

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	21/01698/FULMAJ Thatcham	25/10/2021 <sup>1</sup>	<p>Partial demolition of existing dwellings (14 &amp; 16 Chapel Street) and construction of 9No. one bedroom apartments and 2No. two bedroom houses, including parking and stores.</p> <p>12 -16 Chapel Street Thatcham West Berkshire RG18 4QL.</p> <p>Mr T Young</p>
<sup>1</sup> Extension of time agreed with applicant until 18/11/2022			

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01698/FULMAJ>

**Recommendation Summary:** To delegate to the Service Director of Development & Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.

**Ward Members:** Councillors Jeremy Cottam and Lee Dillon

**Reason for Committee Determination:** The application has received 10 letters of objections and officers are recommending approval subject to conditions.

**Committee Site Visit:** 9<sup>th</sup> November 2022

#### Contact Officer Details

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## 1. Introduction

- 1.1 This application seeks planning permission for the partial demolition of existing dwellings (14 & 16 Chapel Street) and construction of 9No. one bedroom apartments and 2No. two bedroom houses, including parking and stores at 12-16 Chapel Street Thatcham, West Berkshire, RG18 4QL. The proposal includes the retention of two existing dwellings, meaning the gross dwellings proposed is 13 on site.
- 1.2 The application site comprises three dwellings to the south adjacent to the A4 Chapel Street. There is an existing vehicular access to the east of these terraced dwellings which enters into a parking area to the north of the site. The site has an area of hardstanding for parking and the area further north is laid to grass. The site is rectangular, long and thin. It is bounded by a care home to the west, a playschool and civic buildings to the east and dwellings to the north.
- 1.3 The proposed development includes demolishing one existing end of terrace dwelling to the south of the site to create a wider entrance. A pair of semi-detached dwellings are proposed to the middle of the site with rear gardens. A block of flats is proposed to the north of the site with shared amenity space to the north. In-between the site is parking and areas that are shown to be landscaped.

## 2. Relevant Planning History

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

Application	Proposal	Decision / Date
19/01855/FULEXT	Demolition of existing dwellings (3No.) and construction of 17No. one and two bedroom apartments, including parking and stores	Refused 31.10.2019.
APP/W0340/W/20/3251653	Appeal against refusal of 19/01855/FULEXT.	Appeal dismissed 04.02.2021.

- 2.2 The current proposal follows appeal decision APP/W0340/W/20/3251653, and so the decision letter is appended to this report for assistance.

## 3. Procedural Matters

- 3.1 **EIA:** Given the nature, scale and location 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 were displayed on 19.08.2021 to the front of the development site on Chapel Street, the deadline for representations expired on 09.09.2021. A public notice was displayed in the Newbury Weekly News on 05.08.2021.

- 3.3 **CIL:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at [www.westberks.gov.uk/cil](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>Thatcham Town Council:</b>	Thatcham Town Council object to the proposed development on the grounds of overdevelopment of the site, privacy and overlooking issues, loss of character and obstruction of the footpath to access the site.
<b>WBC Highways:</b>	No objections subject to conditions.
<b>WBC Housing Officer:</b>	Affordable Housing- The applicants are proposing 13 dwellings on this site and as such 30% of all dwellings on site are required for affordable housing provision, we would therefore expect 4 affordable housing dwellings to be provided on site.
<b>WBC Conservation Officer:</b>	No objections.
<b>Thames Water Utilities:</b>	No objections subject to conditions and informatives.
<b>WBC Tree Officer:</b>	No objections subject to conditions.
<b>Environment Agency:</b>	No response within the 21 day consultation period.
<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>West Berkshire Spokes:</b>	No comments.
<b>WBC Archaeology:</b>	No objections subject to conditions.

<b>Lead Local Flood Authority:</b>	No objections subject to conditions.
<b>WBC Waste Management:</b>	No response within the 21 day consultation period.

