

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	23/00397/OUTMAJ Speen Parish Council	05 June 2023*	Section 73 - Application for Removal or Variation of a Condition following Grant of Planning Permission 17/02092/OUTMAJ - Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land. Covered Reservoir, Bath Road, Speen, Newbury David Wilson Homes (Southern)

*Extension of time agreed until 29 February 2024.

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=23/00397/OUTMAJ>

Recommendation Summary: To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to conditions.

Ward Members: Councillor Antony Amirtharaj
Councillor Martha Vickers

Reason for Committee determination: Ward Member Call-in

Committee Site Visit: 19 February 2024

Contact Officer Details

Name: Masie Masiwa
Job Title: Senior Planning Officer
Tel No: 01635 519111
Email: Masie.Masiwa@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission under Section 73 of the Town and Country Planning Act for the removal or variation of conditions following grant of Planning Permission 17/02092/OUTMAJ - Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a change of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.

Background to proposal

- 1.2 The application follows the refusal of the similar application 22/00160/OUTMAJ by the Western Area Planning Committee on the 20th July 2022 for the following Highways reason for refusal:

“The layout does not comply with the Local Planning Authority's standards in respect of motor vehicle parking in terms of amount or layout. This may result in on street parking / inconvenient parking adversely affecting road safety and the flow of traffic. This is contrary to the National Planning Policy Framework, Policy CS13 of the West Berkshire District Core Strategy 2006 to 2026 and Policy P1 of the Housing Site Allocations DPD 2017.”

- 1.3 Initially the application was submitted with numerous details to discharge conditions approved at outline, however in a cover letter dated 06 September 2023 the applicant withdrew all the submissions due to updated amendments that followed comments from consultees.

- 1.4 The latest proposed changes are summarised below:

- Changes to the previously proposed housing mix and tenure to accommodate three shared ownership affordable dwellings that meet Building Regulations Part M (Cat 2) and NDSS standards within the development. The remaining affordable housing provision needed to comply with the s106 will be provided within the larger 93-unit reserved matters application, linked to current reserved matters application 22/0123/RESMAJ.
- Parking provision has been increased to meet parking standards.
- Amendments to improve the relationship between dwellings and parking spaces.
- Unallocated parking spaces have been removed from the public highway as requested by the Highways Authority and re-located to private drive areas under control of the development management company.
- Private amenity space has been increased.
- Plot 11 and plot 5 reorientated and renamed to remove overlooking.
- A combined Drainage Strategy to cover all three sites as part of the housing allocation has been submitted for consideration.

- 1.5 The original hybrid planning permission approved the access and reserved all other matters for consideration under the reserved matters applications, whilst also approving the full planning application element (11 new dwellings - land to the west). The hybrid planning permission included a full application for the change of use of 2.6 ha of agricultural land to informal and formal public open space which incorporated

existing public rights of ways. This element would include the provision of new woodland planting as a buffer to the A34 as well as the provision of extensive areas of new native tree and shrub planting and areas of meadow grassland to enhance biodiversity. Other areas would also be provided for ecological mitigation.

- 1.6 The original hybrid planning permission also approved the change of use of land to provide extension to existing allotments, a 3.75 metre wide pedestrian/cycle route and emergency access to link the site to Station Road. To off-set the loss of any allotments to facilitate the emergency link, the outline planning permission included the change of use of an existing agricultural land patch covering approximately 1500 square metres located to the north-eastern boundary of the site to extend the existing allotments.
- 1.7 Separate reserved matters applications are also submitted for consideration under the following references:
 - **22/01235/RESMAJ - Covered Reservoir, Bath Road, Speen, Newbury**
(*Proposal: Application for Approval of Reserved Matters following Outline Approval 17/02092/OUTMAJ - [Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land] Reserved matters approval for the erection of 93 homes, with associated open space and other infrastructure. Matters to be considered: Access, Appearance, Landscaping, Layout and Scale.*)
 - **22/01235/RESMAJ - Land Off Lambourn Road, Speen, Newbury**
(*Proposal: Approval of reserved matters following Outline Permission 17/02093/OUTMAJ (Outline planning application for up to 14 dwellings and associated works - all matters reserved except access.) Matters seeking consent: Appearance, Landscaping, Layout and Scale.*)
- 1.8 The application site, covering approximately 7.8ha is located to the west of Speen. The site comprises a parcel of semi-improved and grassland. The site is bordered by residential housing and mature trees to the north, mature trees and allotments to the east (to Station Road), the A34 to the west, and Bath Road and established vegetation to the south.
- 1.9 The eastern and southern boundaries of the site adjoin the Speen Conservation Area (which contains a number of Grade II Listed buildings).
- 1.10 To the west lies the A34 which separates the site from the wider countryside and the National Landscape (previously AONB) beyond. A section of redundant railway line is located to the eastern boundary adjoining a number of trees covered by Tree Preservation Orders on the southern edge of the houses fronting onto Lambourn Road.
- 1.11 The application site occupies the north facing slopes of a ridge of land between Lambourn Road and Bath Road on the western edge of Speen. The site follows a natural slope from the southwest to the north east.
- 1.12 The central area of the site forms a wedge of open land between the northern and southern sides of the village. The fields are rough pasture with the area immediately north of Bath Road containing a redundant reservoir, scrub and mature trees.

- 1.13 An existing Public Right of Way (PROW) Speen 7/2 runs along the western portion of the site which connects with PROW Speen 7/1 and leads on to the Lambourn Road through the land subject to another separate outline planning permission reference 17/02093/OUTMAJ for 14 dwellings.
- 1.14 A further PROW Speen 37/1 (Lambourn Way) follows the disused railway line and connects with PROW Speen 6/3 which travels through the eastern part of the site which leads on to Lambourn Road to the north and Bath Road to the south via PROW Speen 7/2.
- 1.15 The site is within Flood Zone 1 (lowest risk of flooding) according to Environment Agency flood mapping.

