist requests that the existing pond is either infilled or replaced elsewhere on the site, but this does not form part of the proposals. A mitigation and enhancement plan can, however, be secured by condition that will cover the application site.

- 6.28 The construction management plan will be required for the protected species and tree protection measures including the access to the site and where materials storage areas are to be placed as a pre commencement condition, the plans details/submission are to be subject to scrutiny by the LPA. This includes the environmental safeguarding measures/RAMS in the submitted ecology report. These and other environmental safeguards will need to be delivered through the construction management plan document before commencement of the proposals. This will be secured via pre-commencement condition.
- 6.29 A condition will be attached to require the submission of an Isolux lighting plan showing the predicted levels of lighting before external lighting can be installed. Plans details/submission are to be subject to scrutiny by the LPA.
- 6.30 A condition will be attached stating that each ecological report (with regard to the aspect that it covers) is only valid for 3 years (for bat aspects of the report these will need updating after 12 months) from when it is written, this includes relevancy as to how these documents inform other necessary related submissions.
- 6.31 Subject to these provisions it is considered that the proposal would comply with Policy CS17.

## **7. Planning Balance and Conclusion**

- 7.1 In conclusion, an in-depth consideration has been given to a range of planning matters and it is considered that the proposed development is compliant with the National Planning Policy Framework, Policies ADPP1, ADPP5, CS14, CS16, CS17, CS18, and CS19 of the West Berkshire Core Strategy (2006-2026), Policy OVS.6 of West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). Therefore, it is recommended that this application is approved.

## **8. Full Recommendation**

- 8.1 To delegate to the Service Director of Development & Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.

### ***Conditions***

1. **Commencement of development**

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

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

2. **Approved plans**

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

- Location Plan received 27.09.2021;
- Block Plan received 27.09.2021;
- Location of proposed development received 27.09.2021;
- Details of proposed equipment received 27.09.2021;
- Detailed Floor Plan received on 02.03.2022;

- 3D Image received on 02.03.2022;
- BSK33248-10 – Open Ended House Frame received 27.09.2021;
- IF 035 - Weaving Posts received 27.09.2021;
- IF 056 - Wigwam Posts received 27.09.2021;
- Materials Details received 27.09.2021;
- QF003 – Picnic Table – Small received 27.09.2021;
- QF103 – Large Shelter with Seating and Planters received 27.09.2021;
- Qf117 – Herb Planter received 27.09.2021;
- School Playground Equipment received 27.09.2021;
- Material Information received 27.09.2021;
- WILD003 – Woodland Hut received 27.09.2021;
- WILD009 – Log Amphitheatre – Three Tier received 27.09.2021;
- WILD033 – Forest Playhut – With Table and Seats received 27.09.2021;
- Tree Survey Drawing received 27.09.2021.

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

### 3. **Construction Environmental Management Plan**

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

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

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

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

### 4. **Ecological Mitigation and Enhancement Plan**

No development shall take place (including demolition, ground works, vegetation clearance) until an Ecological Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the Ecological Mitigation and Enhancement Plan shall be implemented in full as part of the approved development.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site. This condition is applied in accordance with the National Planning Policy

Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the Mitigation and Enhancement Plan will need to be adhered to throughout construction.

5. **GCN surveys for pond removal**

The existing pond shall not be removed until a report on a great crested newt survey has been submitted to and approved in writing by the Local Planning Authority. The report shall include any appropriate mitigation measures. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

6. **Lighting plan**

Prior to any installation of external lighting, an "Isolux lighting plan" showing the predicted levels of lighting shall be submitted to and approved in writing by the local planning authority.

Reason: The introduction of artificial light might mean certain species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

7. **Ecology report valid for 3 years**

If the development hereby approved does not commence by 10<sup>th</sup> February 2025 (3 years from the original ecology survey), a further ecology survey shall be carried out and a report submitted to the Local Planning Authority for approval before any development takes place.

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

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

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

8. **Materials**

The materials to be used in the development hereby permitted shall be as specified on the plans and the application forms.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

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

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

8:30am to 6:00pm Mondays to Fridays;

9:00am 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.

10. **Drainage**

There shall be no discharge into sewers, watercourses or other waterbodies during and post construction. The applicant shall ensure that no overland flow occurs as result of the works approved under this application, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006), Sustainable Drainage SPD (2008).

11. **Landscaping**

The development shall not be first brought into use until the site has been landscaped in accordance with a landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of boundary treatments along the public highway and details of any planting.

Reason: To ensure appropriate landscaping of the site following completion of work. This condition is applied in accordance with the NPPF, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and the Quality Design SPD.

