

| Item No. | Application No. and Parish | Statutory Target Date | Proposal, Location, Applicant |
|-----------------|-----------------------------------|--|--|
| (2) | 21/02767/FULMAJ Pangbourne | 31 st January 2022 ¹ | Construction of 13 flats and courtyards with reconfigured car park. Demolition of single storey flat roofed building. 17 Clifton House, Reading Road, Pangbourne PBP Ltd |

¹ Extension of time agreed with applicant until 21st September 2022

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/02767/FULMAJ>

Recommendation Summary: To delegate to the Service Director of Development & Regulation to GRANT PLANNING PERMISSION subject to conditions and the completion of a s106 legal agreement. Or to refuse planning permission if the s106 legal agreement is not completed.

Ward Member: Councillor Gareth Hurley

Reason for Committee Determination: Called-in by Cllr Hurley in the interests of the village and concerns in relation to the impact on parking.

Committee Site Visit: 7th September 2022

Contact Officer Details

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1. Introduction

- 1.1 This application seeks full planning permission for 13 flats on land to the north of Reading Road at Clifton House, Pangbourne. The site is currently largely occupied by car parking for adjacent businesses. The parking is laid out in an ad hoc way and many spaces would not be compliant with current size standards. There are three distinct areas of car parking with separate access points and separated by chain link fences. These are:
- Car park access from the driveway to the east of 17 Reading Road.
 - Car park access from the archway between 3 and 11 Reading Road. This also provides access to:
 - Former physiotherapy car park, previously accessed from the driveway adjacent to 21 Reading Road. That access has now been closed off.
- 1.2 At the north-west corner of the site is a disused single storey flat roofed building that has previously accommodated a physiotherapist. This is to be demolished.
- 1.3 The proposal seeks permission for a detached three and a half storey building with accommodation in the roof. The building is to be sited at the back of the plot directly in front of the existing access off Reading Road which will serve the new development. This will accommodate 13 flats: 8 x 2 bed and 5 x 1 bed. A further 2 bed flat is proposed above a new garage block and cycle store. The new buildings are arranged to create a court yard layout fronting onto an area of landscaped open space. The arrangement of the built form will also help to divide the parking areas which will be softened by new landscaping.
- 1.4 The proposal seeks to reconfigure the parking which will serve the new dwellings and provide for the existing businesses which currently utilise the car parking. The proposals provide 79 parking spaces of which 25 are for business use.
- 1.5 30% of the units will be affordable. This equates to 4 units. These will be shared ownership.

2. Planning History

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

| Application | Proposal | Decision / Date |
|---------------|-----------------------------------|--|
| 19/02460/FULD | 9 flats and reconfigured car park | Approved - 24 th April 2020 |

3. Procedural Matters

- 3.1 **EIA:** Prior to the submission of this planning application, an application for a screening opinion was submitted in accordance with Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. A screening opinion was issued by the Local Planning Authority on the 9th June 2021.

The proposal falls within schedule 2 of the regulations column 10(b) (urban development projects). The site is located within a sensitive area, namely the North Wessex Downs Area of Outstanding Natural Beauty, but it does not exceed the relevant threshold in column 2 as the site area is less than 0.5 hectares. The proposal is therefore “Schedule 2 development” within the meaning of the Regulations. However, taking into account the selection criteria in Schedule 3, it was not considered that the proposal is likely to have significant effects on the environment. Accordingly, the proposal was not considered “EIA development” within the meaning of the Regulations.

3.2 **Publicity:** The application was advertised by way of a site notice which expired on the 8th December 2021. The notice was displayed to the right of the site entrance. Amended plans have been received during the course of the application and these have been subject to full re-consultation.

3.3 **CIL:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the development. All new dwellings are CIL liable and as such CIL will be charged on this scheme. The relevant forms have been completed by the applicant and CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil.

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.