2. Relevant Planning History

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

Application	Proposal	Decision / Date
15/02883/SCREEN	EIA Screening Opinion.	Not Required / 02.11.2015
17/02092/OUTMAJ	Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.	Approved / 18.02.2020
17/02093/OUTMAJ	Outline planning application for up to 14 dwellings and associated works - all matters reserved except access.	Approved / 18.02.2020
20/01009/NONMAT	Non material amendments to planning permission 17/02092/OUTMAJ - Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land. Amendments: Amendment to Conditions 1 and 42	Approved / 05.06.2020
20/03032/COND1	Application for approval of details reserved by condition 32 (Allotments) of approved 17/02092/OUTMAJ -Hybrid planning application comprising an outline planning	Approved / 10.02.2021

	application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a change of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.	
21/03239/COND2	Application for approval of details reserved by condition 20 'tree protection construction precaution', 21 'arboricultural programme of works', 22 'arboricultural method statement', 23 'arboricultural supervision condition', 24 'construction environmental management' and 48 'archaeological scheme of building record' of approved 17/02092/OUTMAJ: Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a change of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.	Approved / 21.12.2023
22/00160/OUTMAJ	Section 73: Variation of Conditions 20 (Tree Protection), 21 (Arboricultural Programme of Works), 22 (Arboricultural Method Statement), 23 (Arboricultural Supervision), 24 (CEMP), 32 (Allotments), 47 (Approved Plans) and 48 (Archaeological Scheme) and Removal of Condition 54 (Obscure Glazing) of approved application 17/02092/OUTMAJ: Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a change of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.	Refuse / 25.07.2022
22/00877/COND4	Application for approval of details reserved by conditions 28 (Biodiversity enhancements) and 30 (Landscape and Habitat Management Plan) of approved 17/02092/OUTMAJ: Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a change of use of land	Pending Consideration

	to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.	
22/00878/COND5	Application for approval of details reserved by discharge of condition 35 (Contamination Risks (Environment Agency)) of approved 17/02092/OUTMAJ: Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.	Approved / 22.01.2024
22/00889/COND6	Application for approval of details reserved by discharge of condition 10 (Travel Plan) of approved 17/02092/OUTMAJ: Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.	Approved / 28.04.2023
22/00890/COND7	Application for approval of details reserved by discharge of condition 17 (broadband) of approved 17/02092/OUTMAJ: Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.	Approved / 28.04.2023
22/01235/RESMAJ	Application for Approval of Reserved Matters following Outline Approval 17/02092/OUTMAJ - [Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land	Pending Consideration

	to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land] Reserved matters approval for the erection of 93 homes, with associated open space and other infrastructure. Matters to be considered: Access, Appearance, Landscaping, Layout and Scale	
23/00310/RESMAJ	Application for Approval of Reserved Matters following Outline Approval 17/02092/OUTMAJ - [Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land] Reserved matters approval for the erection of 93 homes, with associated open space and other infrastructure. Matters to be considered: Access, Appearance, Landscaping, Layout and Scale	Pending Consideration
23/00373/RESMAJ	Approval of reserved matters following Outline Permission 17/02093/OUTMAJ (Outline planning application for up to 14 dwellings and associated works - all matters reserved except access.) Matters seeking consent: Appearance, Landscaping, Layout and Scale.	Pending Consideration
23/00397/OUTMAJ	Section 73 - Application for Removal or Variation of a Condition following Grant of Planning Permission 17/02092/OUTMAJ - Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.	Pending Consideration

3. Procedural Matters

- 3.1 The proposed development falls within the column 1 description at paragraph 10 (b) (Urban development projects) of Schedule 2 of the Town and Country Planning

(Environmental Impact Assessment) (EIA) Regulations 2017. The local planning authority has taken into account the selection criteria in Schedule 3 of the 2017 EIA Regulations. An EIA screening exercise has been completed under application reference: 15/02883/SCREEN. It is concluded that the proposed development, is not “EIA development” according to the 2017 EIA Regulations and an Environmental Statement is not required.

- 3.2 A site notice was displayed on 18 April 2023 and the deadline for representations expired on 09 May 2023.
- 3.3 An amended plans notice was displayed on 22 September 2023 and the deadline for representations expired on 13 October 2023. Press notices were advertised in the Newbury Weekly News on 16 March 2023.
- 3.4 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 is only charged on residential and retail development. Under the CIL regulations, CIL is not sought at the outline stage of applications and will be calculated at the reserve matters stage. 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.

<p>Speen Parish Council:</p>	<p>Objection comments:</p> <ul style="list-style-type: none"> • Concerns of numerous residents in relation to parking on Station Road • Green Buffer at 5 The Sydings. • Bath Road Access - the current design of the Bath Road access is a plan which will create an accident blackspot
<p>Newbury Town Council:</p>	<p>Objection on the following grounds:</p> <ul style="list-style-type: none"> • Concerns regarding the Bath Road access • Impact on allotments • Inadequate bus stop plans • Inadequate car-parking plans • The proposal does not comply with the Renewable Energy objectives in CS15 in the Core strategy. • The applicants should meet the requirements of Thames Water • Hedgehog highways should be provided throughout the development.