***Informatives***

1. **Damage to footways, cycleways and verges**

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.

2. **Damage to the carriageway**

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

3. **Rights of way**

- The applicant is advised that this planning permission does not in any way allow the public right of way to be obstructed at any time during the course of the development.
- The applicant is advised that all visitors to the site should be made aware that they would be driving along a public footpath. As a result they should drive with caution when manoeuvring into and out of the site, and should give way to pedestrians at all times.

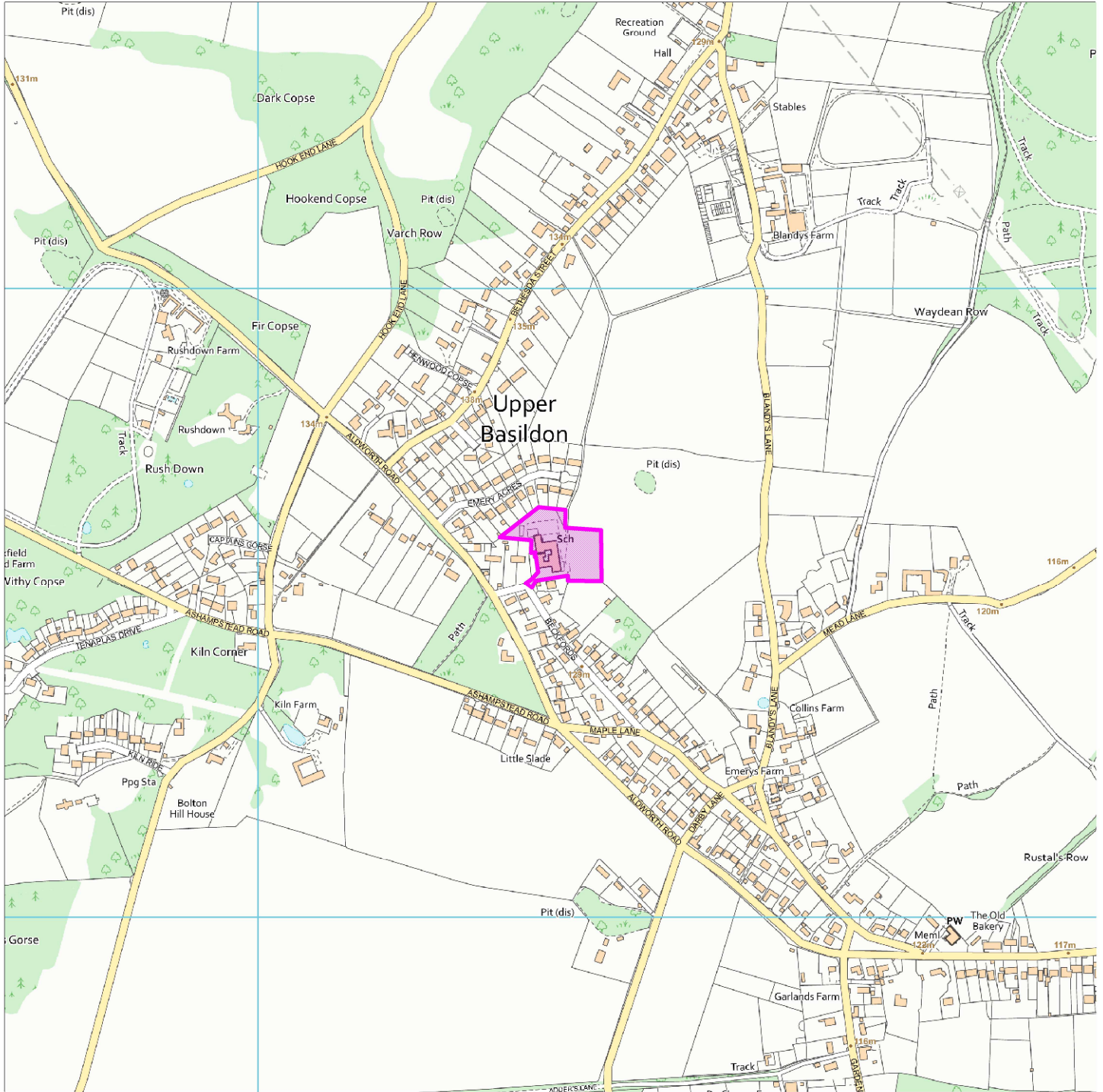


- Nothing connected with either the development or the construction must adversely affect or encroach upon the footpath, which must remain available for public use at all times.
- The applicant is advised that the Rights of Way Officer must be informed prior to the laying of any services beneath the path.
- Where the ground levels adjacent to the path are to be raised above the existing ground levels, a suitable drainage system must be installed adjacent to the path, to a specification agreed with the Local Authority, prior to development commencing.
- No alteration of the surface of the right of way must take place without the prior written consent of the Rights of Way Officer.