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| Pangbourne Parish Council: | <p>23/11/2021 Objection raised for the following reasons:</p> <ul style="list-style-type: none"> - Additional flats of an inferior design with no lift and insufficient natural ventilation. - Request for sufficient level of affordable housing. - Concern for level for parking and overspill to surrounding roads. - Lack of open space provision and balconies. - Increase traffic movements into and out of the site via a difficult access. - Concern for refuse storage and collection. - Concern the parking under block B could be converted into a residential unit in the future. - Concerns for sustainability. <p>17/06/2022 – amended plans, no objection raised.</p> |
| Highway Authority: | Following the receipt of amended plans no objections raised subject to conditions. |

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| Conservation: | No objection to the design or solar panels. |
| Lead Local Floor Authority: | Following the receipt of amended plans no objections raised subject to a compliance condition. |
| Ecology: | No objection subject to conditions. |
| Environmental Health: | No objection subject to conditions. |
| Housing: | No objections subject to securing 4 affordable dwellings. |
| Archaeology: | No objection subject to conditions. |
| Network Rail: | No objection subject to conditions. |
| Royal Berkshire fire & rescue: | No objection. |
| Thames Water: | No objection subject to conditions. |
| Trees: | Following the receipt of amended plans no objections raised subject to conditions. |
| Waste Management: | Concerns were raised for the location of the bin stores being in excess of 50m from the highway. Amended plans have been received. No further comments have been received from the Waste Team however the bin store areas are within 50m of the Highway. |
| Transport Policy: | Cycle storage acceptable. |

Public representations

4.2 No representations have been received.

5. Planning Policy

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

- Policies ADPP1, ADPP5, CS1, CS4, CS5, CS6, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS5, OVS6, TRANS1 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).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2019-2024
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Pangbourne Village Design Statement (2005)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance and impact on the Conservation Area
- Highways
- Trees
- Affordable Housing
- Energy Efficiency
- Ecology
- Drainage
- Network Rail

Principle of development

6.2 The site is located within the defined settlement boundary of Pangbourne within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The southern part of the site is also within the Pangbourne Conservation Area. The site is also within the defined Town Centre Commercial Area.

6.3 Policy ADPP1 states that most development will be within or adjacent to the settlements included in the settlement hierarchy. Pangbourne is identified as a Rural Service Centre. Rural Service Centres are recognised as providing a range of services and reasonable public transport provision. Policy ADPP5 of the Core Strategy plans for appropriate and sustained housing growth within the AONB, focused within the Rural Service Centres.

6.4 Core Strategy Policy CS1 requires new housing development to be located in accordance with the settlement hierarchy and Area Delivery Plan Policies. New homes will be developed in the first instance on suitable previously developed land within settlement boundaries. This proposal meets with the aims of this policy. In this context, Policy C1 gives a presumption in favour of residential development and redevelopment within the settlement of Pangbourne.

6.5 Policy CS4 states that residential development will be expected to contribute to the delivery of an appropriate mix of dwelling types and sizes to meet the housing needs of all sectors of the community. The mix should have regard to the character of the area, accessibility and access to services and evidence of housing need. The proposal seeks permission for 8 x 2 bed and 5 x 1 bed flats. There is an extant permission for 9 two bed flats on the site which is a material consideration. There are a mix of residential properties in the area and the proposal makes efficient use of a site in a sustainable location.