### ***Public representations***

4.2 Representations have been received from 10 contributors, all of which object to the proposal. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Concern raised in regards to overlooking of adjacent dwellings.
- The proposed landscaping options of trees on the boundary are likely to have an adverse impact on neighbouring dwellings in regards to overshadowing and possible impacts to foundations.
- The proposed balconies will have a direct line of sight into bedrooms and into gardens.
- There will be a noticeable increase in general noise, pollution and hazards to the immediate area and local community.
- There will be an influx of vehicles crossing pavements to get into the development giving rise to conflict with pedestrians and children attending the adjacent playschool.
- There is concern in regards to surface water.
- The development as proposed is too large and overpowering for the space available.
- Concern raised in regards to overlooking to neighbouring care home and playschool.
- Concern raised in regards to location of cycle store adjacent to boundaries.
- The site is currently open and attracts birds and other ecology.
- The proposed development is considered out of keeping with the character of the area.
- There is considered to be insufficient parking to serve the development.
- The development is not addressing the specific need for affordable housing in the area.
- The proposed exit of this development would have to cross a cycle lane and into a busy area of the highways network.
- The proposed development has been designed to maximise the number of units on site and has not taken account of neighbouring dwellings.
- The site is adjacent to the Conservation Area whereby the development may cause harm.

## **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, ADPP3, CS1, CS4, CS5, CS6, CS11, CS13, CS14, CS15, 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 TRANS.1, OVS.5, OVS6, RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Sustainable Drainage SPD (2018)

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Housing mix
- Affordable housing provision
- Design, character and appearance
- Neighbouring amenity
- Future occupants' amenity
- Sustainable construction and energy efficiency
- Archaeology
- Highway matters
- Flooding and drainage
- Trees and ecology

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

- 6.2 Area Delivery Plan Policy 1 of the Core Strategy directs development to within existing settlement boundaries and sets out the settlement hierarchy for the district. This site is within the settlement boundary of Thatcham, in a location where Policy ADPP1 would seek development to occur. Policy ADPP3 notes that Thatcham will accommodate approximately 900 homes of the total allocation for the District over the Core Strategy period in line with its role within the District Settlement Hierarchy.
- 6.3 Policy CS1 states that new homes will primarily be developed on suitable previously developed or other suitable land within settlement boundaries, strategic sites, broad locations within the Core Strategy or land allocated for residential development in subsequent development plan documents (DPD). Policy C1 of the HSA DPD gives a presumption in favour of development and redevelopment within the settlement boundary of Thatcham. It qualifies 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 or highway safety.
- 6.4 Being within the settlement boundary the principle of the proposed development is acceptable. This is subject to the proposal otherwise being in accordance with development plan policies on design, impact on the character of the area, and impact on the amenity of neighbouring land uses, among other material considerations.

## ***Housing mix***

- 6.5 Policy CS4 of the Core Strategy expects residential development to deliver an appropriate mix of dwelling sizes and types to meet the housing needs of all sectors of the community, including those with specialist requirements. The application form states the market housing will consist of nine with one-bedroom flats and four with two bedrooms. This is considered to be an appropriate mix for this near town centre location.
- 6.6 Policy CS4 further states that development will make efficient use of land with greater intensity of development at places with good public transport accessibility. Higher densities above 50 dwellings per hectare may be achievable in town centres, particularly in parts of Newbury town centre, and along main transport routes and close to transport nodes. The site area is 0.15 hectares, which means the proposal equates to a density of approximately 73 dwellings per hectare.

## ***Affordable housing provision***

- 6.7 In order to address the need for affordable housing in West Berkshire a proportion of affordable homes will be sought from residential development. The applicants are proposing 13 (gross) dwellings on this site and as such 30% of all dwellings on site are required for affordable housing provision. Four affordable housing dwellings would therefore be expected to be provided on site.
- 6.8 The Council's SPD states the affordable housing should consist of 70% social rent and 30% intermediate housing options such as shared ownership. The First Homes guidance allows Council's to retain their policy compliant level of Social Rent whilst incorporating First Homes in to their Affordable Homes tenure mix, as such the following is the breakdown of the tenure split we'd be looking for:
- Social rent – 70%
  - First Homes – 25%
  - Shared Ownership – 5%
- 6.9 As the Council require 4 affordable housing dwellings on this site, they should consist of 3 of Social Rent tenure and 1 of first homes.
- 6.10 The Council's policy is subject to economics, and the case has been put forward that affordable housing would make the proposal unviable. The previous appeal APP/W0340/W/20/3251653 on the site concluded that there was a small surplus and that the development could make a contribution to affordable housing.
- 6.11 As part of this application viability appraisals were submitted by the applicants showing that the development was unviable and therefore could not contribute to affordable housing. Officers have approached an independent consultant for a review of the viability of the proposal. The responses of the consultants are commercially sensitive and have been included as a Part II report to the committee.
- 6.12 However, overall due to the ongoing issues in regards to materials costs and other external factors it is considered that the small surplus there once was for the previous development has been lost by external factors and by a reduction in the quantum of development. Therefore the development is considered to be unviable and therefore cannot deliver affordable housing provision on site or as a contribution.
- 6.13 On this basis it is concluded that the proposal complies with Policy CS15 without the provision of affordable housing.