WBC Highways Officer:	No objection
WBC Waste Management:	No objection subject to condition
WBC Drainage Officer:	No objection, subject to condition and watercourse consent.
WBC Conservation:	No comments received.
WBC Ecology Officer:	No objection on Nutrient Neutrality Mitigation, No objection on other ecological considerations
WBC Economic Development:	Support subject to Employment Skills Plan being secured
WBC Trees Officer:	No objection subject to condition
WBC Archaeology:	No objection subject to original condition 48 being retained
WBC Environmental Health:	No objection subject to conditions 15 and 35 being retained
WBC Housing Development	No objection as no change to affordable housing.
WBC Environment :	No comment response received.
Environmental Agency	No objection, subject to condition 35
National Highways	No objection
CLP Oil Pipeline	Objection, subject to request for consultation on any impacts on pipeline
WBC Public Rights of Way	No comments received
North Wessex Downs	No comments received
WBC Transport Policy	No comments received
WBC Planning Policy	No comments received
WBC Historic	No comments received

Public representations

4.2 Representations have been received from ten (10) contributions – two (2) impartial and eight (8) objecting 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 planning related points have been raised:

- archaeological survey should be completed as the site is of great interest.
- access onto the A4 is near the roundabout linking the A4 to the A34 will be hazardous.
- destruction of the underground reservoirs that are of historic interest.
- providing alternative parking to replace that lost on Station Road.
- Developer must develop additional parking space on Speen recreation ground.
- parking will inconvenience neighbours.
- future of the allotment will be in doubt should no parking provision be made.
- increased traffic on Station Road.
- no parking provisions for the Enterprise Newbury Car Club
- The proposed bus clearway will result in parking on adjacent roads.
- traffic surveys were conducted 8-years ago.
- proposed pedestrian crossing near the A4 is dangerous.
- provisions for safe pedestrian crossing of the A4.
- no provisions for safe pedestrian / cycle crossing of Lambourn Road

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 NPPF, ADPP1, ADDP2, ADDP5, CS1, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies GS1, HSA2, C1, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS.5, OVS.6, 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 SPG (2006)
- Sustainable Drainage SPD (2017)
- Conservation of Habitats and Species Regulations 2017

- Manual for Streets
- West Berkshire Cycle and Motorcycle Advice and Standards for New Development 2014
- North Wessex Downs AONB Management Plan 2019-24
- Planning Obligations SPD (2015)
- Speen Village Design Statement (2002)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Design, function, character and appearance of the area
- Highways safety – parking and layout
- Trees and Landscaping
- Flooding and Drainage
- Biodiversity
- River Lambourn Nutrient Neutrality Impact Zone
- Representations
- Planning balance and conclusion

Principle of development

6.2 The principle of the residential development was approved under the hybrid planning permission 17/02092/OUTMAJ. This Section 73 application is seeking a variation to the approved plans, and conditions. The principle of the development has already been accepted and established.

Design, function, character and appearance of the area

6.3 Policy CS14 of the Core Strategy, outlines that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place. Development proposals will be expected to (amongst others) make efficient use of land whilst respecting density, character, landscape and biodiversity of the surrounding area. Policy CS14 also indicates that good design relates not only to the appearance of a development, but the way in which it functions.

6.4 Policy ADDP5 seeks to ensure development proposal conserve the scenic beauty and distinctive character of the AONB. The NPPF gives the highest status of protection for the landscape and scenic beauty of AONBs, and states their conservation should be given great weight in planning decisions. The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

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

- 6.6 The increase in the private amenity space is a benefit. Changes to the previously proposed housing mix and tenure to accommodate the shared ownership affordable dwellings to ensure compliance with Building Regulations Part M (Cat 2) and National Design Space Standards within the development is acceptable. The orientation of the new plots is acceptable as amendments to the full planning application. The layout has subsequently changed such that some of the conditions will need to be retained and revisited. The applicant has also submitted an amended landscape plan as a result of the layout changes, which has been reviewed by the Tree Officer and considered acceptable.
- 6.7 A combined Drainage Strategy to cover all three sites as part of the housing allocation has been submitted. The proposal includes an amendment to the site levels at the Covered Reservoir site from the west to the larger development in the centre of the site and to a gentle slope to the Bath Road access. The proposed site levels will fall from the Bath Road access road at approximately 111.000AOD to approximately 105.500AOD to the middle of the centre of the larger allocated site. The objective is to provide a gravity assisted drainage flow which has enabled the removal of the pumping station. The Lead Local Flood Authority has raised no objection and acknowledge the sustainability benefit of removing the pumping station. The proposed changes will not significantly alter the already existing natural ground slope from south west to north east.
- 6.8 The proposed layout has largely been informed by the previous design and the parking objection on the previously refused application. The parking layout has been designed such that the layout does not appear out of context in relation to the full planning permission and addresses the highway comments leading to the previous refusal as indicated in this report. The layout and gaps between buildings and plot sizes are not overly large and are in keeping with the local area and would preserve local character.
- 6.9 It is considered that the public and private spaces of the development are clearly distinguished with private gardens well enclosed to the rear of the properties. All public spaces and parking areas are overlooked, such that there is a good level of natural surveillance onto public open spaces and footpaths.
- 6.10 The site is located outside the National Landscape, however the long view landscape impacts to the north were considered at the outline and remain acceptable as the proposed amendments remain within the approved parameters plans. This assessment has been based on the existing natural sloping levels, the approved scheme and the level of harm, if any from the proposed development. Finished floor levels will be requested by way of condition.
- 6.11 The proposal therefore complies with Policies ADPP2, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026. The proposal also complies with the West Berkshire Supplementary Planning Document Series: Quality Design, and the Housing Site Allocations Development Plan Document's Policies GS1, HSA2, C1, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).

Highway safety

- 6.12 Road safety in West Berkshire is a key consideration for all development in accordance with Core Strategy Policy CS13. Policies CS13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan relate to highways.
- 6.13 In the current design, the previously unallocated parking spaces have been removed from the public highway as requested by the Highways Authority and re-located to private drive areas under control of the development management company. The proposed amendments to the approved outline are mainly focused on layout changes

to allow for an acceptable layout in Highway terms. The amended parking provision will ensure an increase in parking numbers and relocate parking spaces adjacent to the dwellings and away from the highway. The amendments will improve the relationship between dwellings and allocated parking spaces. The layout will therefore not adversely impact the approved scheme as the changes are minor. The Highway Authority has reviewed the amendments and raise no objection.