6.6 In accordance with the above policies, the principle of development is considered acceptable in this location.

Character and appearance and impact on the Conservation Area

- 6.7 The NPPF is clear that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 6.8 According to Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Good design relates not only to the appearance of a development, but the way in which it functions. Considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place.
- 6.9 Policy CS19 states that particular regard will be given to (a) the sensitivity of the area to change, (b) ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character, and (c) the conservation and, where appropriate, enhancement of heritage assets and their settings.
- 6.10 The application site currently comprises a car park which is largely laid to tarmac with intersecting chain line fencing separating the site into smaller parking areas. There are a number of trees within the site as identified on the tree plan. To the north of the site is the railway embankment with the gantry above which is prominent from within the site. All other boundaries back onto existing buildings, to the south and west these are largely commercial premises which occupy the historic frontage of properties which front onto Reading Road. To the east is a residential development, Pangbourne Place, which comprises a mix of flats and houses set back from the road. The site is largely screened by these buildings but is sensitively located in the historic core of Pangbourne and partly within the Conservation Area.
- 6.11 Block A at the northern end of the site comprises the main building and has the benefit of closing off views of the unattractive gantry to the north when viewed from Reading Road and the southern part of the site. When looking at the wider pattern of development there are examples of small clusters of development beyond the principle buildings which front onto Reading Road and as such the location and form of the proposal is in keeping with the character of the area. It is further recognised that the footprint of the built form is reflective of the 9 flats approved under application 19/02460/FULD.
- 6.12 One of the key changes to the building now proposed compared to the extant permission is the height of the building which is now 12.75m to the ridge with accommodation in the roof. The building approved under the extant consent is a maximum of 12.1m high. The design of the building is such that it has been broken down into 1, 2 and 3 storey elements which helps to break up the overall scale. The depth of the building is also shallow which allows for narrower gable ends which reflect the form and scale of the surrounding, mostly historic buildings. Overall it is considered that the proposed buildings have been designed to harmonise with the style and character of the older properties within the conservation area to the south which is enhanced by the use of traditional detailing within the design. The high quality design of the buildings is complementary to the location of the site.
- 6.13 Block B comprises a carport at ground floor level, providing 5 parking spaces with a 2 bedroom flat above. The introduction of this new structure sits comfortably within the site, alongside Howarth Lodge, and creates a courtyard arrangement of buildings. This helps to increase natural surveillance and adds structure to the site breaking up the areas of car parking.

- 6.14 In order to help meet the requirements of Policy CS15, with regards to CO₂ reductions from regulated and unregulated energy use, solar panels are proposed. Amended plans have been received during the course of the application to show the location and number of panels required to achieve the 70.42% reduction identified within the supporting Energy Statement. The proposal seeks to use apportioned photovoltaic panels which sit discreetly within the roof, a visual of which is included within the Energy Statement. The design of the panels proposed are sympathetic and while visible from the front they are not considered to detract from the quality of the design to a harmful degree. The Conservation Officer has raised no objections to the panels and confirmed they are the most sympathetic available.
- 6.15 The proposed landscaping strategy successfully secures the retention of the most significant trees within the site and new planting is proposed to enclose the various parking courts that are created within the site by virtue of the layout of the new built form. The introduction of new trees and hedges reinforces the parking areas which will be further defined by the use of different surface materials such as block paving and tarmac.
- 6.16 The flats themselves are designed to be single aspect and to face south across communal gardens. Concern was raised by the Parish Council for this aspect of the design however it makes the most of the views and helps minimise any noise from the railway line. The windows in the northern elevation are shown to primarily serve corridors within the flats and not habitable rooms.
- 6.17 No objections have been raised by the Conservation Officer. No listed buildings are directly affected by the proposals, nor is there any harm to their setting.
- 6.18 In conclusion the proposals are considered to complement and enhance the character and appearance of the area and will improve the visual appearance of the site and in turn its contribution to the character of the area. The proposal will not result in any harm to the appearance of the conservation area or any listed buildings within the vicinity of the site. As such the proposal is considered to comply with Policies CS14 and CS19 of the Core Strategy and the guidance within the NPPF with regards to good design.

Highways

- 6.19 The accesses into the site off Reading Road are within a 20mph zone where the presence of the pedestrian crossing with an elevated crossover further reduces traffic speeds. The main vehicular access into the site, east of Clifton House is to be widened to 5.5m and the existing brick wall removed. Visibility spaces of 2.4m x 25m are to be provided in accordance with Manual for Streets. This design is considered suitable to accommodate the vehicle movements associated with this development.
- 6.20 The level of parking proposed to serve the new flats is in accordance with the requirements of Policy P1 of the Housing and Site Allocations DPD. Amended plans have been received showing the internal dimensions of the car port spaces and the forecourt depth of 6m. The parking for the new flats is considered to be acceptable.
- 6.21 The current car park within the site is not a public car park for general use. It is privately owned and permit controlled with spaces leased to local businesses. Some permits are issued on a temporary basis and could be removed/not renewed with no permission required by West Berkshire Council. According to survey data undertaken on behalf of the applicant a maximum of 59 car parking spaces were occupied at one time. The highway assessment of the 2019 application involved site visits by Highways Officers to survey the use of the existing car park. The number of occupied spaces did not exceed 60 at the time of any visits. The proposal seeks to provide 63 parking spaces to serve existing businesses and is deemed to be acceptable.

