

# Notice of Meeting



Scan here to access the public documents for this meeting

## Eastern Area Planning Committee

Wednesday, 10 April, 2024 at 6.30 pm

In the Council Chamber, Council Offices,  
Market Street, Newbury

This meeting will be streamed live here: [Link to Eastern Area Planning Committee broadcasts](#)

You can view all streamed Council meetings here: [Link to West Berkshire Council - Public Meetings](#)

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 attend must notify the Planning Team by no later than 4.00pm on 9 April 2024 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, 2 April 2024

### 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, 10 April 2024**  
(continued)

**To:** Councillors Alan Macro (Chairman), Richard Somner (Vice-Chairman),  
Jeremy Cottam, Paul Kander, Ross Mackinnon, Geoff Mayes,  
Justin Pemberton, Vicky Poole and Clive Taylor

**Substitutes:** Councillors Jeff Brooks, Laura Coyle, Lee Dillon, Jane Langford, Biyi Oloko  
and Joanne Stewart

---

# Agenda

## Part I

**Page No.**

1. **Apologies for absence**  
To receive apologies for inability to attend the meeting (if any).
  2. **Minutes** To Follow  
To approve as a correct record the Minutes of the meeting of this Committee held on 6 March 2024.
  3. **Declarations of Interest**  
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
  4. **Schedule of Planning Applications**  
*(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications).*
- (1) **23/00736/OUTMAJ, Land at Junction with Bath Road, New Road Hill Midgham, Reading** 5 - 48
- Proposal:** Outline application for the erection of 16 dwellings, including 6 affordable units, with access from Bath Road. Matters to be considered: Access
- Location:** Land at Junction with Bath Road, New Road Hill, Midgham Reading
- Applicant:** JPP Land Limited
- Recommendation:** To **DELEGATE** to the **Development Manager** to **GRANT PLANNING PERMISSION** subject to the schedule of conditions and the completion of a Section 106 legal agreement.

**Agenda - Eastern Area Planning Committee to be held on Wednesday, 10 April 2024**  
(continued)

**Or**, if the Section 106 legal agreement is not completed, to delegate to the **Development Manager** to **REFUSE PLANNING PERMISSION**.

**Background Papers**

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

*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.



This page is intentionally left blank

# Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	23/00736/OUTMAJ Midgham	28/06/2023 <sup>1</sup>	Outline application for the erection of 16 dwellings, including 6 affordable units, with access from Bath Road. Matters to be considered: Access  Land at Junction With Bath Road New Road Hill Midgham Reading  JPP Land Limited

<sup>1</sup> Extension of time agreed with applicant until 26/04/2024

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=23/00736/OUTMAJ>

**Recommendation Summary:** To **DELEGATE** to the **Development Manager** to **GRANT PLANNING PERMISSION** subject to the schedule of conditions and the completion of a Section 106 legal agreement.

**Or**, if the Section 106 legal agreement is not completed, to delegate to the **Development Manager** to **REFUSE PLANNING PERMISSION**.

**Ward Member(s):** Councillor Chris Read

**Reason for Committee Determination:** More than 10 of objection have been received and the officers' recommendation is to approve the application.

**Committee Site Visit:** 3<sup>rd</sup> April 2024.

## Contact Officer Details

**Name:** Mr. Matthew Shepherd  
**Job Title:** Senior Planning Officer  
**Tel No:** 01635 519111  
**Email:** Matthew.Shepherd@Westberks.gov.uk

## 1. Introduction

- 1.1. This application seeks outline planning permission for some matters reserved for the erection of 16 dwellings, including 6 affordable units, with access from Bath Road. The application is for outline permission with the only matter to be considered in detail is Access. The submitted layout plans are indicative plans and the detail of the design and other aspects will be left to reserved matters.
- 1.2. The site is located at junction of Bath Road with New Road Hill, on the western edge of Woolhampton, within the parish of Midgham. The site is not with a planning policy defined settlement boundary. The site is 0.81 hectares in size according to the application form, it is an undeveloped green field site, currently used as a paddock with strongly defined boundary's adjacent to Woodlands. The site is bounded to the west by a Biodiveristy Opportunity Area and a Local Wildlife Site, and has a Tree Protection order on a T1 Oak to the east of the site. The site is bounded by Ancient Woodland to the East to which sits adjacent to the boundary of the site.

In summary its main constraints are:

- Open countryside (outside of any defined settlement boundary)
  - Adjacent to a Biodiversity Opportunity Area, Local Wildlife Site and has TPO on the site
  - Site is bounded by Ancient Woodland to the East
- 1.3. The site is allocated in the Local Plan review submitted to the Planning inspectorate for examination under policy RSA13. Further detail of this will be explored in the below sections of this report.

## 2. Planning History

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

Application	Proposal	Decision / Date
19/01942/OUTMAJ	Outline application for the erection of 16 dwellings, including 6 affordable units, with access from Bath Road	Refused 23.01.2020. Appeal withdrawn
20/03028/OUTMAJ.	Outline application for the erection of 16 dwellings, including 6 affordable units, with access from Bath Road. Matters to be considered: Access.	Refused 21/09/2022

- 2.2 Both previous applications have been recommended for approval by officers and presented to Eastern Area Planning committee. Both items have been overturned by members and refusal have been issued. Officers acknowledge the previous decision by the planning committee however note that the progress of the Local Plan review to examination and consider this material change in circumstances warrants officers recommendation as presented.

### 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:

Site notices displayed on 12/04/2023 at the proposed access point along the A4 and on the corner of New Road Hill; the deadline for representations expired on 04/05/2023.

#### 3.3 CIL:

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

CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at [www.westberks.gov.uk/cil](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>	On behalf of Woolhampton Parish Council, we would like to object to the above application on the grounds of access to the Bath Road (there are already a number of access points onto the Bath Road so another will add to potential for collisions etc.).  There were also concerns raised about water runoff and sewage, particularly with the volume of houses on the opposite side of the road.
<b>WBC Highways:</b>	No objections subject to conditions
<b>Disable Access officer</b>	No response within the 21 day consultation period.
<b>Thame Water Utilities</b>	No response within the 21 day consultation period.
<b>Thames Valley</b>	No response within the 21 day consultation period.

<b>Police</b>	
<b>WBC Tree Officer</b>	No objections subject to conditions
<b>WBC Environmental Health</b>	No objections subject to conditions
<b>Royal Berkshire Fire and Rescue</b>	No response within the 21 day consultation period.
<b>SPOKES</b>	No response within the 21 day consultation period.
<b>WBC Lead Local Flood Authority</b>	No response within the 21 day consultation period.
<b>WBC Waste Management</b>	No response within the 21 day consultation period.
<b>Berkshire Newt Officer</b>	No objections
<b>WBC Economic Development Officer</b>	No objections subject to conditions
<b>WBC Housing Officer</b>	No objections subject to a change to the housing mix. Officer comments- the application was altered to align with the housing officers comments.
<b>WBC Ecology Officer</b>	Comments raised, conditions suggested.
<b>WBC Minerals and Waste Officer</b>	No comment
<b>WBC Policy Officer</b>	Comments made
<b>WBC Emergency Planning Team</b>	No objections
<b>Office of Nuclear Regulation</b>	No comment
<b>Berkshire Buckinghamshire and Oxfordshire Wildlife Trust</b>	No objections
<b>Natural England</b>	No objections
<b>WBC Transport Policy</b>	No objections subject to conditions



<b>NHS Newbury &amp; District Clinical Commissioning</b>	No response within the 21 day consultation period.
<b>Fishergerman Oil Pipeline</b>	The Oil Pipeline may be affected by the development and it is for the development to seek consents from the apparatus owner in terms of site layout and works consent.  Officer comment- given the application is for outline the detailed layout will need to look closely at the easement strips around important utilities on site.
<b>AWE</b>	No comment
<b>WBC Archaeology Officer</b>	No objections

### ***Public representations***

- 4.2 Representations have been received from 31 contributors, 0 of which support, and 31 of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- 4.4 Summary of representations:

#### Summary of representations:

- Concern in regard to the proposed access on the A4 and potential conflict with drivers at the national speed limit or those slowing/accelerating to this speed limit.
- Concern raised in regard to the excessive run off directing impact the housing on the south side of the A4 and possible the village hall.
- The proposed access would be too close to the village hall access.
- Objection to the removal of the existing pedestrian safety refuge
- Issue raised in terms of the capacity of the village to cope
- Issues with potential flooding of the site and other sites near to the development in the village
- The proposed development is overbearing on a small site
- The proposed development would require large amounts of spoil to be removed from the site which is problematic given its location on the A4.
- There were issues with dirt and mud on the A4 from other developments in the area
- Concern in regard to noise and impact on property prices in the area
- Concern for the ecology of the site
- Continual resubmission of the application site
- Concern in regard to light pollution on New Road Hill
- Concern in regard to the increase levels of traffic in the village
- Impact on primary school places in the village which may not be able to accommodate the new development. There is already a waiting list for school places
- Impact to the character of the area and landscape surrounding Woolhampton
- Concern in regard to sewer capacity in the area and upgrades that are need.
- Previous applications refused and local plan has not moved forwards so this application should not be entertained.

- Further building works will ruin the village and village aesthetic
- The land is not suitable for 16 dwellings and there is not enough room for overflow parking. The development does not have a realistic plan for parking, and this will lead to overflow parking in the area and village hall.
- The development to the east of Woolhampton created sheet ice from flooding and traffic was diverted before of this. The area is not built for these circumstances which could easily arise again.
- This would create urban creep and blur the rural character of the area bring it close to Thatcham diminishing important green spaces between villages and towns.
- The impact on ancient woodland and the ecology connectivity of sites in this area.
- Concern for protected species.
- Concern in regard to loss of the field which currently retains rainwater and reduces the speed of run off from the hills to the north to the Kennet river.
- Concern in regard to slippage of the land from the excavation works
- Traffic accident has occurred near to the site which shows how a further access could be unsafe
- This paddock / open space forms part of the defined rural landscape on approach to the village from the West, creating clear definition between the village and open countryside.
- To develop / expand housing on this site will certainly detract from the small village feel currently enjoyed.
- Development on a greenfield site
- Impacts on the Oil pipeline have not been closely considered.
- No additional services, school places, GP's or appointments, Parking which would be necessary to accommodate this development.
- Insufficient affordable housing
- The plans do not adequately safeguard TPO trees and hedgerows
- The documents submitted are largely out of date and resubmission of the previous application documents. The documents are also inaccurate. The local primary school is not within walkable distances
- No ecology impact assessment has been submitted.