- 6.14 Overall, it is considered that the proposed development would not have a material impact on highway safety. The application is therefore considered to comply with Core Strategy Policy CS13 and TRANS.1 of the Saved Policies of the Local Plan.

Trees and Landscaping

- 6.15 Policy CS19 of the WBCS concerns the historic environment and landscape character. It seeks to ensure that the diversity and local distinctiveness of the landscape character of the district is conserved and enhanced.
- 6.16 The applicant has submitted an updated landscape plan following the layout amendment. The landscape proposal has been considered by the Tree Officer who has no objections as the proposed changes will not impact on the existing trees. Sufficient areas are retained that will ensure existing trees can be protected and also accommodate the proposal for new tree planting as part of the wider landscaping. Conditions previously attached to the original planning permission remain relevant.
- 6.17 Overall, it is therefore considered that the proposed development would conserve the trees within the site in compliance with the advice contained within the NPPF, and Policy CS19 of the WBCS.

Flooding and drainage

- 6.18 Core Strategy Policy CS16 (Flooding) applies across the district and highlights the cumulative impacts of development on flooding within the district.
- 6.19 The Lead Local Flood Authority has no objection to the proposed site wide drainage strategy subject to a condition and the applicant obtaining a watercourse consent under separate processes to planning. An updated drainage condition is recommended accordingly.
- 6.20 The proposal could achieve compliance with the provisions of the NPPF, Core Strategy Policy CS16 and Sustainable Drainage SPD (2017).

Biodiversity

- 6.21 Core Strategy Policy CS17 (Biodiversity and geodiversity) states that, in order to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity and geodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan.
- 6.22 The Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity networks.
- 6.23 The principle of development at outline stage established the biodiversity principles of the development. The original application was supported by ecological surveys

(including updates in April 2019) that were considered by the Council's Ecologist who raised no objection subject to conditions controlling external lighting, provision of bat boxes, dormouse, nesting birds, hedgerow and reptile protection measures amongst other mitigation measures. The Ecologist has no objections to this application, however he has requested conditions to ensure updated surveys can be secured. Furthermore, Natural England also raised no objection. The conditions previously attached will be retained.

River Lambourn Nutrient Neutrality Impact Zones

- 6.24 The proposed development falls within the catchment of the River Lambourn Special Area of Conservation (SAC) and therefore within the Nutrient Impact Zone for this Habitat Site. All new development that would result in a net increase in phosphorous must take into account Natural England's Advice on Nutrient Neutrality dated 16th March 2022. West Berkshire Council will need to be certain that the submitted plans will not adversely affect the integrity of the River Lambourn SAC in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), before considering granting planning permission.
- 6.25 The Council's Nutrient Neutrality Officer has received copies of correspondence received by David Hilson Homes from Thames Water, which provided the following:
- A letter dated 10th October 2023 from Thames Water confirming that the foul sewers in Bath Road and Station Road to which the above residential developments will connect, are connected to the Newbury wastewater treatment works (WwTW);
 - A letter dated 6th November 2023 from Thames Water confirming that the Newbury WwTW has the capacity to treat all the foul wastewater from the site's residential developments.
- 6.26 Based on this confirmation of connectivity to and capacity at the Newbury WwTW, The Council's Nutrient Neutrality Officer has advised that there will be no likely significant effects on the River Lambourn SAC from the treatment and discharge of foul wastewater. Furthermore, as the above residential developments were approved by the local planning authority without the requirement for an Environmental Impact Assessment (EIA), then based on the previous advice we have received from Natural England, the changes in nutrient export levels resulting from the changes in land use and land management can be disregarded and it is not considered that these will be significant even though the application sites are located within the Lambourn catchment. And in any case, a revised nutrient budget calculation submitted by the applicants consultants, indicated that the post-development land use would be nutrient neutral.
- 6.27 The Council's Nutrient Neutrality Officer advises that taking all of the above information and evidence into consideration, the planning applications at Bath Speen, neither individually nor in combination with each other or with other projects, are likely to result in significant effects on the River Lambourn SAC and therefore do not require further Appropriate Assessment under Regulation 63 of the Habitats Regulations based on the previous advice the Council has received from Natural England.
- 6.28 Given the above, the ecological matters could achieve compliance with the Conservation Regulations 2010, Wildlife and Countryside Act 1981, Natural Environment and Rural Communities Act 2006, NPPF and Policy CS 17 of the West Berkshire Core Strategy 2012.

Representations

- 6.29 Members of the public have written representations expressing objection to the proposed development. The relevant points to the Section 73 amendments that have been raised have been acknowledged in this report and addressed by consultees and in this report. The comments regarding the use of the Bath Road access, impact of Station Road works and impact on the allotments are matters fully considered and approved at outline stage and are matters previously approved.
- 6.30 The Council's Economic Development team has requested that a Skills and Employment Plan is secured on the application. Whilst a section 106 legal agreement was requested, officers consider that a reasonable worded condition can be added to the permission and is the appropriate mechanism in this instance.

Planning Balance and Conclusion

- 6.31 Having taken account of all the relevant development plan policy considerations and the other material considerations referred to in this report and the expert consultation provided, officers consider that the outline development proposed is acceptable and is recommended to members for approval as set out in Section 8 of the report.
- 6.32 This decision has been considered using the relevant policies related to the proposal as outlined in the report.

7. Full Recommendation

- 7.1 To delegate to the Development Manager to GRANT OUTLINE PLANNING PERMISSION subject to the conditions listed below.