- 6.22 One of the main reasons this item has been called to committee is because of concerns for parking which are acknowledged to be an ongoing issue in Pangbourne. As explained above survey work has been carried out by the applicant and verified through Highway Officer site visits. The existing demand and number of spaces proposed demonstrate that the parking needs for those entitled to use the site can be met.
- 6.23 Cycle parking is provided in two stores; 18 stands within block A and 8 within Block B. This equates to a total of 26 cycle stands, 2 stands per flat which is considered acceptable.
- 6.24 In conclusion the proposal raises no Highway objections and the scheme is in accordance with Policy TRANS.1 of the West Berkshire Local Plan Saved Policies 2006-2026 and Policy CS13 of the West Berkshire District Local Plan 2006-2026 and the guidance within the NPPF with regards to highway safety.

Trees

- 6.25 Policy CS19 of the Core Strategy seeks to ensure that the diversity and local distinctiveness of the landscape character of the district is conserved. Landscaping plays a key role in good design and similarly Policy CS14 seeks the preservation and enhancement of trees and recognises the value of high quality open spaces within a development.
- 6.26 As part of the development 13 trees and one group of trees will be removed. The group of trees sits within the centre comprising of Pear, Cypress, Sumac and Plumb Cherry. These are identified as low quality trees and their removal is necessary to allow for the car park to be reconfigured. Within the group of tree however tree T6 (Cherry), T9 (Sumac) and T12 (Sycamore) will be retained. Much of the planting along the northern boundary next to the railway line will also be retained and cut back to the boundary as it is off site.
- 6.27 The retention of some trees within the site is welcomed and subject to conditions no objections are raised by the Tree Officer. The proposal is considered to comply with policies CS14 and CS19 of the Core Strategy and the guidance within the NPPF with regards to the importance of street trees.

Affordable housing

- 6.28 Policy CS6 of the Core Strategy seeks to secure the provision of affordable housing on new sites. The policy states that on sites of 10-14 dwellings 30% will be secured as affordable which equates to 4 units. This development will deliver 4 shared ownership units. This tenure mix has been determined to be acceptable due to the layout of the site with 12 of the 13 units being under one roof and therefore having a single tenure will assist with the management of the site.
- 6.29 In conclusion the proposal delivers 30% affordable housing as required by policy.

Energy Efficiency

- 6.30 Policy CS15 requires residential development to reduce CO₂ emissions alongside energy efficiency measures. Whilst sustainable construction methods have largely been moved into building regulations the Council has declared a Climate Change Emergency and has published an Environment Strategy. Whilst this is not an adopted document as part of the Local Plan it is a material consideration. Policy CS15 states that major residential development should be zero carbon from 2016.

- 6.31 This application is supported by an Energy Statement by Energy Calculations Ltd which demonstrates that with the use of air to water heat pumps and Photovoltaic cells the development will achieve an overall reduction of 70.42% in CO₂ emissions. The development does not meet with the Zero Carbon standard however the development will make a significant contribution towards reducing emissions. The supporting energy statement considers different technologies available and a review of the advantages and disadvantages of each some of which have been ruled out due to the size of the development which makes installation unviable, absence of available local networks or water source, visual impact etc.
- 6.32 Given the sensitive location of the site just within the conservation area and within a historic setting the visual appearance of the solar panels has been given due consideration. The panels to be used are considered to be the most sensitive design available and the Conservation Officer raises no objections to their appearance. A condition has been recommended to secure details of the precise position/number and appearance of the panels.
- 6.33 In conclusion the scheme will make a valuable contribution towards meeting the aims of the policy. While the development is not zero carbon and this weighs against the proposal the shortfall is not considered to be significant enough as to warrant a refusal for this reason alone and the merits of the scheme will be weighed up in the planning balance.

Ecology

- 6.34 Policy CS17 of the Core Strategy states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. The application is supported by an Ecological Impact Assessment. The site largely comprises of hardstanding and buildings of negligible ecological importance. Bat surveys have been carried out demonstrating bats are likely to be absent from the site. The northern boundary vegetation provides a suitable habitat for commuting bats and hazel dormouse. The Ecological Impact Assessment sets out mitigation measures, the implementation of which are secured by condition.