4. **Proactive statement**

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

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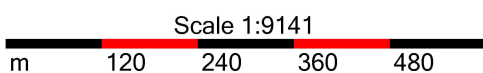
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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	21 July 2022
<b>SLA Number</b>	0100024151



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# Agenda Item 4.(3)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	22/00719/HOUSE Woolhampton	17 May 2022 <sup>1</sup>	Rear orangery  49 Abbey Gardens, Woolhampton, Reading, RG7 5TZ  Mr and Mrs G Bradley

<sup>1</sup> Extension of time agreed with applicant until 5 August 2022

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=22/00719/HOUSE>

**Recommendation Summary:** To delegate to the Service Director of Development and Regulation to Grant planning permission subject to conditions

**Ward Member:** Councillor Graham Pask

**Reason for Committee Determination:** 10+ objections received

**Committee Site Visit:** 27<sup>th</sup> July 2022

#### Contact Officer Details

**Name:** Donna Toms  
**Job Title:** Planning Officer  
**Tel No:** 01635 519111  
**Email:** donna.toms@westberks.gov.uk

## 1. Introduction

- 1.1 This application seeks planning permission for a single storey rear extension (orangery).
- 1.2 The application site is situated within the new housing estate adjacent to Douai Abbey. The development was permitted in 2002 with the restoration of the main former abbey school building and conversion into flats, along with the demolition of outlying former school buildings and construction of new houses/flats. This property is one of the new houses constructed. The houses were specifically designed with the Abbey buildings in mind and have a very strong character using a mix of brick and stone.
- 1.3 The property is a middle terrace house which juts out to the rear by about half a metre beyond the building line with two neighbouring properties. This application seeks a further extension of 3 metres projection from the original rear elevation.

## 2. Planning History

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

Application	Proposal	Decision Date /
02/01838/FUL	Restoration of main former abbey school building and conversion into flats. Demolition of outlying former school building and construction of new houses/flats.	Approved 07/05/2004
11/00492/HOUSE	Loft conversion with velux windows and insertion of gable windows to front and rear elevations.	Refused 04/07/2011
10/01950/HOUSE	Loft conversion with velux windows and insertion of gable windows to front and rear elevations	Refused 30/09/2010

## 3. Procedural Matters

- 3.1 **EIA:** Given the nature and scale of this householder development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 **Publicity:** Site notice displayed on 14 April 2022; the deadline for representations expired on 9 May 2022.

**CIL:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). Initial assessment taken from the proposed floor plans show that the Gross Internal Area will be 12.03 square metres. CIL liability will be

formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)

## 4. Consultation

### *Statutory and non-statutory consultation*

4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

<b>Woolhampton Parish Council:</b>	No response was received at time of report
<b>Right of Way Officer:</b>	No response was received at time of report
<b>Ramblers' Association</b>	No response was received at time of report

### *Public representations*

4.2 Representations have been received from 31 contributors, 16 of which support, and 15 of which object to the proposal. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

Objections:

- Adjacent to the AONB area of outstanding natural beauty which will be impacted by the development
- Height of lantern is visually intrusive
- Missing stone courses from side and front elevations
- Close proximity to neighbours
- Jarring anomaly will spoil beautiful façade of houses
- Visible from public bridle path
- Loss of light and overshadowing of neighbour and block morning sun
- Overbearing visual aspect to neighbouring properties
- Lack of consultation with residents will be immediately negatively impacted
- Houses designed as one, the new orangery will destroy design
- Detracts from design created by acclaimed architect
- Plans are inadequate and show no measurements to overall height etc.
- Permanent features, i.e. fencing not shown
- No explanation regarding rainwater management
- Similar extension was refused in 2010

Support:

- Owners up front in communicating questions and concerns from residents and management concerns
- The architect who drew up the application is a professional and acted so at all times
- Neighbours were approached and the extension was discussed
- Perfectly reasonable proposal