Schedule of Conditions

- 7.2 The proposed planning conditions are structured into 3 main sections.
- Section 1 'Site Wide Planning Conditions' - relate to relate to the **WHOLE** application site as shown on the Site Location Plan (ref.SLP BR-01 rev B).
 - Section 2 'Outline Planning Permission' - relate to conditions that apply to the **OUTLINE & CHANGE OF USE** part of the application site only as shown on the Hybrid Parameters Plan (ref.1361 P1 04); and
 - Section 3 'Full Planning Permission' - relate to conditions that apply to the **FULL** component of the application site only as shown on the Hybrid Parameters Plan (ref.1361 P1 04),

1. SITE WIDE PLANNING CONDITIONS

1.	Hybrid Planning Conditions (as amended under 20/01009/NONMAT) The following Planning Conditions numbers 2-40 and 42 relate to the entire application site as shown on the approved Site Location Plan (ref.SLP BR-01 rev B).
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	<p>Planning Conditions 41-47 relate to the part of the hybrid application site that was submitted in outline (all matters reserved) and change of use only as shown on the approved Hybrid Parameters Plan (ref. 1361 P1 04).</p> <p>Planning Conditions 42, 48-57 relate to the part of the hybrid application site that was submitted in full as shown on the Hybrid Parameters Plan (ref. 1361 P1 04). None of the conditions, save for this condition 1 and condition 42, relate to the following preparatory works required to form the proposed allotment plots: Marking out the new allotment plots and then removing the turf surface, rotovating and improving the soil Fencing the adjusted boundaries of the new and existing allotments with a 0.8m high post and wire fence Laying of scaffolding planks across the ditch between the existing and proposed allotments to provide two points of pedestrian access.</p> <p>Reason: For the avoidance of doubt.</p>
2.	<p>Total Number of Units</p> <p>The number of dwellings hereby permitted shall not exceed 104 in total.</p> <p>Reason: For the avoidance of doubt and to ensure the satisfactory development of the site.</p>
3.	<p>Approved parameters plans</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents</p> <ul style="list-style-type: none"> • Site location plan - SLP BR-01 rev B • Land use plan – 1361 P1 01 rev A • Building heights – 1361 P1 02 rev B • Access parameters – 1361 P1 03 • Hybrid parameters – 1361 P1 04 <p>Reason: The parameters shown on this drawing are necessary to ensure the development achieves an acceptable standard of design, which complies with the National Planning Policy Framework, Policies ADPP1, ADPP2, ADDP5, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA2 of the Housing Site Allocations DPD 2006-2026, West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).</p>
4.	<p>Housing mix and Tenure Plan</p> <p>No dwelling shall commence construction above foundation level until details of the housing mix and tenure of all dwellings (a schedule and tenure plan) has been submitted to and approved in writing by the Local Planning Authority. The tenure plan shall show the tenure of the eventual dwelling on each plot social/affordable rent and shared ownership. Thereafter the development shall not be carried out except in accordance with the approved details.</p> <p>Reason: Because insufficient information has been submitted to ascertain the tenure of development. This information is required at this stage because it may affect considerations of the site layout and because it has site wide implications that need to be determined at the outset of detailed design (e.g. affordable housing distribution) in accordance with the provisions of the National Planning Policy Framework, Policies CS4, CS6 and CS19 of the West Berkshire</p>

	Core Strategy 2006-2026, Policy HSA2 of the Housing Site Allocations DPD 2006-2026, the West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).
5.	<p>Finished Floor Levels</p> <p>No development on any dwelling hereby permitted shall take place until details of the finished floor levels of that dwelling in relation to existing and proposed ground levels of adjoining dwellings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: This information is required to ensure satisfactory relationships with neighbouring properties in order to safeguard residential amenity, to ensure the levels/heights respect the character and appearance of the area including the National Landscape, and the setting of the heritage assets. This information is needed at this stage because of the site-wide implications of levels of the layout of the development in accordance with the provisions of the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA2 of the Housing Site Allocations DPD 2006-2026, the West Berkshire Quality Design SPD and the Speen Village Design Statement (2002).</p>
6.	<p>Construction method statement</p> <p>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 Construction Method Statement. The Construction Method Statement shall provide for:</p> <ul style="list-style-type: none"> (a) Construction site accesses (b) The parking of vehicles of site operatives and visitors (c) Loading and unloading of plant and materials (d) Storage of plant and materials used in constructing the development (e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing (f) Wheel washing facilities (g) Measures to control the emission of dust and dirt during construction (h) A scheme for recycling/disposing of waste resulting from demolition and construction works (i) Agreed routes and timing restrictions for construction vehicles, deliveries and staff (j) provide for mitigation measures in accordance with BS:5228, Code of practice for noise and vibration control on construction and open sites; (k) Temporary access arrangements to the site, and any temporary hard-standing; (l) Phasing/projected timetable of construction works; (m) Control of surface water run off during construction; (n) Proposed method of any piling for foundations/other ground works; (o) Details of types of piling rigs and earth moving machinery to be used; (p) Details of temporary external lighting/flood lighting; <p>provide for a Waste Minimisation Statement setting out a scheme for recycling/disposing of waste resulting from construction works;</p> <p>The development shall be carried out in accordance with the approved plan.</p>

	<p>Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. The approval of this information is required at this stage because insufficient information has been submitted with the application. A pre-condition is required because insufficient information accompanies the outline application and the CMS must be in place before construction works commence. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
7.	<p>Hours of Work</p> <p>No demolition or construction works shall take place outside the following hours:</p> <p>0730 hours to 1800 hours Mondays to Fridays; 0830 hours to 1300 hours Saturdays; and No work shall be carried out at any time on Sundays or Bank Holidays</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
8.	<p>Layout and Design Standards – Section 278 / Section 38 Agreements</p> <p>Notwithstanding the information provided within the application documentation, the detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision and the applicant shall enter into a S278/S38 Agreement for the adoption of the sites road and footpaths where required by the Highways Authority.</p> <p>Reason: In the interest of road safety and flow of traffic and to ensure waste collection. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
9.	<p>Electric Vehicle Charging Points</p> <p>No dwelling hereby permitted shall be occupied until an electric vehicle charging point strategy and specification details has been submitted to and approved in writing by the Local Planning Authority. The approved dwellings shall not be occupied until the electric vehicle charging point(s) have been provided in accordance with the approved drawings. The charging point(s) shall thereafter be retained and kept available for use.</p> <p>Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework (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).</p>