## ***Design, character and appearance***

- 6.14 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.
- 6.15 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. Design is required to make a positive contribution to the quality of life in West Berkshire. Development is expected to create safe environments, addressing crime prevention and community safety whilst ensuring accessibility for many users.
- 6.16 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.
- 6.17 The main concern from a building conservation point of view was considered to be the impact of the proposals on the character and appearance of the street scene, and the setting of nearby listed buildings (green below) and Conservation Area (yellow outline).



- 6.18 The previous appeal decision APP/W0340/W/20/3251653 addressed the issue of the character of the area. The Conservation Officer assessed that the appeal decision commented on the existing traditional street frontage character, noting buildings of generally two storeys with hipped or pitched roofs positioned with their front elevations against the back edge of pavement, with occasional breaks providing variety in the street scene. It should be noted there are more modern developments adjoining and near the site. The appeal proposed a taller building spanning the width of the site enclosing a carriage entrance in the middle. The Inspector, whilst not being convinced of the historic importance of the existing frontage buildings, noted their vernacular appearance and their contribution to the traditional character of the street, despite some unsympathetic alterations reducing their visual quality. The Inspector concluded that as long as any replacement achieved a similar or better contribution to the street scene there would be insufficient reason to resist their removal.
- 6.19 In terms of the frontage appearance of the site, the current proposals retain two of the three frontage properties, demolishing the third, which will largely retain the existing

character of the street frontage, albeit with a wider gap between buildings, thus (taking into account the Inspector's comments) tipping the balance in favour of the proposals from a building conservation point of view.

- 6.20 The previous Inspector raised concerns with the amount of building and hard surfacing within the site and how this was out of character with its surroundings. The proposed development is considered, on balance, to have dealt with this concern. Whilst there is still a large level of hard surfacing and car parking, there is now an increased level of private amenity space. The dwellings on the frontage have private amenity space which was not the case for the previous appeal proposal. The two proposed dwellings in the centre of the site also benefit from private amenity space. These areas of green space through the site reduce the level of hard surfacing and built form. This proposed design is considered, on balance, to deal with the previous Inspectors concerns.
- 6.21 The building design, massing and scale are considered to be in keeping with other similar developments along Chapel Street – such as the Old Police Station – in terms of the overall character and design.
- 6.22 The appropriate materials and details of hard and soft landscaping of the proposed development can be secured by planning condition.
- 6.23 The proposed development is therefore considered, on balance, to be in accordance with Policies ADPP1, CS14 and CS19 in terms of its impact on the character of the area, its design and proposed layout.

### ***Neighbouring amenity***

- 6.24 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. According to Policy OVS.6, the Council will require appropriate measures to be taken in the location, design, layout and operation of development proposals in order to minimise any adverse impact as a result of noise generated. The NPPF states planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. Part 2 of the Quality Design SPD provides guidance on residential amenity, including on acceptable relationships between built form and habitable windows.
- 6.25 The retained dwellings to the south of the site are considered to not impact neighbouring amenity as they are staying relatively the same in terms of their relationship to neighbouring dwellings. There is sufficient window to window distance between the dwellings to the south and those to the centre of the site. This distance complies with the 21 meters as recommended in the Quality Design SPD.
- 6.26 The proposed dwellings to the centre of the site are adjacent to an existing structure within the care homes curtilage to the west. The proposed dwellings within the centre of the site will overshadow the roof of this structure rather than the adjacent seating area. This change to the design from the previous application results in the development moving away from the outdoor seating area and windows at the corner of the care home which were areas of concern for the previous Inspector. Whilst there may be some oblique views from first floor windows in these central dwellings it is considered there is no direct harmful overlooking. The relationship proposed is often found in urban areas such as Thatcham and therefore not an area officers are objecting to.
- 6.27 Moving to the dwellings to the north of the site, the proposed development has a very similar location, height, scale and bulk to that of the previous proposal considered at appeal. There is considered to be adequate separation distance between the central dwellings and the rear proposed dwellings on the site in terms of window to window



distances. The Council has previously raised concerns in regards to plots 3-11's location and relationship to dwellings to the north and others in the surrounding areas.