## 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, CS1, CS4, CS5, CS6, CS8, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies TRANS 1, OVS.5, OVS6, RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- Policies 1 and 2 of the Replacement Minerals Local Plan for Berkshire 2001 (RMLP).
- Policy RSA13 Land north of A4 Bath Road, Woolhampton (Site Ref MID4) of the Local Plan Review 2022-2039 Proposed Submission.

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 Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Sustainable Drainage SPD (2018)
- West Berkshire Landscape Character Assessment (2019)

## 6. Matters to be considered

- Principle of development
- Development Plan
- West Berkshire Local Plan Review to 2037 (LPR)
- Housing mix and infrastructure
- Affordable housing
- AWE
- Landscape and visual impacts
- Residential Amenity
- Highways Matters
- Flooding and Drainage
- Ecology and trees
- Archaeology
- Sustainable construction and energy efficiency
- Planning Balance and Conclusion

## 7. Principle of development

7.1 The application site is located to the west of Woolhampton. It lies adjacent too, but outside of, the Woolhampton settlement boundary, and in policy terms is located in open countryside. The site is proposed as a residential allocation in the Proposed Submission West Berkshire Local Plan Review 2022 - 2039. The existing development plan and emerging policies are considered below with respect to the principle of development.

### Development Plan

7.2 The most important development plan policies for determining whether the principle of development is acceptable are Policies ADPP1, ADPP6 and CS1 of the Core Strategy, and Policy C1 of the Housing Site Allocations DPD. The Core Strategy includes a Spatial Strategy (ADPP1 and ADPP6) that provides a broad indication of the overall scale of development in the district, applying the principles of sustainable development, and based on defined spatial areas and a settlement hierarchy. Policies CS1 and C1 relate specifically to housing.

7.3 According to Policy ADPP1, most development will be within or adjacent to the settlements in the hierarchy, and related to their transport accessibility and level of services. The urban areas will be the focus for most development. The scale and density of development will be related to the site's accessibility, character and surroundings.

- 7.4 Woolhampton is classified as a “service village” in the District Settlement Hierarchy of Policy ADPP1, which is a third tier settlement designated for having a more limited range of services and some limited development potential.
- 7.5 Only appropriate limited development in the countryside (outside of the defined settlement boundaries) will be allowed, focused on addressing identified needs and maintaining a strong rural economy.
- 7.6 The application site is located within the East Kennet Valley, the name given to the rural south-east of the district that lies east of Thatcham and outside of the AONB. Distinct features of this area are the Kennet and Avon Canal and River Kennet which both run from west to east across the breadth of this area, parallel to the Newbury – Reading train line and the A4. The East Kennet Valley is also characterised by a number of villages along the route of the canal/river and others dispersed across farmland and some woodland. The Atomic Weapons Establishment (AWE) has two bases in this area, at Aldermaston and Burghfield, which has implications for the future level of development in this area.
- 7.7 Policy ADPP6 is the spatial strategy for the East Kennet Valley. The policy identifies that the area will accommodate approximately 800 new homes over the plan period. The two identified rural service centres of Burghfield Common and Mortimer will be the focus of development, together with the more modest development of the identified service village of Woolhampton. According to the policy, the character of all the settlements in this area will be conserved and enhanced by ensuring that any development responds positively to the local context. Development in the open countryside will be strictly controlled.
- 7.8 According to Policy CS1, new homes will be located in accordance with the Spatial Strategy and Area Delivery Plan Policies. New homes will be primarily located on suitable land within settlement boundaries, and other land allocated for development within the Local Plan.
- 7.9 In this context, Policy C1 of the HSA DPD gives a presumption against new residential development outside of the settlement boundaries. Exceptions to this are limited to some forms of development listed in the policy.
- 7.10 The HSA DPD adopted on Tuesday 9 May 2017 was prepared within the framework of the adopted Core Strategy and allocated smaller scale housing sites to boost the supply of housing in a plan-led manner, while taking the opportunity to update selected housing policies.
- 7.11 This particular site (ref: WOOL001) was not allocated within the HSA DPD. The site was submitted and assessed as part of the Strategic Housing Land Availability Assessment process as potentially developable. The site was then considered through the HSA DPD process and was one of two sites presented as alternatives at the Preferred Options stage. Following consultation and further sustainability appraisal the site to the north of the A4 to the east of the village was selected for allocation rather than this site. Site works have commenced on the allocated site which will deliver 35 homes, including 14 affordable homes. This is now believed to have been built out (April 2022).
- 7.12 This proposed development does not meet the exceptions listed in Policy C1, and therefore the policy presumption against new residential development applies. The proposed development is considered to be contrary to the current development plan

### **West Berkshire Local Plan Review to 2039 (LPR)**

- 7.13 The current Local Plan (which comprises of the Core Strategy, Housing Site Allocations DPD, and the saved policies of the West Berkshire District Local Plan 1991-2006) sets out the district's planning policies up to 2026. A review of the Local Plan is now underway to cover the period up to 2039.
- 7.14 Various evidence documents have been produced to underpin the policies within the LPR, and one such document is the Housing and Economic Land Availability Assessment (HELAA). The application site was promoted to the Council and has been assessed as part of the HELAA, last updated in January 2023 (<https://info.westberks.gov.uk/helaa>). Comments were sought from internal and external consultees, and represented an assessment based on the information provided at that time. It is important to note that the HELAA is a technical study which makes a preliminary assessment of a site's suitability and potential for development. It is an evidence base document to inform the plan-making process and does not allocate sites.
- 7.15 The HELAA concluded that the site is available within the next 1-5 years; that development is achievable (i.e. no known legal, ownership, market, or cost issues that could constrain the development); and the suitability was unknown. It was assessed that the site is potentially developable in part due to the need for a buffer between development and the ancient woodland which adjoins the site. The other sites in Woolhampton promoted for consideration in the HELAA (refs MID2 and MID3) were assessed as 'not developable within the next 15 years'.
- 7.16 Paragraph 48 of the NPPF allows Local Planning Authorities to give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 7.17 Through the Regulation 19 consultation, 13 representations were received in respect of the site, and these can be viewed on the Council's Local Plan Consultation Portal: [https://017f5bf8-ff4d-415b-be58-79dae2836c33.usrfiles.com/ugd/017f5b\\_f894b56c761e4829a591dc12a8ff0d7e.pdf](https://017f5bf8-ff4d-415b-be58-79dae2836c33.usrfiles.com/ugd/017f5b_f894b56c761e4829a591dc12a8ff0d7e.pdf)
- 7.18 The representations included
- Many concerns from local residents including
    - impact on local infrastructure,
    - traffic,
    - water quality,
    - flood risk,
    - biodiversity,
    - light pollution

- loss of rural character
  - Support for protection of ancient woodland from the Woodland Trust
  - No concerns from Thames Water or the Environment Agency
  - Site promoter support for site although does not consider odour assessment, heritage and mineral assessments are justified.
- 7.19 The LPR is at an advanced stage of preparation, and it has been submitted to the Planning Inspectorate and is currently at examination. However, as the Inspector may wish to make modifications to the Plan during the course of the examination, the policies contained within the Plan can only be given limited weight at this stage, but they do show the direction of travel of the Council's planning policies.
- 7.20 Officers consider that the matters raised in the representations to the reg 19 consultation are not of a significance that they would warrant the removal of the site as an allocation.
- 7.21 As part of the LPR it is proposed to merge the Eastern Area and East Kennet Valley spatial areas into a new single spatial area. The LPR also proposes to retain a District Settlement Hierarchy that will direct appropriate levels of growth to the settlements across the district.
- 7.22 Woolhampton is designated as a 'service village' and no changes are anticipated to take place to that classification through the LPR, meaning that the settlement will continue to be regarded as suitable for this scale of development through the LPR. It is also recognised that a large area within the proposed Eastern Spatial Area has been constrained by the emergency planning zones surrounding the two AWE sites.
- 7.23 The application site has been promoted again as part of the LPR. Of the three sites adjacent to the village this is the only site that has not been discounted through the HELAA, and it is the only proposed allocation in the village.
- 7.24 Given the site-specific circumstances it is considered that the application site is highly likely to progress as an allocation in the LPR, and therefore greater weight can apply to the emerging policy RSA13 in accordance with paragraph 48 of the NPPF.
- 7.25 The policy of the emerging plan is specifically RSA13 which states that the site should be developed in accordance with the following matters
- a) The provision of approximately 16 dwellings in a scheme that provides a mix of dwelling types appropriate to the local area;
  - b) Access to the site will be provided from A4 Bath Road;
  - c) Main internal walking and cycle routes for the site will be provided and will be linked to existing routes including the Public Rights of Way network; and
  - d) The development design and layout will be further informed by a full detailed Landscape and Visual Impact Assessment (LVIA);
  - e) The scheme will be informed by an Ecological Impact Assessment (EclA). Appropriate avoidance and mitigation measures will need to be implemented, to ensure any designated sites and/or protected habitats and/or species are not adversely affected;

- f) An integrated water supply and drainage strategy will be provided in advance of development to ensure the provision of adequate and appropriate infrastructure for water supply and waste water, both on and off site. Development will be occupied in line with this strategy;
- g) Measures will be included to improve accessibility by, and encourage use of, non-car transport modes. These measures will be set out in a Travel Information Pack;
- h) Provide an appropriate buffer of at least 15 metres between the development and ancient woodland. The precise buffer will be determined through detailed assessment and design when proposals are submitted for development;
- i) A desk-based assessment to better understand archaeological potential and survival will be required. Subject to the results of the assessment, a field evaluation may be required;
- j) An odour assessment will be required due to the nearby location of the Woolhampton Waste Water Treatment Works;
- k) Part of the site is underlain by aggregate mineral deposits and a Minerals Resource Assessment will be required; and
- l) A Construction and Operations Management Plan (COMP) will accompany any planning application on the site. The COMP will safeguard the oil pipeline from operational works, including the provision of an appropriate buffer

7.26 Consideration to this policy has been given by officers. Due to the development being at outline with only access to be considered in this report, many aspects of this policy can be secured via planning condition, through the reserved matters application and determined when the layout has been finalised. Additional documents would also be required and inform the detailed matters such as layout. The access and indicative layout show how connections to the existing highway and footpath network can be achieved, alongside appropriate buffers to the ancient woodland. The case officer is content that the development would meet policy RSA13.