10.	<p>Travel Plan</p> <p>The development shall be carried out in accordance with the Residential Travel Plan (21-008 Rev A) prepared by Odyssey and dated March 2022 approved under application 22/00889/COND6.</p> <p>The approved Travel Plan shall be implemented from the point at which any dwelling hereby permitted is first occupied. From the date of implementation, the approved travel plan shall be reviewed and updated within the first 6 months. After that, the Travel Plan shall be annually reviewed and updated and all reasonable practicable steps taken to achieve the agreed targets and measures within the timescales set out in the plan and any subsequent revisions.</p> <p>Reason: To ensure the development reduces reliance on private motor vehicles and provides an appropriate level of vehicle parking. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
11.	<p>Spoil</p> <p>No development hereby permitted shall take place until details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:</p> <ul style="list-style-type: none"> • Show where any spoil to remain on the site will be deposited; • Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels); • Include measures to remove all spoil from the site (that is not to be deposited); • Include timescales for the depositing/removal of spoil. <p>All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.</p> <p>Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. A pre-condition is required because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the Quality Design SPD (June 2006) and the Speen Village Design Statement (2002).</p>
12.	<p>Sustainable Drainage Measures</p> <p>No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority. These details shall:</p> <p style="padding-left: 40px;">a) Include an Application for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse.</p> <p>The above sustainable drainage measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The</p>

	<p>sustainable drainage measures shall be maintained in the approved condition thereafter.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>
13.	<p>Integrated water supply and drainage strategy</p> <p>No development hereby permitted shall take place until an integrated water supply and drainage strategy has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved strategy. The strategy shall provide details of any on and/or off site drainage works, and impact studies on the existing water supply infrastructure to determine the magnitude of any new additional capacity required in the system and a suitable connection point. The development shall be carried out in accordance with the approved integrated water supply and drainage strategy. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.</p> <p>Reason: To ensure the provision of adequate and appropriate infrastructure for water supply and waste water, both on and off site. A pre-condition is required because this policy-requirement is not addressed within the current application, and will depend on the final layout of the development. This condition is applied in accordance with the National Planning Policy Framework, Policies CS5 and CS16 of the West Berkshire Core Strategy (2006-2026), and Policy GS1 of the Housing Site Allocations DPD 2006-2026. A pre-condition is necessary to make the development acceptable, as this information is not included within the application submission.</p>
14.	<p>Refuse Storage</p> <p>No dwelling shall commence construction above foundation level until details of storage for refuse and recycling materials for the dwellings has been submitted to and approved in writing by the Local Planning Authority. The storage for refuse and recycling details plan shall show the storage for refuse and recycling details on each plot. Thereafter the development shall not be carried out except in accordance with the approved details.</p> <p>Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is imposed 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 (June 2006).</p>
15.	<p>External Noise</p>

	<p>No dwelling shall commence construction above foundation level a scheme of works to protect the future occupiers of the dwellings has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be carried out except in accordance with the approved details.</p> <p>Reason: In order to protect the amenities of future occupiers of the development in accordance with The National Planning Policy Framework, Policy OVS6 of the West Berkshire District Local Plan 1991 to 2006, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
16.	<p>Travel information packs</p> <p>No dwelling hereby permitted shall be first occupied until a scheme for the provision of travel information packs for new residents has been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To provide a scheme that seeks to deliver sustainable transport objectives, such as encouraging the use of local public transport and other non-car modes of transport. The provision of travel information packs to new residents is a scheme that is proportionate to the size of the development. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), and Policies GS1 and P1 of the Housing Site Allocations DPD (2006-2026).</p>
17.	<p>Superfast Broadband</p> <p>The development shall be carried out in accordance with the broadband details approved under application 22/00890/COND7. No part of the development hereby permitted shall be occupied (unless otherwise agreed in writing by the Local Planning Authority) until superfast broadband infrastructure has been provided in accordance with the approved details.</p> <p>Reason: To ensure that the site is provided with high-speed communications infrastructure in the interests of the amenity of the occupants of the site in accordance with the requirements of the National Planning Policy Framework, Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).</p>
18.	<p>Emergency Water Supplies.</p> <p>No dwelling hereby permitted shall be first occupied until either:</p> <ul style="list-style-type: none"> (a) Private fire hydrant(s), or other suitable emergency water supplies, have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority (in consultation with Royal Berkshire Fire and Rescue Service); or (b) Royal Berkshire Fire and Rescue Service confirm that such provision is not required (for example, because the main water supply for the development is sufficient) and confirmation of the same has been given in writing by the Local Planning Authority pursuant to this condition. <p>Reason: At present there are no available public mains in this area to provide suitable water supply in order to effectively fight a fire. Suitable private fire</p>

	hydrant(s), or other suitable emergency water supplies, are therefore required to meeting Royal Berkshire Fire and Rescue Service requirements, in the interests of public safety. This condition is applied in accordance with the requirements of the National Planning Policy Framework, Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).
19.	<p>Boundary Treatment</p> <p>No dwelling shall commence construction above foundation level until details (indicating the position, design, materials and type) of all boundary treatments have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be carried out except in accordance with the approved details.</p> <p>Reason: To ensure the satisfactory appearance of the development in accordance with the National Planning Policy Framework and Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026)</p>
20.	<p>Tree Protection – Construction Precautions</p> <p>No development or other operations hereby permitted shall commence on site until measures providing for the protection of the root zones of trees to be retained from the proposed access, hard surfacing, drainage and services have been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
21.	<p>Arboricultural Programme of Works</p> <p>No development or other operations hereby permitted shall commence on site until a detailed schedule of tree works including timing and phasing of operations has been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
22.	<p>Arboricultural Method Statement</p> <p>No development or other operations shall commence on site until an</p>

	<p>arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for the details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
23.	<p>Arboricultural Supervision Condition</p> <p>No development hereby permitted shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the West Berkshire Quality Design SPD.</p>
24.	<p>Construction Environmental Management Plan (CEMP)</p> <p>No development hereby permitted shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following;</p> <ul style="list-style-type: none"> (a) a risk assessment of potentially damaging construction activities (b) Identification of biodiversity protection zones (c) Practical measures to avoid and reduce impacts during construction with special consideration on the protection of SSSI/SACs within the locality. (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 of the ecological clerk of works or similarly competent person (i) Any temporary lighting that will be used during construction (k) measures to ensure no altered hydrogeology will occur within the site or locality during construction (l) External lighting (m) The implementation of these measures prior to the commencement of development.