- 6.28 The rear building (Flats 3-11) would back onto houses at 18, 20 and 22 The Henrys. Part 2 (Residential Development) of the Quality Design SPD advises on a minimum back-to-back distance of 21 metres. This distance is exceeded in the proposed layout. The side elevations of plots 3-11 include only a few side windows. The western elevation includes ground floor windows, which will be obscured by boundary treatments and a proposed balcony area with a privacy screen. It is now considered that the relationships to the adjacent dwellings to the west are acceptable. There are two windows shown at first floor level on the eastern elevation. These can be recommended to be obscure glazed given they serve a bathroom and a secondary window for the kitchen lounge. Therefore the case officer does not raise concern in terms of overlooking from side elevations. The proposed balconies would have obscure privacy screens to the side of them and would still be outside of the 21 metres guidance for directly facing window to window distances. Whilst this does not strictly apply to elevated balconies it represents how the separation distance is considered acceptable.
- 6.29 The Council previously raised concern at the proximity of the rear building to the houses in The Henrys and its effect on outlook. The previous Inspector noted that whilst the proposal would be very visible from the neighbouring properties' rear elevations and gardens, they considered there would be enough separation to avoid an unacceptable sense of dominance being caused to the living conditions of their occupants. Furthermore the previous Inspector also did not consider that the overlooking of rear garden areas, including the play area at the rear of the church hall, to be so pronounced as to be harmful. The proposed development has a very similar layout as that previously found acceptable by the Inspector. It should be noted that the northern block of flats has been moved slightly into the site therefore creating a larger separation distance than that of the previous appeal scheme. Therefore officers consider the relationship and level of overlooking to be acceptable for this proposed development.
- 6.30 The proposed development is therefore considered to be in accordance with the aforementioned policies in regards of impact on neighbouring amenity.

### ***Future occupants' amenity***

- 6.31 Part 2 (Residential Development) of the Quality Design SPD considers that it is essential for the living conditions of future residents that suitable outdoor amenity space is provided in most new residential developments, and suggests that for 1 and 2 bedroom flats a minimum of 25sqm communal open space per unit is provided. It is also suggest that as a general guide the following garden sizes are suggested for houses:
- 1 and 2 bedroom houses and bungalows, from 70 sq.m;
  - 3 or more bedroom houses and bungalows from 100 sq.m
- 6.32 The retained dwellings to the south of the site are proposed to have formal garden space laid out which is an improvement on the informal layout currently on site. Whilst the level of amenity space does not meet the requirements of the SPD at around 15 square meters it is noted that amenity provision is made for these dwellings and it is relatively private.
- 6.33 The dwellings in the centre of site also have their own private amenity space, although these again all slightly below the thresholds recommended in the SPD with 56 and 47 square meters of amenity space each. Given the proximity to the town centre it is considered that some shortfall can be accepted to deliver high densities of development, and having regard to public open space nearby. The proposed provision is considered to be adequately private.

- 6.34 The dwellings to the north of the site benefit from their own balconies and an area of shared amenity space to the north. Each flat has their own private amenity space, although these again are below the thresholds recommended in the SPD ranging from 10 to 17 square metres. Future occupants could use these areas in addition to the shared amenity space. Given the proximity to the town centre this shortfall is considered to be acceptable, and the provision is considered to be sufficiently private.
- 6.35 It is considered that the each unit on site benefits from an acceptable amenity provision and this amenity provision, although smaller than recommended by the SPD, is of high quality and private.

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

- 6.36 According to Policy CS15, major development shall achieve minimum reductions in total CO2 emissions (regulated and unregulated energy use) from renewable energy or low/zero carbon energy generation on site or in the locality of the development (as long as a direct physical connection is used), unless it can be demonstrated that such provision is not technically or economically viable. From 2019 the expectation is zero carbon.
- 6.37 Policy CS15 notes that this provision should be demonstrated on site unless is not technically or economically viable. The applicants have argued that due to the lack of viability in regards to affordable housing the development is not economically able to deliver renewable energy. The economic position has been verified.