7.27 Consideration has been given to whether the granting of planning permission now would be premature to the adoption of the Local Plan Review. The NPPF provides Government policy on this issue of prematurity in paragraph 50. It states:

*“Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.”*

7.28 Officers have considered prematurity but do not believe a refusal reason on prematurity is warranted due to the site-specific factors i.e. no other site in Woolhampton is proposed to be allocated in the emerging plan, the size of the site being 16 dwellings is not considered to undermine the emerging plan, and the specific factors of the eastern area of the district being restricted given the location of AWE sites.

7.29 The LPR is at an advanced stage of preparation as it has been submitted to the Planning Inspectorate and is currently at examination. The representations made to the emerging local plan along with the Inspector’s preliminary questions regarding this

site are both limited and the latter are not necessarily negative. The Inspector may wish to make modifications to the Plan during the course of the examination, therefore policies contained within the Plan can only be given limited weight at this stage, but they do show the direction of travel of the Council's planning policies.

### ***Housing density and infrastructure***

- 7.30 In terms of efficient use of land, policy CS4 allows for lower density developments below 30 dwellings per hectare in certain areas of the district where areas are sensitive to intensification. The housing density has been calculated as approximately 19.7 dwellings per hectare. The location of the site, sensitivity to change and character of the area are such that a lower density is justifiable. Additionally the constraints of the sites in the form of buffers and pipeline easement must be factored in. This consideration relates solely to land use density, not the precise impact of the development.
- 7.31 Policy CS5 of the Core Strategy relates to infrastructure provision and services for new development. The scale of the development is such that community infrastructure levy receipts would go towards mitigating impacts on the majority of local infrastructure including schools and health services.

### ***Affordable housing***

- 7.32 Core Strategy policy CS6 provides that for sites of more than 0.5 hectares or development of 15 dwellings or more on greenfield land shall provide 40% affordable housing. The tenure split sought by the Council is 70% social rented and 30% intermediate housing to meet identified local need. As the developers are proposing 16 dwellings, and as this is a greenfield site of over 0.5 hectares 40% of all dwellings are required for affordable housing provision, which equates to 6 units (rounded up). The development proposal would provide 6 units equating to 40% of the site as affordable housing.
- 7.33 However, the development will need to comply with the Government's introduction of First Homes. This therefore needs to be factored into the housing mix.
- 7.34 The SPD states the affordable housing should consist of 70% social rent and 30% intermediate housing options such as shared ownership, however it is now National Policy for First Homes to contribute 25% of all Affordable Housing with Local Authorities able to retain their original policy compliant level of social rent. West Berkshire Council now require 70% Social rent, 25% First Homes and 5% Shared Ownership. As the Council require 6 affordable housing dwellings on this site, they should consist of 2 First Homes and 4 Social Rent. It is welcomed that the applicant is proposing to provide this policy compliant quantum of affordable homes and the tenure we would expect.
- 7.35 Alongside this, the NPPF states that 10% of the total proposed homes should be available for affordable home ownership, the current proposal for 2 First Homes fulfils this requirement.
- 7.36 Based on the most recent Housing Needs Assessment July 2022 the applicant altered their proposal slightly to provide 2 x2 bed homes rather than 2 x1 bed homes.
- 7.37 The applicant will provide 6 affordable housing dwellings on this site, consisting of 2 First Homes and 4 Social Rent consisting of 1x1bed, 2x2bed and 1x3 bed.



- 7.38 The applicant has provided a policy compliant level of affordable units. Affordable housing would need to be secured by a planning obligation. The development is considered in accordance with policy in this regard subject to agreement of planning obligations.

### **AWE**

- 7.39 The application site is located outside the Detailed Emergency Planning Zone of both AWE sites. No objections have been received from the Office of Nuclear Regulation or Emergency Planning, and no comments have been submitted by AWE. The proposal is considered to comply with Policy CS8.

### **Landscape and visual impacts**

- 7.40 There are a number of policies that include matters which relate to the impact of development on the character of the area. Policy ADPP1 requires the scale and density of development to be well related to the site's character and surroundings, and Policy ADPP6 that the character of the settlements conserved and enhanced.
- 7.41 Policy C1 of the Housing Site Allocations DPD states that, planning permission will not be granted where a proposal harms or undermines the existing relationship of the settlement within the open countryside, where it does not contribute to the character and distinctiveness of a rural area, including the natural beauty of the AONB, or where development would have an adverse cumulative impact on the environment.
- 7.42 Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. It further states that development shall contribute positively to local distinctiveness and sense of place.
- 7.43 Policy CS19 seeks to conserve and enhance the functional components of the landscape character and environment. Particular regard will be given to the sensitivity of the area to change, and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. Policy CS19 states that proposals for development should be informed by and respond to the distinctive character areas and key characteristics identified in relevant landscape character assessments. The West Berkshire LCA was published in August 2019.
- 7.44 The application included an indicative layout and landscaping plan, as well as a Landscape Visual Impact Assessment (LVIA). This document comments that the site is well contained in views from the adjoining landscape and townscape by the well-treed and wooded landscape, as well as the existing built form. Where the new homes are visible, they will be seen within the context of the existing residential development along New Road Hill and Bath Road, and will not appear out of character. The LVIA concludes that *"overall, the proposed development, in line with the Indicative Site Layout Plan, Illustrative Landscape Strategy Plan and the principles set out in Section 5.2, will complement the character of the surrounding area, and will not have any significant effects on the surrounding landscape or townscape character."*
- 7.45 The West Berkshire Landscape Character Assessment defines the site in *WH4: Cold Ash Woodland and Heathland Mosaic*, the site is right in the southern border of this area. One of the identified ongoing detractors in the area is the increase in sub urbanisation of the area. It notes modern housing along main routes and on adjacent cul-de-sacs, together with street lighting and pavements, has introduced suburban characteristics to some places, particularly where there is less tree cover to mask

changes. It goes on to comment that the loss of small pasture fields adjacent to settlements have been vulnerable to development however these sites adjacent to settlement boundaries contribute to the rural character as they act as transitions between settlements and countryside that contributes positively to the landscape character. The proposed development leads to the loss of the paddock land, which makes a contribution to the rural setting of the village. The loss of this paddock detracts from the landscape character identified in the assessment degrading the character of the area through the loss of transitioning space between settlement and countryside.

- 7.46 The applicant has sought to justify this by identifying the degree of screening the site benefits from and the woodland to the west of Woolhampton which marks, in their opinion, the edge of the settlement boundary. The applicant notes that the open field plays little part in the setting of Woolhampton.
- 7.47 The proposed development would have an adverse impact in terms of the loss of the open paddock, which makes a contribution to the rural setting of the village. The presence of housing would be conspicuous in public views immediately adjacent to the site. Whilst it is considered that there is landscape and visual harm (having regard to the LCA), it is considered to be localised to the immediate vicinity of the site whereby the development would be viewed in the context of existing built form, and views of the development would be filtered to varying degrees.
- 7.48 Overall, it is concluded that there would be some localised harm, but that when balanced against the benefits of development it is considered that the site is acceptable in this respect.

### ***Residential Amenity***

- 7.49 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.
- 7.50 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. Developments should also provide a good quality environment for future occupants of the development, including the above considerations, noise, and private outdoor amenity space.
- 7.51 The application is made in outline therefore the detailed design is subject to change; however an indicative site layout has been provided to show one way in which the site could be developed.
- 7.52 It is considered that the indicative site layout submitted would give due consideration to the neighbours of the application site. The dwelling to the north of the site known as Mariner Lodge would benefit from the pipeline easement area of open space to which is an adequate buffer between the sites proposed dwellings and neighbouring dwellings. The distances between plots 14 and 15 and those dwellings to the east of the site are considered adequate. It is considered that the illustrative layout submitted would not have a detrimental impact on neighbouring amenity from issues such as overlooking, overbearing, and overshadowing or from a loss of sunlight.

7.53 The garden spaces provided to each individual dwelling are considered acceptable. Some of the plots fall below the thresholds required by the SPD but others exceed, so there would be sufficient flexibility at reserved matters stage. Given the site plan is also indicative this is something that may be subject to change. The development is considered capable of complying with the above policies in terms of neighbouring and future occupier amenity.

### ***Highways Matters***

7.54 The site is located on the A4 Bath Road, which forms a main road corridor between Newbury and Thatcham to the west, and Theale and the Reading area to the east. The site is to be accessed from the A4, for which it is for Highways Development Control to consider.

7.55 Woolhampton is identified as a Service Village in the current West Berkshire Local Plan Core Strategy, with a small number of local facilities; including a local shop, public house, railway station and petrol filling station. These are all within walking distance of the site, via an existing footway on the A4 Bath Road.

7.56 The site lies approximately 280m from existing bus stops on the A4 Bath Road, to the east of the site. This is within acknowledged acceptable walking distances to bus stops. The bus stops are served by Reading Buses Jet Black1 service, which provides regular 7-day services west towards Colthrop Industrial Estate, Thatcham and Newbury, and east towards Theale, Calcot and central Reading.

7.57 The site is also approximately 415m distant from Midgham railway station, which provides hourly trains to Newbury, Thatcham and Reading.

7.58 National Cycle Route 4 runs east/west alongside the River Kennet to the south of Woolhampton village, which can be accessed from Station Road. This provides an off-carriageway pedestrian and cycle route west towards Thatcham and Newbury, and east towards Aldermaston Wharf, Theale and towards Reading.

7.59 The site is therefore reasonably well located, with a small range of local facilities and access to good local bus and rail services for travel further afield.

7.60 Cycle parking should be provided in accordance with the Council's "Cycle and Motorcycle Advice and Standards for New Development" Guidance Note (2014).

7.61 Transport Policy Officers note that the application relates to 16 proposed dwellings. Whilst this is considered too small for the applicant to prepare a residential travel plan, they would like to see the applicant provide each new household with a Travel Information Pack. This would be consistent with the wording outlined in the West Berkshire Local Plan Housing Sites Allocation DPD Residential Parking Standards Policy P1a (paragraph vi), which stipulates that developments of 10 or more dwellings will be expected to provide new residents with a travel information pack containing relevant information to inform residents of their travel choices and encourage sustainable travel. This can be secured by means of a condition.

7.62 Highways Officers have reviewed the plans, letters from the public and the Transport Assessment (TA) prepared by i-transport. Highways Officers have also read a number of letters from the public and other local stakeholders. This proposal is similar to, and follows on from, planning applications 19/01942/OUTMAJ and 20/03028/OUTMAJ

7.63 In regard to the site layout Highways Officers appreciate that the indicative site layout is only illustrative at this stage. The layout appears to be generally acceptable. The

layout will need to comply with parking standards set in the Housing Site Allocations DPD Policy P1 2017 and Cycle and Motorcycle Advice and Standards for New Development 2014. This can be considered further at reserved matters stage.