	<p>The development shall not be constructed otherwise than in accordance with the approved CEMP.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application following the amendment to the layout. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
25.	<p>CLP Oil Pipeline</p> <p>Prior to any development hereby permitted commencing on land within 6m of existing CLP (Oil) Pipeline located beyond the southern redline boundary of the site, the broad location of which being indicated in the consultation response with attached plan dated 7 August 2017 from CLP Pipeline System Ltd, details of such works shall have been submitted to and approved in writing by the local planning authority (in consultation with CLP Pipeline System Ltd). The development shall thereafter be carried out strictly in accordance with the approved details.</p> <p>Reason: In the interests of public safety. This condition is applied in accordance with the requirements of the National Planning Policy Framework, Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).</p>
26.	<p>Public Rights of Way</p> <p>Notwithstanding information provided with the supporting application documentation, prior to any works commencing on, or affecting, any Public Rights of Way (PROW) with the site, details of such works shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: In the interest of highway safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists using the local PROW network. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
27.	<p>External Lighting Strategy</p> <p>Prior to above foundation level works commencing, details of a lighting strategy for the approved dwellings shall have been submitted to and approved in writing by the Local Planning Authority. The strategy shall:</p> <ul style="list-style-type: none"> (a) Identify those areas on the site that are particularly sensitive for bats; (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory; (c) Include and isolux diagram of the proposed lighting; (d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers; (e) Details of lighting positioning to avoid excessive light pollution to boundary trees, hedgerows or vegetation; (f) Light levels to below 1lux;

	<p>(g) Details of light hoods or equivalent features to reduce light spillage; (h) Provide details of timed/motion sensor security lighting;</p> <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy and no additional external/street lighting shall be erected on the site.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
28.	<p>Biodiversity enhancements</p> <p>The development shall not be first occupied until details of a biodiversity enhancement plan have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The enhancements plan shall follow the principles set out within the supporting ecological report prepared by PV Ecology and shall include (but not be limited to) the installation of a minimum of 4 additional bat roosting boxes such as Schwegler 2FN Bat Box or Schwegler 1FF Bat Box within Hedgerow 4 Appendix Q Phase 2 Ecological Report by PV Ecology as updated in April 2019 (including Appendix A and B). Thereafter, the biodiversity enhancement measures shall be maintained in their approved condition for the lifetime of the development.</p> <p>Reason: To achieve net gains in biodiversity, and to mitigate the impact on bat species. A pre-condition is required because insufficient details accompany the application. This condition is applied in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
29.	<p>Restrictions during bird breeding season</p> <p>No demolition, or site/vegetation clearance shall take place during the bird breeding season (March to August inclusive) unless carried out under the supervision of an experienced ecologist, who will check the habitat to be affected for the presence/absence of any birds' nests. If any active nests are found then works with the potential to impact on the nest must temporarily stop, and an appropriate buffer zone shall be established, until the young birds have fledged and the nest is no longer in use.</p> <p>Reason: To prevent harm to nesting birds from demolition and vegetation clearance. This condition is applied in accordance with the statutory provisions relating to nesting birds, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
30.	<p>Landscape and Habitat Management Plan</p> <p>No development hereby permitted shall take place until a Landscape and Habitat Management Plan for the site for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The plan shall ensure that appropriate mitigation measures and management regimes are in place for the site and associated green infrastructure. The plan</p>

	<p>shall include long term design objectives, management responsibilities and maintenance schedules. The plan shall include any areas of existing landscaping including woodlands and also include any areas of proposed landscaping other than areas of private domestic gardens. No dwelling hereby permitted shall be first occupied until the approved plan has been implemented and thereafter adhered to for the lifetime of the plan.</p> <p>Reason: To ensure that appropriate mitigation measures and management regimes are in place for the site and associated green infrastructure post-development including the long term management of existing and proposed landscaping in accordance with the recommendations of the submitted ecological report. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework and Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026</p>
31.	<p>Public Open Space</p> <p>Prior to above foundation level works commencing, details of on-site Public Open Space including LEAP and LAPs have been submitted to and approved by the Local Planning Authority. The approved Public Open Space shall be provided prior to the occupation of the 25th dwelling and shall be retained permanently thereafter.</p> <p>Reason: In order to provide adequate on site public open space to comply with Policies RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and in terms of the strategic objective to enhance green infrastructure in line with Core Strategy Policy CS18. The National Planning Policy Framework also supports the provision of such green infrastructure and community facilities.</p>
32.	<p>Allotments</p> <p>The development shall be carried out in accordance with the details approved under application 20/03032/COND1. The allotments shall be completed in accordance with the approved scheme before any dwelling hereby permitted is first occupied.</p> <p>Reason: In order to compensate for any loss of allotment provision resulting from the proposed emergency access from Station Road and to ensure timely delivery to meet the needs of future occupiers in accordance with Policy HSA2 of the Housing Site Allocations DPD 2006-2026, the Speen Village Design Statement (2002) and The National Planning Policy Framework.</p>
33.	<p>Reptile Mitigation Strategy</p> <p>The development hereby permitted shall be carried out in accordance with the Reptile Mitigation Strategy set out with in Ecological Report by PV Ecology 2016 as updated in April 2019 with specific reference, amongst other elements, to a) the erection of reptile fencing prior to and during construction as per the yellow areas as shown in Appendix S and in accordance with the design shown in Appendix T, and b) the creation of two hibernacula with the purple area shown in Appendix S and to the standard as shown in Appendix U.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats, and in order to avoid contravention of the Wildlife and Countryside Act 1981. This condition is applied in accordance with the National Planning Policy Framework, and</p>