### ***Archaeology***

- 6.38 There are two heritage aspects Archaeology Officers commented on. This proposal would retain more of the terrace of three grey and red brick houses on the street frontage. Should this be considered acceptable Archaeology Officers feel that it would enormously improve the appearance of this probable 19th century façade on a key route through Thatcham if any alterations and rebuilding also included the windows. It appears that the south facing ground and first floor windows of 12-16 were unfortunately replaced with unsympathetic modern ones of different dimensions, when originally it's very likely they would have been sashed.
- 6.39 The other question relates to below ground archaeological potential in the plot behind: there is the possibility of heritage assets of archaeological interest in at least part of this land. Medieval and post-medieval deposits and finds in particular might be uncovered. This would require some assessment which can be secure by planning condition.

### ***Highway matters***

- 6.40 Policies CS13 of the Core Strategy and TRANS.1 of the Local Plan Saved relate to highway considerations, and Policy P1 of the Housing Site Allocations relates to parking provision for new residential development.
- 6.41 The site proposals include parking provision for 12 vehicles within the site. West Berkshire Council's parking standards are provided within Policy P1 of the Housing Site Allocations DPD (2006-2026) 2017. With reference to these standards, a minimum of 11 parking spaces are required. Therefore the proposal complies with the Council's car parking standards
- 6.42 A total of 13 spaces for cycle storage are being proposed. West Berkshire Council's cycle parking standards are provided within 'Cycling and Motorcycling Advice and

Standards for New Development 2014. With reference to these standards, a minimum of 13 spaces are required and are provided.

- 6.43 To calculate the expected traffic generation for the proposal, the Trip Rate Information Computer System (TRICS) database has been used. TRICS is an Ireland and UK wide database of traffic surveys of many uses including residential. From TRICS for the existing uses, it is projected that there will be one or two vehicle movements (1 in, 1 out) during the 08.00 to 09.00 and 17.00 to 18.00 peak travel periods and 12 vehicle movements overall per day (six in, six out). For the proposed uses, it is projected that there will be four vehicle movements during the 08.00 to 09.00 and 17.00 to 18.00 peak travel periods and 28 vehicle movements overall per day (14 in, 14 out). Therefore any traffic increase will be somewhat negligible on the A4 itself.
- 6.44 There is an existing access that serves existing houses. During the course of the application details were requested to be provided on the access width and the sight lines onto the A4. Previously with planning application 19/01855/FULEXT, to calculate the required visibility splays, speed surveys were undertaken during January 2019. Eastbound and westbound speeds were recorded as 41.2 kph (25.6 mph) and 40.2 kph (25.0mph) respectively. According to the Government's Manual for Streets (MfS), this requires visibility splays of 2.4 x 34.5 metres and 2.4 x 33.4 metres respectively. During the course of the application visibility splays were submitted to the satisfaction of the Highway Officer. They recommended subject to conditions that the application was acceptable from a Highways perspective.
- 6.45 The proposed development is considered to comply with the aforementioned policies.

### ***Flooding and drainage***

- 6.46 The Design and Access Statement notes that surface water runoff is to be retained onsite and discharge via soakaways, provided ground conditions are suitable. The site is located in an area where groundwater levels are very near to the ground surface and as such, the applicant would need to provide a drainage strategy, informed by the results of infiltration testing and groundwater monitoring. If groundwater is found to be high and/or infiltration is not feasible, the applicant may have to discharge flows offsite.
- 6.47 The Environment Agency flood maps show that the site is located within an overland flow path at 'low' risk of flooding. The applicant should provide a Flood Risk Assessment in proportion to the level of risk to demonstrate that the new dwellings would be safe, and flood risk would not be increased as a result of the proposed development.
- 6.48 A flood risk assessment was submitted with the previous appeal which concluded that surface water flood risk is low, with a surface water flow path likely to be of less than 300mm were there to be a flood event. As a consequence, that assessment recommended finished floor levels should be raised 300mm above ground level. This could be secured by condition. The Lead Local Flood Authority is therefore content with the development subject to a condition.
- 6.49 It is therefore considered subject to conditions securing updated drainage information and a finished floor level condition the site would not have an unacceptable risk of flooding, nor would it be likely to cause surface water flooding to neighbouring land, subject to agreement on further details which could be secured by condition. Consequently, the development would not conflict with Policy CS16 of the West Berkshire Core Strategy 2006-2026, which seeks to reduce the risk of flooding to new development and not increase flood risk elsewhere.