Drainage

- 6.35 Policy CS16 relates to site drainage. The application is supported by a Surface Water Drainage Strategy by Glanville. This has been amended during the course of the application and supplemented with further site investigations. Following receipt of the final report the Drainage officer has confirmed that the proposals are acceptable and no objections are raised. A condition has been attached to secure the implementation of the approved strategy.

Network Rail

- 6.36 To the north of the application site runs the railway line. The boundary is marked by palisade fencing and dense vegetation and planting which overhangs the site. Network rail are a statutory consultee and have raised no objections to the application subject to conditions which seek to protect the railway line and the safety of its users. The applicant has confirmed the proposed conditions are acceptable.

7. Planning Balance and Conclusion

- 7.1 All planning authorities are required to determine planning applications in accordance with the development plan, unless material considerations indicate otherwise. In addition, the NPPF seeks to significantly boost the supply of homes through a plan-led

approach. The provision of 13 dwellings of which 4 would be affordable is a significant social benefit in the balance. The proposal complies with the strategic and housing supply policies within the Core Strategy and this attracts substantial weight in favour of granting planning permission.

- 7.2 The proposal is considered to be a high quality design respectful of the historic setting of the site and its location partly within and visible from the conservation area. The scheme is enhanced by the retention of some existing trees and will be supported by a comprehensive landscaping scheme. Environmentally the development will improve the appearance of the site. Weighing against this however is the fact that the development itself is not zero carbon however measures have been incorporated into the design of the building to reduce energy emissions and this level of reduction is considered to make a necessary and significant contribution to meeting with the aims of the policy as a whole. As such, on balance the environmental benefits of the scheme when taken as a whole weigh in favour of the development.
- 7.3 No objections have been raised by any technical officers.
- 7.4 In conclusion it is considered that the development will deliver social, environmental and economic benefits through the redevelopment of this sustainable site. As such the application is recommended for approval subject to planning conditions which have been agreed with the applicant.

8. Full Recommendation

- 8.1 PROVIDED THAT a Section 106 Agreement has been completed by 2nd December 2022 (or such longer period that may be authorised by the Service Director of Development & Regulation, in consultation with the Chairman or Vice Chairman of the Eastern Area Planning Committee), to delegate to the Service Director of Development & Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.
- 8.2 OR, if a Section 106 Agreement is not completed, to REFUSE PLANNING PERMISSION for the reasons listed below.

Conditions

1. **Commencement of development**

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

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

2. **Approved plans**

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

Site location plan 02-00
Red line boundary and site access 02-60 Rev. B
Proposed site plan 02-03 Rev. C
Proposed site block plan 02-02 Rev. C
Proposed site plan with PV panels 02-04 rev. A
Proposed block A elevations (1 of 2) 05-10 rev. B
Proposed block A elevations (2 of 2)
Proposed block B elevations 05-12 Rev. B

Proposed first floor plans 03-11
Proposed second floor plans 03-12
Proposed third floor plans 03-13
External works details 05-20
Proposed ground floor plans 03-10 Rev. B
Ecological Impact Assessment by ECOSA
Arboricultural Impacts Assessment by SJ Stephens Associates
Proposed Landscape Strategy 02-04 Rev. B
Planning Noise Assessment by RSK Acoustics report 206/0400/R1
Planning Statement
Carbon Energy Statement
Archaeological desk-based assessment by Thames Valley Archaeological Services
Surface Water Drainage Strategy by Glanville Issue 4
Proposed site drainage 02-63 Rev. B
Transport Statement by Bellamy Roberts
Highways technical Note by Bellamy Roberts 20th Dec 2021
Site ownership and car parking strategy 02-65 Rev. B
Proposed bin and bike store 02-53 Rev.A
Semi vertical bike rack information sheet

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

3. **Schedule of materials**

No development shall commence 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.

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

4. **Floor levels**

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

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. This condition is imposed in accordance with the National Planning Policy Framework, Policies Cs14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is required because the ground levels need to be established before works start.