- Sympathetic improvement and aesthetically pleasing addition to property, the bricks will be carefully sourced and will weather over time to blend with existing and retain string line of the façade
- The property is not in a prominent position as 2010 refused application is
- It will not be visible from the bridleway, playground or meadow as fence and hedge surrounding the garden is approximately 8 foot tall and the ground slopes away so only the upper bedroom windows are visible from beyond.
- Do not believe any light will be blocked out as this is a west facing house (front)
- An excellent soak away drain system is being installed to deal with rain water
- Applicant's wife has suffered significantly reduced mobility and would benefit the additional ground living space this would provide her.
- The design received approval from the landlords and the residents company
- The suggestion that lease prevents extensions of any type is incorrect as can be seen in Schedule 4 Clause 8.
- Similarly designed orangery situated within the development
- Trees will be planted obscuring any view they may have for the time taken to pass the rear garden gate

## 5. Planning Policy

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

- Policies ADPP1, ADPP6, CS14, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, C6, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2019-24
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance
- Neighbouring amenity
- Highway safety

### ***Principle of development***

6.2 Policy ADPP1 of the Core Strategy states that development in West Berkshire will follow the existing settlement pattern. The application site is not situated within any defined settlement boundary as identified by C1 of the West Berkshire HSA DPD, and so is regarded as being within the open countryside where only appropriate limited development will be allowed. Therefore Policy C6 of the West Berkshire HSA DPD must be taken into consideration.



- 6.3 Policy C6 seeks to prevent the overdevelopment of sites in the countryside and requires certain criteria to be met; these include;
- a) the scale of the enlargement is subservient to the original dwelling and is designed to be in character with the existing dwelling; and
  - b) it has no adverse impact on the setting, the space occupied within the plot boundary, on local rural character, the historic interest of the building and its setting within the wider landscape; and
  - c) the use of materials is appropriate within the local architectural context; and
  - d) there is no significant harm on the living conditions currently enjoyed by residents of neighbouring properties.
- 6.4 The proposed extension has been designed to be subservient to the original dwelling and is designed to be in character with the existing dwelling. Its position within the rear garden reduces public viewpoints through the use of fencing. A public right of way BEEN10/3 runs behind the garden, however, due to the rear fencing there is limited viewpoints into the garden without making an effort to see over the fence. Behind the right of way is a set of garages before the playground to the east. While there will be some overshadowing to the neighbouring property as a result of the proposal, when compared to that which exists already on site, it is not considered that the additional harm will be to a level sufficient to warrant refusal of the application.
- 6.5 The development is considered to comply with Policy C6 and therefore be acceptable in principle.

### ***Character and appearance***

- 6.6 The planning site is situated within an established housing estate adjacent to a complex of grade II listed buildings to the west and the Douai Abbey (grade II\*) to the north-west. To the immediate east is situated a car port block and further along a playground and open park land.
- 6.7 The dwelling is one of three attached houses the planning site being the middle terrace. The properties benefit from long front and rear gardens with a south-westerly orientation to the front of the properties. The rear gardens are enclosed with a mix of brick, closed board fencing and hedgerow to an approximate height of 1.8 metres.
- 6.8 A public right of way BEEN10/3 passes to the rear of the gardens between the boundary of the dwellings and the car port block. Due to the height of the boundary treatment there are limited views into the gardens from the right of way.
- 6.9 The proposed application seeks approval for a single storey rear extension styled as an orangery. The extension will be situated within the rear garden of the property where there are limited views of the garden to the rear.
- 6.10 The approximate dimensions of the proposal are:
- Overall height: 3.57 metres
  - Overall width: 5 metres
  - Overall depth (not including existing projection): 3 metres
  - Gross Internal Area: 11.82 square metres
  - Total footprint of extension: 15 square metres
- 6.11 The materials of the extension are:

- Walls: Facing bricks to match existing, stone detail and lintels to match, stone coping
- Roof: Felt
- Windows: White uPVC

- 6.12 Concern has been raised in the public representations regarding the impact on the character of the area as a result of the proposed extension. Comments include concern that the proposed extension is not in character with the design of the dwellings within the estate.
- 6.13 The proposed extension will have a footprint of 15 square metres which is a small increase to the existing dwelling. The design has included elements picked from the original and existing buildings within the area including matching brickwork and stone details. It is noted there are three rear extensions of similar type within the rear gardens in the neighbourhood all in largely obscured areas of the estate. The proposed extension will be situated within the rear garden with views only from above the existing fence line, which at approximately 1.8 means the average person would not be able to see much of the extension except for, perhaps, the glazed lantern which reaches the height below the first floor window. However, it is considered that, even if it could be seen clearly from public viewpoints, it is not a large structure and the design is sympathetic to the existing dwelling and is unlikely to have a detrimental impact on the character of the existing dwellings or the setting and character of the area.
- 6.14 Given the scale and location of the proposed extension, it is not considered to have a material impact on the setting of any of the nearby listed buildings.
- 6.15 It is considered that the proposed development complies with Policies CS14 and CS19.