## ***Trees and ecology***

- 6.50 This application follows on from a recent larger one refused at appeal. As a consequence of the previous application a TPO was served on an Apple and Plum tree. This was objected to and not confirmed. It is noted that both trees will be removed by this latest application, however in contrast to the earlier scheme, more amenity space is available for residents and there seems to be slightly more room for a successful landscaping scheme to be established. Tree Officers believe that the east and west hedges are relatively historic.
- 6.51 Although the Design & Access Statement mentions a landscaping plan, Tree Officers have been unable to locate anything beyond the indicative site plan. As such it is recommended that conditions are applied to require a full and detailed landscaping scheme is submitted and tree protection methods during construction are submitted to protect existing hedges.
- 6.52 Due to the nature of the site within the existing settlement boundary of Thatcham and relatively open it is not considered to be of high ecological value.

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

- 7.1 The proposed application delivers new residential units in a sustainable location near to Thatcham town centre. The design of the proposed development is considered, on balance, acceptable and is not considered to impact any heritage assets. The development is considered to have an acceptable relationship to neighbouring dwellings, provide sufficient parking and a safe access. The proposed development would not be able to provide affordable dwellings or renewable energy on site due to demonstrated viability grounds. The development can be adequately controlled through conditions in regards to landscaping and surface water drainage.
- 7.2 The proposed development is therefore, on balance, recommended for approval subject to conditions.

## **8. Full Recommendation**

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

### ***Conditions***

#### **1. Commencement of development**

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

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

#### **2. Approved plans**

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

Location Plan & Site Plan- Roof Layout. Drawing number 13.377.P2.001E.  
Proposed Plans & Elevations 12&14 CS. Drawing number 13.377.P2.012B.

Proposed Plot 1 & 2 Plans and Elevations. Drawing number 13.377.P2.100F.  
Highways Visibility Splays. Drawing number 13.377.P2.003.  
Street Scenes & Site Sections. Drawing number 13.377.P2.005A.  
Proposed Plots 3-11 Elevations. Drawing number 13.377.P2.220C.  
Proposed Plans 3-11 Floor Plans. Drawing number 13.377.P2.120F.  
Proposed Plans 3-11 Second Floor Plan. Drawing number 13.377.P2.121A.

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

### 3. **Materials**

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

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (2019), 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 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.

### 4. **Electric vehicle charging points**

No development shall take place until a strategy for electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until electric vehicle charging points have been provided for the dwellings in accordance with the approved drawings. The charging points shall thereafter be retained and kept available for the potential use of an electric car.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application and measures may be required to be planned and undertaken throughout the construction phase such as laying the correct cabling and so it is necessary to approve these details before any development takes place.

### 5. **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 any 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 required because the CMS must be adhered to during all demolition and construction operations.

## 6. **Parking**

No development shall take place until details of vehicle parking and turning spaces have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until vehicle parking and turning spaces for that dwelling have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring of private cars and/or private light goods vehicles at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026. A pre-commencement condition is necessary because the parking arrangement will need to be determined before any construction to ensure it can be accommodated within the space available.

## 7. **Cycle parking/storage**

The dwellings hereby permitted shall not be first occupied until details of cycle parking/storage have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until cycle parking/storage facilities for that dwelling have been provided in accordance with the approved details. Thereafter the facilities shall be maintained and kept available for that purpose at all times.

Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD 2006-2026, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014). A pre-commencement condition is necessary because the cycle parking/storage arrangement will need to be determined before any construction to ensure it can be accommodated within the space available.

## 8. **Hard landscaping**

The dwellings hereby permitted shall not be first occupied until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the dwellings are occupied because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

**9. Soft landscaping**

The dwelling hereby permitted shall not be first occupied 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 any 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: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

**10. Tree protection scheme**

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

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

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the

objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation 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.