5. **Hard landscaping**

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

The scheme must include a suitable trespass proof steel palisade fence of at least 1.8m in height adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon or over-sailing of Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way.

Reason: Landscaping is an integral element of achieving high quality design and safety fencing is required adjacent to the railway line at the request of Network Rail to ensure public safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

6. Details of solar panels

No property shall be occupied until the PV panels have been installed in accordance with the approved details which have first been submitted to and approved in writing by the Local Planning Authority. The details shall include the make of the panels and details to show how they sit within the roof and their coverage. The panels shall thereafter be retained in accordance with the approved details.

Reason: To ensure that the PV panels are sympathetic to the appearance of the property and do not harm the character and appearance of the conservation area. This is in accordance with the guidance within the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

7. Construction method statement

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

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

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is necessary because insufficient detailed information accompanies the application and measures may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

8. Hours of work (construction/demolition)

No demolition or construction works shall take place outside the following hours:
7:30am to 6:00pm Mondays to Fridays;
8:30am to 1:00pm Saturdays;

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

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

9. **Unexpected contamination**

If any previously unidentified contaminated land is found during demolition and/or construction activities, it shall be reported immediately in writing to the Local Planning Authority (LPA). Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. These submissions shall be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation). The remediation scheme shall ensure that, after remediation, as a minimum, the land shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. Thereafter, any remediation measures shall be carried out in accordance with the approved details. Unless otherwise agreed in writing by the LPA, the development shall not be occupied until any approved remediation measures have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any unexpected contamination encountered during the development is suitably assessed and dealt with, such that it does not pose an unacceptable risk to human health or the environment. This condition is applied in accordance with paragraphs 170, 178, 179 and 180 the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

10. **Noise mitigation measures**

The development hereby approved shall not be occupied until the noise mitigation measures as set out in the Planning Noise Assessment by RSK Acoustics ref 206/0400/R1, submitted with the application, have been completed in accordance with these approved details. The noise mitigation measures shall be retained and maintained thereafter.

Reason: To protect future residents from noise from the railway line. To ensure a satisfactory relationship between the proposed development and the adjacent Railway. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

11. **Lighting design strategy for light sensitive biodiversity**

No property shall be occupied until a lighting design strategy for biodiversity has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those areas/features on site that are particularly ecologically sensitive 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
- 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.

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.

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

12. **Landscape and Ecological Management Plan (LEMP)**

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:

- (a) Description and evaluation of features to be managed.
- (b) Plans to show the location of at least 4 bat roosting features and 10 swift boxes integrated within the new buildings.
- (c) Plans shall highlight any areas where breathable roofing membrane is used within the roof.
- (d) Ecological trends and constraints on site that might influence management.
- (e) Aims and objectives of management.
- (f) Appropriate management options for achieving aims and objectives.
- (g) Prescriptions for management actions.
- (h) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period detailing the ongoing monitoring and remedial measures and the organisation responsible).

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 bodies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the LEMP may need to be implemented during construction.

13. **Construction Environmental Management Plan**

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

- (a) Risk assessment of potentially damaging construction activities.
- (b) Identification of "biodiversity protection zones".
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

- (d) The location and timing of sensitive works to avoid harm to biodiversity features.
- (e) The times during construction when specialist ecologists need to be present on site to oversee works.
- (f) Responsible persons and lines of communication.
- (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- (h) Use of protective fences, exclusion barriers and warning signs.

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

Reason: This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.

14. **Ecological Impact Assessment**

The development hereby approved shall be carried out in accordance with the Ecological Impact Assessment by ECOSA dated October 2021 unless otherwise agreed in writing by the Local Planning Authority. The measures shall thereafter be retained and maintained in accordance with the approved details.

Reason: To protect species on site in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

15. **Archaeology**

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

- A. The Statement of significance and research objectives, the programme and methodology of archaeological site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting archaeological material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 205 of the 2021 National Planning Policy Framework and is accordant with the requirements of Policy CS19 of the West Berkshire Local Plan (2006-2026) 2012.

16. **Electric Charging Point**

No development shall take place until details an electric vehicle charging point has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until an electric vehicle charging point has been provided

in accordance with the approved drawings. The charging point shall thereafter be retained and kept available for the potential use of an electric car.