- 7.64 As shown on drawing ITB14436-GA-005 Rev E, the vehicular access is proposed to a width of 5.0 metres with 2.0 metre wide footways on both sides. As stated on pages 12 and 13 of the TS, to determine the required sight lines speed surveys were undertaken between the February 5th and the 11th 2019. 85<sup>th</sup> percentile speeds were found of 66.0 kph (41.0 mph) eastbound and 57.5 kph(35.7 mph) westbound. As stated on page 16 of the TS, sight lines onto the A4 are therefore being provided of 2.4 x 120.0 and 61.0 respectively. This complies with standards set within the government's Manual for Streets (MfS) and the Design Manual for Roads and Bridges (DRMB). Highways Officers are content that the speed data is still sufficient and robust.
- 7.65 It would seem that the turn right lane and ghost island complies with the DRMB. Highways Officers note though that the deceleration lane within the turn right lane should be 25 metres, but only 20 metres has been provided. However, if 25 metres was provided, it would in Highways Officers view be too close to the existing turn right lane from the opposite direction into the village hall
- 7.66 For the proposed access, Highway officers are content with the proposed turn right lane and ghost island within the A4, as it generally complies with the DRMB TD42/95.
- 7.67 The provision of additional accesses onto major roads such as the A4 is not normally supported by highway officers, and in some respects it may have been preferable to have had an access serving the site onto New Road Hill. However, in this instance having the development accessing and fronting onto the A4 would assist in providing an 'active frontage' in line with the Government's Manual for Streets. The indicative layout does show dwellings fronting onto the A4.
- 7.68 Some residents have noted the proximity of other accesses nearby but the governments Manual for Streets (MfS) does not specify any distances between junctions in such a location. In Highway officer view there is sufficient distance for right turning traffic into the proposed access and the existing village hall access.
- 7.69 An independent Stage One Road Safety Audit (RSA) was undertaken for both the proposed site access junction and the potential traffic calming scheme. The RSA did not raise any particular highway safety issues with the proposed design. A copy of the RSA is provided in Appendix C of the TS.
- 7.70 Traffic generation for the development has been projected using the Trip Rate Information Computer System (TRICS) which is an Ireland and UK database of traffic surveys from many different uses including residential. This is a very standard methodology to project traffic levels. It is projected that there will be some 9 vehicle movements during the 08.00to 09.00 and 17.00 to 18.00 18. It needs to be highlighted that the above trip rates do not include all of the traffic that will leave the site during the morning and that returns during the PM peak etc. It is only during the particular peak hours. Highways Officers consider this to be sufficiently robust. With the above figures, Highways Officers have no objection on traffic grounds.
- 7.71 In regard to Personal Injury Accident (PIAs) data has been obtained from West Berkshire Council for the most recently available five year period from January 2017 to December 2021. The study area covers the A4 Bath Road through the village of Woolhampton, New Road Hill and Station Road. In total, there were four PIAs recorded in the study period, two of which were recorded as slight in nature and two which resulted in serious injury. Every PIA is regrettable, however the number of PIA's are not unusual and in Highways officer's view do not identify any specific road safety

problems in the local area that would be increased by what is a relatively small development.

- 7.72 The Council has emerging highway design standards that Highways officers expect to have adopted during this year requiring all roads serving more than five dwellings to be designed, constructed and adopted as public highway via a Section 38 Agreement.
- 7.73 Highways officers can confirm that this Council does apply the Advanced Payment Code Under section 220 of the Highways Act 1980, and it will be applied to all roads serving more than five houses within the site. The expected monies being paid to the Council, will be the equivalent of the cost of constructing the proposed road within the site using the Councils rates. The monies obtained would cover the cost for the Council in needing to reconstruct adoptable assets, if required to do so, including by residents. Of course, any section 38 Agreement, does enable said monies to be returned upon adoption.
- 7.74 If works are not undertaken to adoptable standards one of the issues being that under the current waste contract, the Council's waste contractor cannot collect waste from the site unless the Local Highway Authority confirms that the roads have been built to an acceptable standard.
- 7.75 The site layout would need to comply with adoptable standards with the provision of roads to a width of 4.8 metres, with possible widening around bends. 2.0 metre wide margins are required on both sides that can be footways or grass verges. Swept paths diagrams would be required for an 11.2 metre long refuse vehicles through the site. Given the site plan is indicative Highways officer are content this can be resolved at reserved matters stage.
- 7.76 Overall, the Local Highway Authority raises no objection to this proposal subject to conditions.

### ***Flooding and Drainage***

- 7.77 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. As major development, a Flood Risk Assessment (FRA) has nevertheless been provided in accordance with Policy CS16. There are no objections to the development on grounds of flood risk.
- 7.78 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.
- 7.79 The Lead Local Flood Authority had previously reviewed the submitted FRA and Drainage Strategy and are content with the principles proposed in previous applications. Although they did not raise comment on this application the similar nature of this application to previous applications results in the case officer being able to give a similar recommendation as the previous application in regards to Sustainable drainage. Subject to a condition the LLFA raised no objection to the application. A condition is necessary to secure the prior approval of a detailed sustainable drainage scheme and its subsequent implementation, in order to comply with Policy CS16.

## **Ecology and trees**

- 7.80 Policy CS17 of the Core Strategy requires biodiversity assets to be conserved and enhanced. It states that harm to habitats or species of principal importance for the purpose of conserving biodiversity will only be permitted if there are no reasonable alternatives and there are clear demonstrable social or economic benefits of regional or national importance that outweigh the need to safeguard the site or species and that adequate compensation and mitigation measures are provided. All development shall maximise opportunities for net gains in biodiversity.
- 7.81 The site is within 500m of approximately two ancient and semi natural woodland and an ancient, replanted woodland, and 500m of both the Woolhampton Reed Beds and River Kennet Site of Special Scientific Interest (SSSI). There is evidence of European Protected Species (including 6 different bat species) and Priority Species. It is also within a Biodiversity Opportunity Area.
- 7.82 The site comprises a single grass paddock with hedgerows (containing a number of standard trees) on the east and south boundaries. Off-site hedgerows are present on the northern boundary associated with residential gardens. The edge of Great Mounts Copse Local Wildlife Site (LWS) is adjacent to the western boundary.
- 7.83 The majority of the field comprises species poor semi-improved grassland, although a small area with comparatively greater species diversity is present in the southeast corner. This area of grassland, the hedgerows and the off-site woodland are considered to form important ecological features. The existing hedgerows onsite are considered to qualify as 'Priority Habitat', and are therefore a Habitat of Principal Importance published under Section 41 of the Natural Environment and Rural Communities (NERC) act 2006. Impacts to Habitats of Principal Importance / BAP priority habitats are: "*Capable of being a material consideration in the...making of planning decisions.*" (Paragraph 84, Government Circular (ODPM 06/2005)).
- 7.84 The proposed development will result in a loss of approximately 45m of Priority Habitat Hedgerow. The test in policy CS17 of the West Berkshire Core Strategy should therefore be undertaken in considering this application:
- Development which may harm, either directly or indirectly...*
- *Habitats or species of principal importance for the purpose of conserving biodiversity...*
  - *will only be permitted if there are no reasonable alternatives and there are clear demonstrable social or economic benefits of regional or national importance that outweigh the need to safeguard the site or species and that adequate compensation and mitigation measures are provided when damage to biodiversity/geodiversity interests are unavoidable.*
- 7.85 Compensation in the form of new native hedgerow planting is recommended in the Ecological Appraisal (Aspect Ecology, February 2023) although this is not incorporated into the proposals in the current indicative layout for the site. However, layout and landscaping are reserved matters and compensation can be secured as part of reserved matters applications.
- 7.86 It appears that a fence is proposed to the north of the built element of the scheme. This could be reconsidered as native hedgerow planting, thereby providing compensation on-site for the loss of priority habitat hedgerows, as well as potentially off-setting BNG losses and compensating for a reduction in bat foraging habitat.

- 7.87 The off-site woodland will be retained, buffered and protected during construction, and measures are incorporated into the scheme to prevent public access.
- 7.88 In regard to Dormice the Council's Ecologist was previously satisfied under application 20/03028/OUTMAJ that an appropriate level of survey effort has been undertaken with regard to establishing the presence/likely absence of dormice in and around the site. The Construction Ecological Management Plan for the site will still need to make sure that methodology safeguards are in place for the clearance of any vegetation onsite and that any ecological planting aids the housing and feeding of notable/protected species of mammals and birds.
- 7.89 In regard to bats, the Council's Ecologist was previously satisfied under application 20/03028/OUTMAJ that an appropriate level of survey effort has been undertaken with regard to establishing the level of commuting and foraging onsite by bats. This is subject to appropriately worded planning conditions in regards to updates to Ecology reports and lighting.
- 7.90 The Council's Ecologist is satisfied that an appropriate level of mitigation has been put forward with regard to protecting the adjacent Morris Copse and Great Mounts Copse.
- 7.91 Biodiversity Net Gain Best Practice (endorsed by CIEEM AND Natural England) is generally considered to be that a minimum of 10% Net Gain for Biodiversity. Policy CS17 notes that Biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. The applicant has put forward the proposal of 1% net gain of biodiversity that will be secured off-site. They believe that this is adequate to meet policy CS17. Compulsory BNG at 10% is not required for this site due to the fact that it was submitted prior to the implementation of compulsory BNG. Whilst a shame that only 1% off site is being put forwards this is still a biodiversity enhancement and therefore complies with CS17.
- 7.92 Whilst officers would prefer to see the best practice of 10% delivered on site it is considered this minimal amount does comply with CS17 on balance.
- 7.93 The Tree Officer has raised no objections subject to conditions. An adequate buffer will be retained and protected to the adjacent woodland.
- 7.94 The development is therefore considered to comply with Policies CS17 and CS18.

### ***Archaeology***

- 7.95 In line with advice previously given for this site, there are no known heritage assets within the site, though the ancient woodland to the west need's consideration, and access across the A4 Bath Road should seek to minimise damage to the road-side ditches as well as the planting along the road. The site itself appears to have been used as a paddock in the 21st century though previously was a field that was enclosed before the 18th century, ie not through an Act of Parliament. The surrounding hedgerows may be of historic as well as ecological value.