**11. Obscure glazing of windows**

The windows at first floor level in the east and west elevations of flat block 3 to 11 shall be fitted with obscure glass before the flats hereby permitted are occupied. The obscure glazing shall be permanently retained in that condition thereafter.

Reason: To prevent overlooking of adjacent properties/land, in the interests of safeguarding the privacy of the neighbouring occupants. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (2006).

**12. Drainage**

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.

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels. Any soakage testing should be undertaken in accordance with BRE365 methodology;
- c) Include details of how the existing flood plain will be sustained or mitigated (any measures for loss of flood plain shall not increase flood risk elsewhere);
- d) Include a drainage strategy for surface water run-off from the site since no discharge of surface water from the site will be accepted into the public system by the Lead Local Flood Authority;
- e) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- f) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- g) Include flood water exceedance routes, both on and off site; Include flow routes such as low flow, overflow and exceedance routes;
- h) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- i) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
- j) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
- k) Include with any design calculations an allowance for an additional 10% increase of paved areas over the lifetime of the development;
- l) 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;



- m) 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.

Thereafter the development shall be carried out in accordance with the approved details, and no dwelling shall be first occupied until the drainage measures have been completed.

Reason: To ensure that surface water will be managed in a sustainable manner and to prevent the increased risk of flooding. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Sustainable Drainage Systems SPD (2018). A pre-commencement condition is necessary because insufficient detailed information accompanies the application and measures may be required to be planned and undertaken throughout the construction phase such as laying the correct infrastructure and so it is necessary to approve these details before any development takes place.

**13. Ground levels and finished floor levels**

No development shall take place until details of existing and proposed ground levels, and finished floor levels of the buildings, 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 details.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. These details are required before development commenced 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). A pre-commencement condition is necessary because insufficient detailed information accompanies the application and measures may be required to be planned and undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

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

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

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

8:30am to 1:00pm Saturdays;

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

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

**15. Dust mitigation scheme**

No development shall take place until a dust mitigation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include

a scheme of works or such other steps as may be necessary to minimise the effects of dust from the development on neighbouring land uses. Thereafter, the development shall be undertaken in accordance with the approved details.

Reason: To prevent nuisances to neighbouring land uses from dust generated by the development. This condition is applied in accordance with the National Planning Policy Framework, Planning Practice Guidance, Policy CS14 of the West Berkshire Core Strategy 2006-2026, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the dust mitigation scheme must be adhered to during all demolition and construction operations.

**16. Noise mitigation scheme**

The dwelling hereby permitted shall not be first occupied until a scheme of works for protecting the occupiers of the development from externally generated noise has been submitted to and approved in writing by the Local Planning Authority. All works forming part of the approved scheme shall be completed before any dwelling is first occupied.

Reason: To protect future occupants from the adverse effects of excessive noise levels that may be generated by the adjacent highways. In order to protect the amenities of proposed residents/occupiers of the development in accordance with the NPPF, CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

**17. Permitted development restriction (windows/dormers)**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B and/or C of that Order shall be constructed on the dwellings hereby permitted, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent overlooking of adjacent properties/land, in the interests of safeguarding the privacy of the neighbouring occupants. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (2006) and House Extensions SPG (July 2004).

**18. Permitted development restriction (extensions/outbuildings)**

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

Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding 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), Quality Design SPD (June 2006).

**19. Balcony screening**

No dwelling shall be occupied until balcony screens have been fully installed in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority of their materials including noise insulating properties.

Reason: To ensure privacy, 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 Saved Policies 2007, and Supplementary Planning Document Quality Design 2006.

**20. Refuse storage**

The dwelling hereby permitted shall not be first occupied until details of the provision for the storage of refuse and recycling materials for the dwellings have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the refuse and recycling facilities have been provided in accordance with the approved details and shall be retained for this purpose thereafter.

Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

**Informatives**

1. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.
2. The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)
3. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning->

[your-development/Working-near-or-diverting-our-pipes](#). Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

4. 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](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
5. The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health and Licensing Manager.
6. The Asset Management team, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD, or [highwaysassetmanagement@westberks.gov.uk](mailto: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.
7. 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.
8. The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
9. 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 [highwaysmaintenance@westberks.gov.uk](mailto:highwaysmaintenance@westberks.gov.uk)
10. 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.
11. 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.