Reason: To promote the use of electric vehicle. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the location of points must be determined prior to construction work.

17. Access construction prior to occupation

No dwelling shall be occupied until the alterations to the access onto Reading Road have been constructed in accordance with the approved drawings.

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

18. Visibility splays before development

No development shall take place until visibility splays of 2.4 metres by 25 metres have been provided at the access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

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

19. Parking/turning in accord with plans

No dwelling shall be occupied until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plans. No doors shall be erected on the front of the car ports to enclose them. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

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

20. Cycle parking

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

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

21. Thames Water

No development hereby approved shall commence until a Source Protection Strategy detailing how the developer intends to ensure the water abstraction source

is not detrimentally affected by the proposed development both during and after its construction has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. The development shall be constructed in line with the recommendations of the strategy.

Reason: To ensure that the water resource is not detrimentally affected by the development. This condition is attached in accordance with the guidance within the National Planning Policy Framework. More detailed information can be obtained from Thames Waters' Groundwater Resources Team email GroundwaterResources@Thameswater.co.uk Tel: 0203 577 3603.

22. Arboricultural supervision condition

No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has first been submitted to and approved in writing by the Local Planning Authority.

Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with the objectives of the National Planning Policy Framework and Policies ADPP1, ADPP5, CS14, CS17, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site supervision works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

23. Tree Protection

All Tree Protective Fencing shall be erected in accordance with the submitted SJ Stephens Tree Protection Plan, reference drawing number 1418-02 dated Feb 2022. The protective fencing shall be implemented and retained intact for the duration of the development. Within the fenced area(s), there shall be no excavations, storage or mixing of materials, storage of machinery, parking of vehicles or fires.

Reason: Required to safeguard and to enhance the setting within the immediate locality to ensure the protection and retention of existing trees and natural features during the construction phase in accordance with the National Planning Policy Framework and Policies ADPP1, ADPP5, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

24. Landscaping

No development shall take place until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first occupation of the new dwelling (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

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

25. **Drainage Strategy**

The development hereby approved shall be carried out in accordance with the Surface Water Drainage Strategy by Glanville, Issue 4: 6 July 2022 unless otherwise agreed in writing by the Local Planning Authority. No dwelling shall be first occupied until the drainage measures have been completed in accordance with the approved details. The measures shall thereafter be retained and maintained in accordance with the approved details.

Reason: To ensure a suitable drainage strategy is secured in accordance with Policy CS16 of the West Berkshire Core Strategy 2006-2026 and the guidance set out within the National Planning Policy Framework.

Heads of Terms for Section 106 Agreement

1. **Affordable housing**

Secure 4 shared ownership apartments.

Refusal Reasons (if Section 106 Agreement not completed)

1. **Planning obligation**

The application fails to provide an appropriate planning obligation to secure 4 affordable housing units on site (30% provision) as is required by Policy CS6 of the West Berkshire Core Strategy 2006-2026 and in accordance with the National Planning Policy Framework and the Council's Planning Obligations SPD. This policy seeks to ensure the provision of affordable dwellings within the district where there is an identified need for such housing.

Informatives (if granted planning permission)

1. **Positive statement**

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. The local planning authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area.

2. **CIL**

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

3. **Access construction**

The Asset Management team, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD, or highwaysassetmanagement@westberks.gov.uk 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.
4. **Damage to footways, cycleways and verges**

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

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
6. **Excavation in close proximity to the highway**

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. Written approval would be obtained from the Asset Manager, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD or highwaymaintenance@westberks.gov.uk
7. **Incidental works affecting the highway**

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 & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 503233, before any development is commenced.
8. **Official Postal Address**

Please complete and online street naming and numbering application form at <https://www.westberks.gov.uk/snn> 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.
9. **Thames Water**

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
10. **Thames Water**

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
11. **Network Rail**

Please see full comments from Network Rail dated 24th November 2021. This raises important issues with regards to drainage, fencing, and encroachment onto the

railway, scaffolding, vibro-impact machinery, crane use, a 2m gap and lighting. It is essential this is read before works start on site.