### ***Sustainable construction and energy efficiency***

- 7.96 Policy CS15 requires residential development to comply with the Code for Sustainable Homes; however this scheme no longer exists and so this part of Policy CS15 can no longer be applied.
- 7.97 Policy CS15 further stipulates that major development shall achieve minimum reductions in total CO2 emissions from renewable energy or low/zero carbon energy generation on site, unless it can be demonstrated that such provision is not technically

or economically viable. The percentage reductions in CO2 emissions should be based on the estimated CO2 emissions of the development after the installation of energy efficiency measures related to Code for Sustainable Homes has been applied (however, the baseline will be Building Regulations following the cancellation of CSH). From 2019 the policy seeks zero carbon.

- 7.98 The applicant has submitted an Energy Statement which summaries that there will be a total reduction in emissions from energy efficiency, low-carbon and renewable technologies calculated as; 12,813 kg CO<sub>2</sub> per year, which equates to a reduction of 57.90% (% of TER). Whilst not achieving full zero carbon, this is considered to be a meaningful reduction in carbon emissions.

## **8. Planning Balance and Conclusion**

- 8.1 The proposed development engages the presumption against new residential development in Policy C1 of the HSA DPD, and is therefore not in accordance with the current development plan. It is however, adjacent to settlement boundaries and the site is proposed as a housing site allocation in The Local Plan Review which is now at examination. Careful consideration has been given to the specific merits of this case in accordance with paragraph 48 of the NPPF, which allows local planning authorities to give weight to policies in emerging plans. The Eastern Spatial Area is such that it is considered that the application site is highly likely to progress as an allocation in the LPR, and therefore greater weight can apply to emerging policy RSA13 in accordance with paragraph 48 of the NPPF. This weight is however, still limited.
- 8.2 The proposed development would result in some localised landscape and visual harm to the immediate vicinity; however, it is considered that this harm is outweighed by the benefit of housing in this location. All other technical considerations are considered to be acceptable.
- 8.3 The case officer affords great weight to the proposed development providing a policy compliant level of affordable housing which is much needed in the district. The appropriate buffers to ancient woodland and a Biodiversity Net Gain (to be secured via condition/planning obligation) are also presented. The application site does not provide zero carbon but provides a large contribution to this factor whilst working within the constraints of the site and positive provisions above.
- 8.4 Balancing all of the considerations in this application it is concluded that the benefits of the proposal outweigh the adverse effects, and therefore the application is recommended for approval subject to the completion of a Section 106 legal agreement.

## **9. Full Recommendation**

- 9.1 PROVIDED THAT a Section 106 Agreement has been completed by 11<sup>th</sup> August 2024 (or such longer period that may be authorised by the Service Director of Development and Regulation, in consultation with the Chairman or Vice Chairman of the Eastern Area Planning Committee), to delegate to the Service Director of Development and Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.
- 9.2 OR, if a Section 106 Agreement is not completed, to REFUSE PLANNING PERMISSION for the reasons listed below.



## Conditions

1.	<p><b>Approval of reserved matters</b></p> <p>Details of the appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development takes place. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2.	<p><b>Time limit for reserved matters</b></p> <p>Application(s) for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
3.	<p><b>Commencement of development (outline)</b></p> <p>The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
4.	<p><b>Approved plans</b></p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Location Plan 112 E Context plan 100.111D</p> <p>For information the following plan was considered</p> <p>Indicative Site Layout Plan 100.110F Indicative Sections 100.113.A Design and Access Statement JIA-100 Rev C</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
5.	<p><b>Schedule of materials (prior approval)</b></p> <p>The construction of the dwellings shall not take place until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.</p> <p>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).</p>
6.	<p><b>Construction method statement</b></p> <p>No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority.</p>

	<p>Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved CMS. The CMS shall include measures for:</p> <ul style="list-style-type: none"> <li>(a) A site set-up plan during the works;</li> <li>(b) Parking of vehicles of site operatives and visitors;</li> <li>(c) Loading and unloading of plant and materials;</li> <li>(d) Storage of plant and materials used in constructing the development;</li> <li>(e) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing;</li> <li>(f) Temporary access arrangements to the site, and any temporary hard-standing;</li> <li>(g) Wheel washing facilities;</li> <li>(h) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;</li> <li>(i) A scheme for recycling/disposing of waste resulting from demolition and construction works;</li> <li>(j) Hours of construction and demolition work;</li> <li>(k) Hours of deliveries and preferred haulage routes;</li> <li>(l) A Construction Operation Management Plan for works close to the Pipeline on site. This will include but not be restricted to include no dig areas, health and safety information for the work force.</li> </ul> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.</p>
7.	<p><b>Protection from external noise (prior approval)</b></p> <p>The construction of the dwellings shall not take place until details of external noise mitigation measures for the dwellings have been submitted to and approved in writing by the Local Planning Authority. The details shall be informed by an appropriately detailed investigation to address the noise impacts on the proposed dwellings, gardens and external amenity area of the approved development from traffic noise from the A4. Thereafter the development shall be carried out in accordance with the approved details and no dwelling shall be first occupied until such measures have been completed.</p> <p>Reason: To protect future occupants from the adverse effects of excessive noise levels that may be generated by the adjacent A4 and any other noise sources in the area. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Quality Design SPD.</p>
8.	<p><b>Hours of work (construction/demolition)</b></p> <p>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.</p> <p>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.</p>

9.	<p><b>Refuse Storage (prior approval)</b></p> <p>No dwelling shall be occupied until a storage area for refuse and recycling receptacles (and collection areas if necessary) has been provided for that dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that there is adequate refuse and recycling storage facilities within the site, to ensure safe and adequate collection in the interests of highway safety and local amenity. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and the West Berkshire Quality Design SPD (Part 1, Section 2.13).</p>
10.	<p><b>Tree Protection (scheme submitted)</b></p> <p>Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing numbered plan JPP22230-03 Rev A of 18/12/20. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
11.	<p><b>Tree Protection – Construction Precautions</b></p> <p>No development or other operations shall commence on site until details of the proposed access, hard surfacing, drainage and services providing for the protection of the root zones of trees to be retained has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.</p> <p>Reason; To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>
12.	<p><b>Arboricultural supervision condition</b></p> <p>No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site supervision works may be required to be undertaken throughout the</p>

	<p>construction phase and so it is necessary to approve these details before any development takes place.</p>
13.	<p><b>Arboricultural Programme of Works</b></p> <p>No development or other operations shall commence on site until a detailed schedule of tree works including timing and phasing of operations has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection measures and works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>
14	<p><b>Electric vehicle charging points (prior approval)</b></p> <p>No dwelling shall be first occupied until electric vehicle charging points have been provided for that dwelling/unit in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.</p> <p>Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.</p>
15	<p><b>Highways layout and design details</b></p> <p>No development shall take place until details of the layout and design in respect of road and footpaths and vehicle parking and turning provision have been submitted to and approved in writing by the Local Planning Authority. The details shall ensure that the roads, footways, and other highway infrastructure within the site are designed to an adoptable standard. The submitted details shall include all items ensuring compliance with the Council's Standard Highway Details including gradients. Unless otherwise agreed in writing by the Local Planning Authority, thereafter the development shall be carried out in accordance with the approved details. Access should also be available for Council highway engineers to inspect works when appropriate.</p> <p>Reason: In the interest of road safety, future maintenance, residential amenity and to ensure waste collection over adoptable infrastructure. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> <p>A pre commencement condition is needed as the details may need influence the construction of the site.</p>
16.	<p><b>Road construction</b></p> <p>No development shall take place until details of road construction have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until associated road construction has been constructed in accordance with the approved drawings. The road construction</p>

	<p>shall comply to the Local Highway Authority standards and shall thereafter be maintained by appropriate legal agreements when required.</p> <p>In the interest of road safety and flow of traffic and to ensure waste collection. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006- 2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> <p>A pre commencement condition is needed as the details may need influence the construction of the site.</p>
17.	<p><b>Gradient of private drive</b></p> <p>The gradient of private drives shall not exceed 1 in 12.</p> <p>Reason: To ensure that adequate access to parking spaces and garages is provided. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
18.	<p><b>Visibility splays (provision)</b></p> <p>No dwelling shall be first occupied until the visibility splays at the proposed access onto the A4 have been provided in accordance with drawing number ITB14436-GA-005 received on December 21<sup>st</sup> 2020. Thereafter the visibility splays shall be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level at all times.</p> <p>Reason: To ensure there is adequate visibility at the access, in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy 2006-2026.</p>
19.	<p><b>Parking (prior approval before occupation)</b></p> <p>No dwelling shall be first occupied until vehicle parking and turning spaces for that dwelling (including any surfacing arrangements and marking out) have been completed in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring (of private cars and/or private light goods vehicles) at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.</p>
20.	<p><b>Access construction before remainder of development</b></p> <p>The first development to take place shall be the construction of the access onto the A4. Unless otherwise agreed in writing by the Local Planning Authority, no other development shall take place until the access has been constructed in accordance with the approved details.</p> <p>Reason: To ensure that safe access to the highway is constructed before any further development in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
21.	<p><b>Highway works</b></p>

	<p>No development shall take place until engineering details for the vehicular and footway access onto the A4 Bath Road, with a turn right lane and ghost island, have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. This condition applies irrespective of the details in this application</p> <p>Reason: To encourage sustainable travel, in the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p> <p>A pre commencement condition is needed as the details may need influence the construction of the site.</p>
22.	<p><b>Cycle parking/storage (prior approval before occupation)</b></p> <p>No dwelling shall be first occupied until cycle parking/storage facilities for that dwelling have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the facilities shall be maintained and kept available for that purpose at all times.</p> <p>Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD 2006-2026, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).</p>
23.	<p><b>Sustainable drainage</b></p> <p>No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.</p> <p>These details shall:</p> <ol style="list-style-type: none"> <li>a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018;</li> <li>b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels. Any soakage testing should be undertaken in accordance with BRE365 methodology;</li> <li>c) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than 1 in 1 year Greenfield run-off rates;</li> <li>d) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;</li> <li>e) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change and an additional 10% increase of paved areas over the lifetime of the development (Urban Creep);</li> <li>f) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;</li> <li>g) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.</li> <li>h) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for</li> </ol>