### ***Neighbouring Amenity***

- 6.16 According to Policy CS14, new development must demonstrate high quality and sustainable design that makes a positive contribution to the quality of life in West Berkshire. Consequently, all development should be designed in a way to avoid any unacceptable harm to neighbouring living conditions. Applications will typically be assessed in terms of any significant loss of light, overlooking of neighbouring buildings or land, and whether the proposal would result in any undue sense of enclosure, overbearing impact, or harmful loss of outlook to neighbouring properties. Noise and disturbance may also be a relevant consideration.
- 6.16 With regard to this proposal there will be limited impact to the neighbouring amenity in terms of overlooking as there will be no windows facing to the neighbouring properties.
- 6.17 Concern was raised regarding the potential overshadowing of number 48. This property is attached to and situated north and slightly west of the application site, as a result there is already some overshadowing of the property from the existing boundary fence which during midwinter would have the impact of overshadowing the rear elevation of the neighbouring property. The proposed extension will have a limited further impact on the neighbouring property, however it is noted that the overshadowing lessens during the summer months and the proposed extension is unlikely to cast a significantly larger impact than already existing. The proposed extension would have some impact on the neighbouring amenity to the north-west, however, this is considered minimal and for only a short period of the day such that it would not justify refusal of the application.
- 6.18 Concern regarding a visually overbearing design has been considered, however, given the height of the parapet being approximately 3.21 metres and the lantern set to the middle

of the extension, it is considered, taking into account the 1.8 metre boundary fence, that the proposed extension will have limited impact on neighbouring amenity.

### **Highways**

- 6.19 Owing to the nature, scale and location of the proposal, it is not considered to give rise to any material highway considerations. Parking levels remain unaffected.

## **7. Planning Balance and Conclusion**

- 7.1 The impact of the proposed extension on the character and appearance of the area and on the setting of the terrace houses has been carefully assessed. It is considered that due to its size, scale, layout, siting, form and appearance, the proposed extension will not have a detrimental impact on the character and appearance of the area.
- 7.2 Whilst it is acknowledged there may be some limited impact on surrounding properties in terms of limited views from the neighbouring properties and limited overshadowing, these are unlikely to be harmful and it is not considered that the proposed single storey rear extension would have a sufficiently detrimental impact on the amenities of the occupiers to warrant refusal.
- 7.3 It is not considered that there will be any detrimental impact upon highways and parking.
- 7.4 Other concerns raised in the public representations have been reviewed and considered not to be planning consideration rather would be subject to Building Regulations and/or the Party Wall Act.
- 7.5 Overall, it is considered that the proposed development would be in accordance with the development plan, and the policies within the NNPF and other local planning documents. Having taken account of all the relevant policy considerations and the other material considerations referred to above, and having regard to the reasons to support the proposal, the proposed development is recommended for approval subject to the conditions listed below.

## **8. Full Recommendation**

- 8.1 To delegate to the Service Director of Development and Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.

### **Conditions**

1. **Commencement of development**

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

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

2. **Approved plans**

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

Location and Block Plan received on 21 March 2022;  
Proposed Elevations, Floor Plans and Section received on 21 March 2022.

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

3. **Materials**

The materials to be used in the development hereby permitted shall be as specified on the plan and the application form. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Guidance 04/2 House Extensions (July 2004), and Supplementary Planning Document Quality Design (June 2006).

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

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

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

8:30am to 1:00pm Saturdays;

No work shall be carried out at any time on Sundays or Bank Holidays.

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

### ***Informatives***

1. Proactive

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

2. CIL

The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)

3. Consent to enter adjoining land

You must obtain the prior consent of the owner and occupier of any land upon which it is necessary for you to enter in order construct, externally finish, decorate, or in any other way carry out any works in connection with this development, or to obtain any support from adjoining property. This permission granted by the Council in no way authorises you to take such action without first obtaining this consent.

4. Right of Way

The applicant is advised that this planning permission does not in any way allow the Public Right of Way to be obstructed at any time during the course of the development.

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22/00719/HOUSE

49 Abbey Gardens, Woolhampton, RG7 5TZ



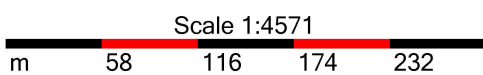
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<b>Organisation</b>	West Berkshire Council
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