	<p>subsequent purchasers and owners of the property/premises;</p> <p>i) Apply for an Ordinary Watercourse Consent in case of surface water discharge into and other works on or adjacent to a watercourse (i.e stream, ditch etc);</p> <p>j) Show that attenuation storage measures have a 300mm freeboard above maximum design water level. Surface conveyance features must have a 150mm freeboard above maximum design water level;</p> <p>k) Provide details of how surface water will be managed and contained within the site during any construction works to prevent silt migration and pollution of watercourses, highway drainage and land either on or adjacent to the site;</p> <p>l) Provide a verification report carried out by a qualified drainage engineer demonstrating that the drainage system has been constructed as per the approved scheme (or detail any minor variations thereof), to be submitted to and approved by the Local Planning Authority on completion of construction. This shall include: plans and details of any key drainage elements (surface water drainage network, attenuation devices/areas, flow restriction devices and outfalls) and details of any management company managing the SuDS measures thereafter.</p> <p>Thereafter the development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>
24.	<p><b>Lighting design strategy for light sensitive biodiversity</b></p> <p>No dwelling shall be first occupied until a lighting design strategy for biodiversity for the development has been submitted to and approved in writing by the local planning authority. The strategy shall:</p> <p>a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and</p> <p>b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.</p> <p>c) Include an appropriately updated bat survey so the above design strategy reacts to the current biodiversity constraints of the site.</p> <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.</p> <p>Reason: Bats are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and</p>

	<p>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.</p>
25.	<p><b>Construction Environmental Management Plan</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) Risk assessment of potentially damaging construction activities.</li> <li>(b) Identification of “biodiversity protection zones”.</li> <li>(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).</li> <li>(d) The location and timing of sensitive works to avoid harm to biodiversity features.</li> <li>(e) The times during construction when specialist ecologists need to be present on site to oversee works.</li> <li>(f) Responsible persons and lines of communication.</li> <li>(g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.</li> <li>(h) Use of protective fences, exclusion barriers and warning signs.</li> </ul> <p>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.</p> <p>Reason: This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.to conserve the biodiversity of the site. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.</p>
26.	<p><b>Landscape and Ecological Management Plan (LEMP)</b></p> <p>No development shall take place until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:</p> <ul style="list-style-type: none"> <li>(a) Description and evaluation of features to be managed.</li> <li>(b) Ecological trends and constraints on site that might influence management.</li> <li>(c) Aims and objectives of management.</li> <li>(d) Appropriate management options for achieving aims and objectives.</li> <li>(e) Prescriptions for management actions.</li> <li>(f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).</li> <li>(g) Details of the body or organization responsible for implementation of the plan.</li> <li>(h) Ongoing monitoring and remedial measures.</li> </ul> <p>The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.</p> <p>The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally</p>



	<p>approved scheme.</p> <p>The approved plan will be implemented in accordance with the approved details.</p> <p>Reason: This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.to conserve the biodiversity of the site. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.</p>
27.	<p><b>Biodiversity measures (prior approval)</b></p> <p>No development shall take place until details of Biodiversity Net Gain/enhancement measures have been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate recommendations from the Ecological Appraisal by Aspect Ecology (February 2023) and include how the development will secure at least 1% Biodiversity Net Gain over the site's base line. Should this be secured off-site a legal agreement shall be submitted showing how the BNG will be delivered and maintained. Thereafter, no dwelling shall be occupied until the BNG measures have been installed/constructed/Secured in accordance with the approved detail or a timetable otherwise agreed by the Local Planning Authority.</p> <p>Reason: To ensure biodiversity enhancements are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p> <p>A pre commencement condition is needed as the details will need to be agreed as part of the reserved matters and possibly implement throughout the construction of the development</p>
28.	<p><b>Site levels</b></p> <p>No development on any dwelling shall take place until details of the finished floor levels of that dwelling in relation to existing and proposed ground levels of adjoining dwellings 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 levels.</p> <p>Reason: This information is required to ensure satisfactory relationships between properties in order to safeguard residential amenity, and to ensure the levels/heights respect the character and appearance of the area in accordance with the provisions of the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.</p> <p>A pre commencement condition is needed as only indicative information of layout and levels have been provided at this application stage.</p>
29.	<p><b>Spoil</b></p> <p>No development shall take place until details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:</p> <ul style="list-style-type: none"> <li>a) Show where any spoil to remain on the site will be deposited;</li> <li>b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);</li> <li>c) Include measures to remove all spoil from the site (that is not to be deposited);</li> <li>d) Include timescales for the depositing/removal of spoil.</li> </ul> <p>All spoil arising from the development shall be used and/or disposed of in</p>

	<p>accordance with the approved details.</p> <p>Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. A pre-condition is required because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the NPPF, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (June 2006).</p>
30.	<p><b>Habitat Management Plan</b></p> <p>No development shall take place until a Habitat Management Plan for the site for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The Plan shall ensure that appropriate mitigation measures and management regimes are in place for the site and associated green infrastructure. No dwelling shall be first occupied until the approved plan has been implemented, and thereafter adhered to for the lifetime of the plan.</p> <p>Reason: To ensure that appropriate mitigation measures and management regimes are in place for the site and associated green infrastructure post-development, in accordance with the recommendations of the submitted ecological report.</p> <p>A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the NPPF and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
31.	<p><b>Protection of breeding birds during construction</b></p> <p>No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.</p> <p>Reason: To ensure that breeding birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
32.	<p><b>Ecological Surveys</b></p> <p>If the development hereby approved is suspended for more than 18 months from the date of this permission, the approved ecological reports shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to (i) establish if there have been any changes in the presence and/or abundance of protected species and (ii) identify any likely new ecological impacts that might arise from any changes.</p> <p>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 works recommencing. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.</p>

	<p>Reason: To ensure relevant impacts on biodiversity are taken into account and incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
33.	<p><b>Tree Felling</b></p> <p>Felling of the trees with potential roost features identified as T1 &amp; T2 on the Habitats and Ecological Features Map, drawing No. 5936/ECO3, dated February 2023 of the Ecological Appraisal by Aspect Ecology (February 2023) shall not be undertaken until a licensed ecologist has confirmed the absence of roosting bats or in accordance with 6.1.9 of the Ecological Appraisal by Aspect Ecology (February 2023) under the supervision of a suitably qualified ecologist.</p> <p>Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
34.	<p><b>Waste water infrastructure</b></p> <p>No development shall take place until either:</p> <ul style="list-style-type: none"> <li>(a) Confirmation has been submitted to and approved in writing by the Local Planning Authority that the Fowl Water Drainage capacity exists off site to serve the development, or</li> <li>(b) A development and infrastructure phasing plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Thames Water).</li> </ul> <p>Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or when all wastewater network upgrades required to accommodate the additional flows from the development have been completed.</p> <p>Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at <a href="http://thameswater.co.uk/preplanning">thameswater.co.uk/preplanning</a>.</p>
35.	<p><b>Water supply infrastructure</b></p> <p>No development shall be take place until either:</p> <ul style="list-style-type: none"> <li>(a) Confirmation has been submitted to and approved in writing by the Local Planning Authority that the water network infrastructure capacity exists off site to serve the development, or</li> <li>(b) A development and infrastructure phasing plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Thames Water).</li> </ul> <p>Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.</p> <p>Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.</p>
36.	<p><b>Travel information packs.</b></p>

	<p>No dwelling hereby permitted shall be first occupied until a scheme for the provision of travel information packs for new residents has been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To provide a scheme that seeks to deliver sustainable transport objectives, such as encouraging the use of local public transport and other non-car modes of transport. The provision of travel information packs to new residents is a scheme that is proportionate to the size of the development. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), and Policies GS1 and P1 of the Housing Site Allocations DPD (2006-2026).</p>
37.	<p><b>Assessment and Protection from Odour (prior approval)</b></p> <p>The construction of the dwellings shall not take place until an assessment of odour which may impact the dwellings hereby approved has been undertaken. Should unacceptable levels of odour are identified a scheme of works shall be submitted to and approved in writing by the Local Planning Authority to mitigate this impact.</p> <p>The details shall be informed by an appropriately detailed investigation to address the odour impacts on the proposed dwellings, gardens and external amenity area of the approved development from odour from the nearby location of the Woolhampton Waste Water Treatment Works.</p> <p>Thereafter the development shall be carried out in accordance with the approved details and no dwelling shall be first occupied until such measures have been completed.</p> <p>Reason: To protect future occupants from the adverse effects of excessive odour that may be generated by the adjacent nearby location of the Woolhampton Waste Water Treatment Works. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Quality Design SPD.</p>
38.	<p><b>Zero Carbon Strategy Change to Percentage</b></p> <p>The development hereby granted shall be built in accordance with the measures set out in the Sustainability &amp; Energy Statement; Land at Junction of Bath Road &amp; New Road, Midgham, dated 16th March 2022 to achieve reduction in emissions from energy efficiency, low-carbon and renewable technologies at, at least the following levels</p> <ul style="list-style-type: none"> <li>- 12,813 kg CO2 per year, which equates to a reduction of 57.90% (% of TER).</li> </ul> <p>No dwelling shall be occupied until the measures have been provided in accordance with the approved strategy.</p> <p>Reason: To ensure the development provides a carbon reduction. This condition is applied in accordance with the National Planning Policy Framework, and policy CS15 of the West Berkshire District Core Strategy 2006-2026.</p>
39.	<p><b>Skills and Employment Plan</b></p> <p>No development shall take place until an Employment and Skills Plan (ESP), in</p>

	<p>relation to the construction phase of the development, has been submitted to and approved in writing by the Local Planning Authority. The ESP will set out the measures that the developer will take to enhance the training and employment opportunities that are offered to the local workforce in West Berkshire in the construction process. The measures set out in the ESP should be appropriate and proportional to the scale and value of the development. The ESP should set out, through a method statement, how the following priorities will be addressed:</p> <ul style="list-style-type: none"> <li>(a) Promotion of employment opportunities generated on site to the West Berkshire workforce (but not excluding those outside of West Berkshire), with a focus on those who are not currently employed.</li> <li>(b) Creation of new apprenticeship starts specific to the development site. This should include how the developer will work directly with local employment and training agencies.</li> <li>(c) Identification of training and work placement opportunities on site with discussion on how these may be promoted to local people, working directly with local employment and training agencies.</li> </ul> <p>The Employment and Skills Plan should also:</p> <ul style="list-style-type: none"> <li>(d) Identify a lead contact who is responsible for managing the plan.</li> <li>(e) Set out a timetable for the implementation of the ESP which, for the avoidance of doubt, shall include a start date no later than the date of commencement of development.</li> <li>(f) Set out the process for how implementation of the ESP will be monitored and reported back to West Berkshire Council.</li> </ul> <p>Thereafter approved ESP shall be implemented in full concurrent with the development of the site.</p> <p>Reason: To promote local job opportunities in the district in accordance with the National Planning Policy Framework. A pre-commencement condition is necessary because the ESP will need to be in place before any construction activities take place.</p>
--	---

### **Informatives**

1.	<p><b>S106 Legal Agreement</b></p> <p>This decision notice should be read in conjunction with the associated s106 legal agreement. You are advised to familiarise yourself with the planning obligations contained within the agreement before initiating any development. You may wish to seek legal advice.</p>
2.	<p><b>Compliance with conditions</b></p> <p>Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or</p>

	possible, to comply with a particular condition.
3.	<p><b>Pre-conditions</b></p> <p>This decision notice contains pre-conditions that impose requirements which must be met prior to commencement of the development. Failure to observe these requirements could result in the Council taking enforcement action, or may invalidate the planning permission and render the whole of the development unlawful.</p>
4.	<p><b>Compliance with approved drawings</b></p> <p>Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.</p>
5.	<p><b>Proactive actions of the LPA</b></p> <p>The Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application. In particular, the LPA:</p> <ul style="list-style-type: none"> <li>a) Provided the applicant with a case officer as a single point of contact.</li> <li>b) Alerted the applicant to issues that were raised during the consideration of the application.</li> <li>c) Accepted amended plans to address issues arising during the consideration of the application.</li> <li>d) Agreed an extension of time before determining the application to enable negotiations with the applicant.</li> <li>e) Entered into protracted considerations/negotiations in order to find a solution to problems with the proposed development, rather than refusing planning permission without negotiation.</li> </ul>
6.	<p><b>Building Regulations</b></p> <p>Separate approval for the works hereby granted permission/consent may be required by the Building Act 1984 and the Building Regulations 2000 (as amended), and the grant of planning permission does not imply that such approval will be given. You are advised to consult with Building Control Solutions (the Local Authority Building Control service for West Berkshire provided in partnership by Wokingham Borough Council) before works commence. Call: 0118 974 6239, email: <a href="mailto:building.control@wokingham.gov.uk">building.control@wokingham.gov.uk</a>, or visit: <a href="http://www.wokingham.gov.uk/building-control">www.wokingham.gov.uk/building-control</a></p>
7.	<p><b>Foul drainage</b></p> <p>The National Planning Policy Framework Planning Practice Guidance states that when drawing up wastewater treatment proposals for any development, the first presumption is to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works (those provided and operated by the water and sewerage companies). This should be done in consultation with the sewerage company of the area.</p>

8.	<p><b>Access construction</b></p> <p>The Highways Manager, West Berkshire District Council, Transport &amp; Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 - 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.</p>
9.	<p><b>Damage to footways, cycleways and verges</b></p> <p>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.</p>
10.	<p><b>Damage to the carriageway</b></p> <p>The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.</p>
11.	<p><b>Excavation in close proximity to the highway</b></p> <p>In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority.</p>
12.	<p><b>Incidental works affecting the highway</b></p> <p>Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport &amp; Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 - 519169, before any development is commenced.</p>
13.	<p><b>Developer Coordination Requirements</b></p> <p>Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be coordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in West Berkshire.</p> <p>Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be coordinated by them in liaison with West Berkshire Council's Street Works Section, (telephone 01635 519169/519234). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are coordinated to take place wherever possible at the same time.</p> <p>Reason: In order to minimise disruption to road users, be they pedestrians or vehicular traffic, under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. In order to satisfy the licensing requirements of the Highways Act 1980.</p>
14.	<p><b>Official Postal Address</b></p>

	Please complete and online street naming and numbering application form at <a href="https://www.westberks.gov.uk/snn">https://www.westberks.gov.uk/snn</a> to obtain an official postal address(s) once development has started on site. Applying for an official address promptly at the beginning of development will be beneficial for obtaining services. Street naming and numbering is a statutory function of the local authority.
15.	<b>Advanced Payment Code</b>  The Local Highway Authority will serve notice under Section 220 of the Highways Act 1980. This is to ensure that all roads serving more than five houses are built to an adoptable standard, and that the developer be encouraged to enter into a Section 38 of the Highway Act 1980 to have the roads adopted as public highway

### ***Heads of Terms for Section 106 Agreement***

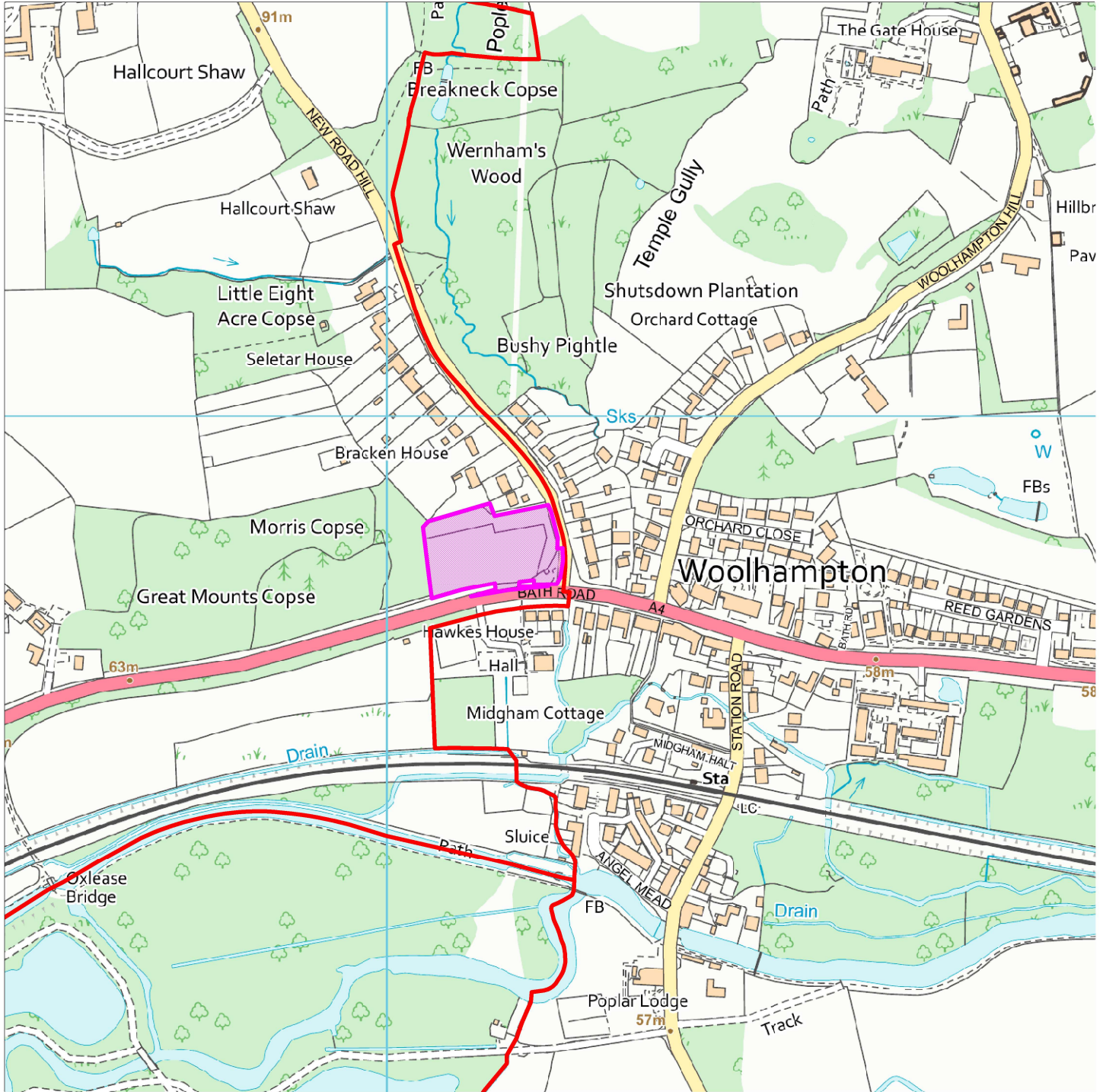
1.	<b>Affordable housing</b>
----	---------------------------

### ***Refusal Reason in the event the Section 106 is not completed.***

	<p><b>Refusal reason</b></p> <p>If the legal agreement or Unilateral Undertaking is not completed by the 10<sup>th</sup> July 2024, to <b>DELEGATE</b> to the Development Control Manager to <b>REFUSE PLANNING PERMISSION</b>, or to extend the period for completion if it is considered expedient to do so.</p> <p><b>S106 Planning Obligation Refusal Reasons</b></p> <p>The application fails to provide a Section 106 Planning Obligation to deliver necessary infrastructure and mitigation measures, including:</p> <p>Affordable housing, without which the proposal would be contrary to the NPPF, Policy CS6 of the West Berkshire Core Strategy (2006-2026), and the Planning Obligations SPD.</p>
--	--



Land At Junction With Bath Road, New Road Hill, Midgham

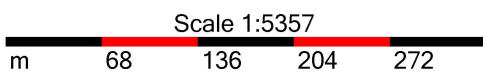


Map Centre Coordinates :

Scale : 1:5357

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2003.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings .



<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	25 March 2024
<b>SLA Number</b>	0100024151

This page is intentionally left blank

# Plans and drawings relevant to reports submitted to Eastern Area Planning Committee

**Wednesday 10<sup>th</sup> April 2024 at 6.30pm**

**At Council Chamber, Council Offices, Market Street,  
Newbury, RG14 5LD**

**&**

**And via Zoom**

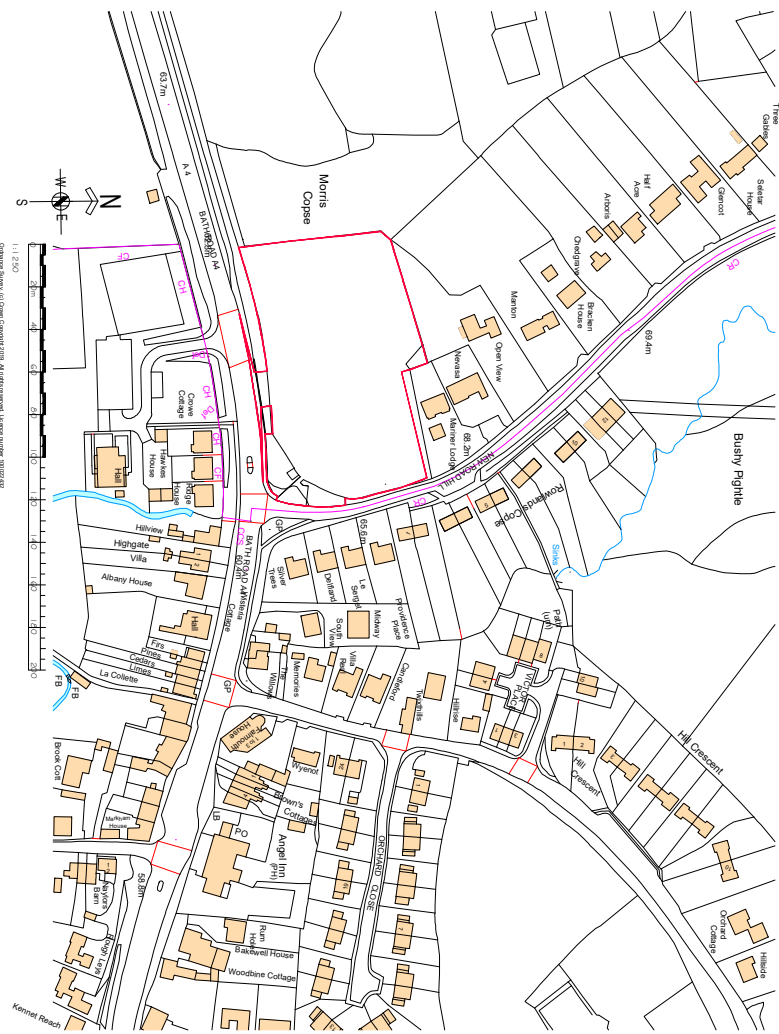
**[to be read in conjunction with the main agenda]**

*Please note:*

- *All drawings are copied at A4 and consequently are not scalable*
- *Most relevant plans have been included – however, in some cases, it may be necessary for the case officer to make a selection*
- *All drawings are available to view at [www.westberks.gov.uk](http://www.westberks.gov.uk)*



23/00736/OUTMAJ  
Land at Junction With Bath Road  
New Road Hill  
Midgham  
Reading



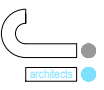
REV E scale reduced from 1:500 to 1:1250  
 PLANNING ISSUE 09.12.20  
 REV D Bar scale corrected 26.08.20  
 REV C Highway land included 09.7.19  
 REV B Highway land included 09.7.19  
 PLANNING ISSUE 15.06.19  
 REV A Minor boundary alteration 15.6.19

LAND TO THE WEST OF  
 NEW ROAD HILL AND  
 TO THE NORTH OF BATH ROAD  
 MIDSHAM

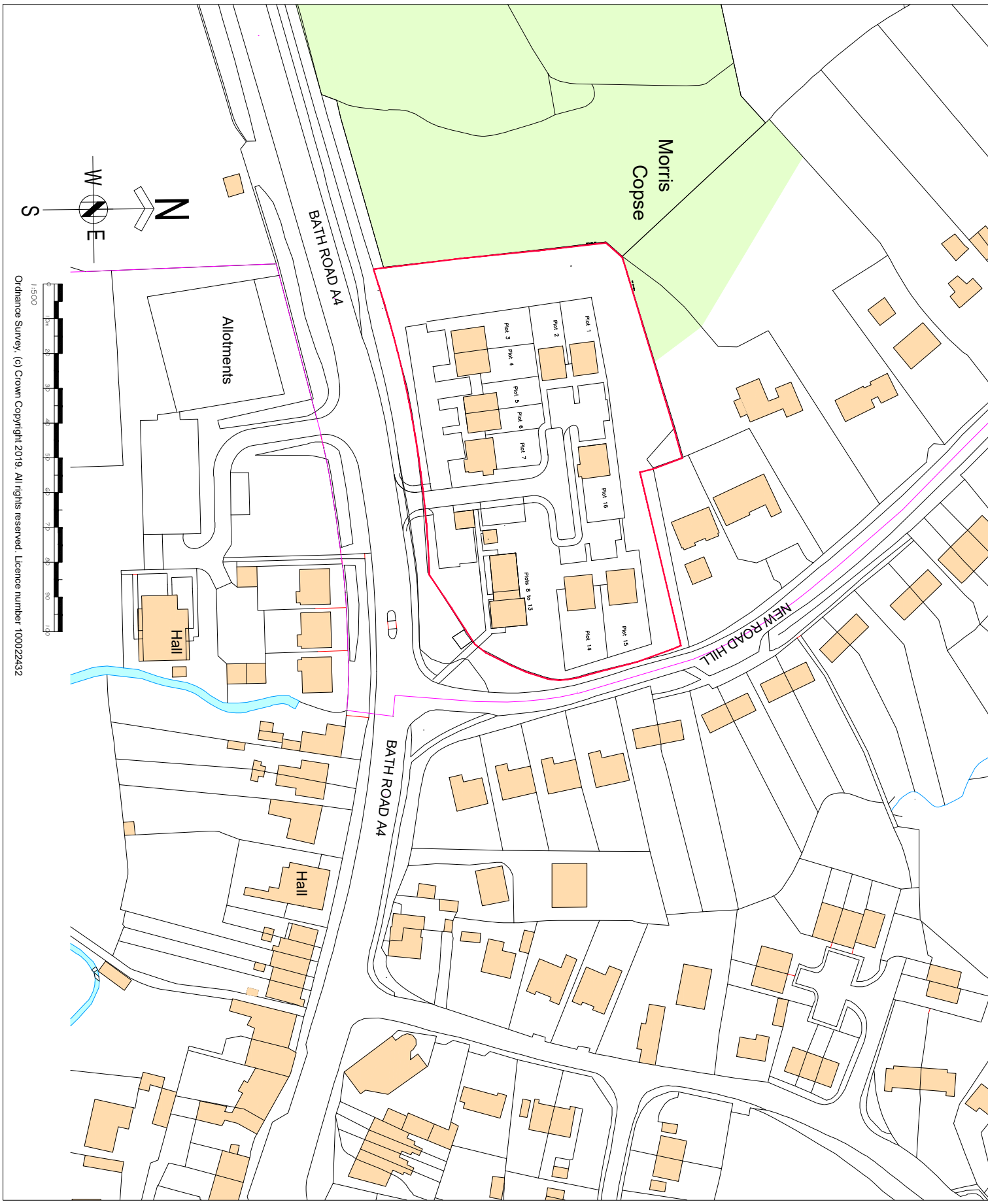
J-P LAND LTD

LOCATION PLAN

SCALE 1:1250@A1 DATE 11.06.19



J.P. LANDS  
 5 BATH ROAD  
 MIDSHAM  
 WILTSHIRE SN1 6JG  
 01663 461 467  
 jpl@jplands.co.uk



**SCHEDULE OF ACCOMMODATION**

MARKET HOUSING - 10 Dwellings Total	
Plot 1	3B
Plot 2	3B
Plot 3	3B
Plot 4	3B
Plot 5	3B
Plot 6	3B
Plot 7	3B
Plot 8	2B (ground floor flat)
Plot 9	2B (ground floor flat)
Plot 10	2B (ground floor flat)
Plot 11	4B
Plot 12	4B
Plot 13	3B
Plot 14	3B
Plot 15	3B
Plot 16	3B
<b>AFFORDABLE HOUSINGS - 6 Dwellings Total</b>	
Plot 5	2B
Plot 6	2B (first floor flat)
Plot 7	2B (second floor flat)
Plot 10	2B (first floor flat)
Plot 12	2B (first floor flat)
Plot 13	2B (second floor flat)

REV E Affordable housing mix revised 18.05.23  
 REV D Affordable housing mix revised 30.03.22  
 REV C Plots 5,6 and 8-13 altered to accommodate affordable housing mix 22.02.21  
 PLANNING ISSUE 08.12.20  
 REV B Plots 8 to 13 03.12.20  
 PLANNING ISSUE 15.06.19  
 REV A Minor boundary alteration 15.6.19

**LAND TO THE WEST OF NEW ROAD HILL AND TO THE NORTH OF BATH ROAD MIDGHAM**

JPP LAND LTD

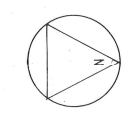
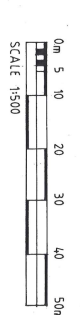
CONTEXT PLAN

SCALE 1:500 DATE 11.06.19

11 Ardara  
 5 Belfry  
 Midlothian  
 Gloucestershire CS6 8JP  
 jpp@jppland.co.uk

PROJECT 100 DWG. 111E





For access details see  
Fire-sport drawings

crowe  
cottage  
ridge  
house  
hall

hall

le sergent  
silver trees

nevada  
microer lodge

MORRIS COPSE  
BATH ROAD  
VICTOR PLACE



PROJECT 100 DWG 110F

REV C ADDITIONAL SUDS 8-12-20  
REV D AFFORDABLE MIX 22-02-21  
REV E SCHEDULE UPDATED 30-3-22  
REV F PLOTS 8-13 17-05-23

J Architects  
5 Earl Street  
Glasgow G1 5LP  
01453 461457  
jpa@jarchitects.co.uk

LAND TO THE WEST OF  
NEW ROAD HILL AND  
TO THE NORTH OF BATH ROAD  
MIDGHAM

JPP LAND LTD  
INDICATIVE  
SITE LAYOUT  
SCALE 1:500 DATE 5.06.19

REV B SCHEDULE 18-02-19  
REV A PLOTS 8-13 20-1-19  
PLANNING ISSUE 5.6.19

16 DWELLINGS TOTAL  
APPROXIMATE ROOMS: 4 DWELLINGS  
MARKET ROOMS: 10 DWELLINGS  
3 X 4B Houses - PLOTS 1, 2, 4 and 15  
1 X 3B House - PLOT 5  
5 X 2B Houses - PLOTS 3 to 6 and 16  
1 X 2B flat - Plot 8 ground floor  
4 X 2B flats - Plot 9 first floor  
1 X 2B flat - Plot 11 ground floor  
Plot 12 first floor  
Plot 13 second floor

FILTER BED POND  
EXISTING TREE  
PROPOSED TREE  
EXISTING HEDGE  
PROPOSED SHRUBS  
AMENITY GRASS  
WILD FLOWER MEADOW  
THICKER PLANTING  
MOWN PATH  
CYCLE SHELF  
PROPOSED HEDGE  
VISITORS SPACE  
OIL PIPELINE