	Policy CS17 of the West Berkshire Core Strategy 2006-2026.
34.	<p>Cycle Storage</p> <p>Each dwelling hereby permitted shall not be occupied until details of cycle storage to serve that dwelling has been submitted to and approved in writing by the Local Planning Authority. The approved dwelling shall not occupied until the approved cycle storage has been provided in accordance with the approved details and the approved areas shall thereafter be kept available for the parking of cycles at all times.</p> <p>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).</p>
35.	<p>Contamination Risks (Environment Agency)</p> <p>The development shall be carried out in accordance with the contamination investigations within the Phase 2 Geo-Environmental Site Investigation Report prepared by Environmental Management Solutions dated 20 December 2018 (ref: E10961-SI) approved under application 22/00878/COND5..</p> <p>Reason: Potential sources of contamination have been noted on this site. In particular an abandoned underground oil pipe line and a former railway is highlighted. This is located above the chalk principal aquifer. Small watercourses and a possible swallow hole are also shown. The site is also in a Source Protection Zone 2 for a public water supply abstraction. These are controlled water receptors which could be impacted by any contamination present on this site. Further investigation would be required to determine the extent of any contamination present and to what extent it poses a risk to controlled waters. Any risk identified would need to be adequately resolved to ensure that this does not impact on controlled water receptors. This may include remedial works to resolve contamination issues. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.</p>
36.	<p>Verification Report</p> <p>The development shall be carried out in accordance with the contamination investigations within the Phase 2 Geo-Environmental Site Investigation Report prepared by Environmental Management Solutions dated 20 December 2018 (ref: E10961-SI) approved under application 22/00878/COND5</p> <p>Reason: To ensure that contamination at the site is assessed. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.</p>
37.	<p>Unforeseen Contamination</p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in</p>

	<p>writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.</p> <p>Reason: To ensure that any unexpected contamination encountered during the developments is suitable assessed and dealt with, such that it does not pose an unacceptable risk to ground or surface water. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012 and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007</p>
38	<p>Skills and Employment Plan</p> <p>No development shall take place an Employment and Skills Plan (ESP), in relation to the construction phase of the development, has been submitted to and approved in writing by the Local Planning Authority. The ESP will set out the measures that the developer will take to enhance the training and employment opportunities that are offered to the local workforce in West Berkshire in the construction process. The measures set out in the ESP should be appropriate and proportional to the scale and value of the development. The ESP should set out, through a method statement, how the following priorities will be addressed:</p> <ul style="list-style-type: none"> (a) Promotion of employment opportunities generated on site to the West Berkshire workforce (but not excluding those outside of West Berkshire), with a focus on those who are not currently employed. (b) Creation of new apprenticeship starts specific to the development site. This should include how the developer will work directly with local employment and training agencies. (c) Identification of training and work placement opportunities on site with discussion on how these may be promoted to local people, working directly with local employment and training agencies. <p>The Employment and Skills Plan should also:</p> <ul style="list-style-type: none"> (d) Identify a lead contact who is responsible for managing the plan. (e) Set out a timetable for the implementation of the ESP which, for the avoidance of doubt, shall include a start date no later than the date of commencement of development. (f) Set out the process for how implementation of the ESP will be monitored and reported back to West Berkshire Council. <p>Thereafter approved ESP shall be implemented in full concurrent with the development of the site.</p> <p>Reason: To promote local job opportunities in the district in accordance with the National Planning Policy Framework. A pre-commencement condition is necessary because the ESP will need to be in place before any construction activities take place.</p>
39	<p>Ecological mitigation and management measures review and survey updates</p>

	<p>Prior to the commencement of development (including site clearance), the ecological mitigation and management measures to be secured shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:</p> <p>(i) establish if there have been any changes in the presence and/or abundance and/or distribution of:</p> <ul style="list-style-type: none"> (a) Habitats; (b) Badgers; (c) Bats; (d) Hazel dormouse; (e) Breeding birds. <p>(ii) identify any likely new ecological impacts that might arise from any changes.</p> <p>Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the approved ecological mitigation and management measures will be revised and new or amended measures and a timetable for their implementation, will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
40	<p>Protected Species Licence</p> <p>If any protected species are identified in the updated surveys that were not previously confirmed to be on the application site and are likely to be impacted by the development in such a way that would be unlawful, then a protected species licence could be required before works can commence. In such an event, no works, including demolition or development shall be undertaken within the application site until the local planning authority has been provided with a licence granted by Natural England in accordance with Regulation 55 of the Conservation of Habitats and Species Regulations, 2017(as amended) to enable the proposed works to proceed lawfully in respect of bats. An updated bat scoping and bat emergence surveys shall be undertaken in accordance with best practice professional guidance to support the licence application to Natural England.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026</p>

2. OUTLINE PLANNING PERMISSION

41.	Reserved Matters Submission
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	<p>No development hereby permitted shall take place until details of the access, appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) of development have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
42.	<p>Submission Limit for Approval of Reserved Matters</p> <p>Application for approval of all the reserved matters shall be made to the local planning authority before the expiration of three years from the date of the original permission (the expiry date being 18th February 2023).</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
43.	<p>Time Limit for Commencement</p> <p>The development hereby permitted shall commence before the expiration of three years from the date of this permission 17/02092/OUTMAJ (the expiry date being 18th February 2023) or before the expiration of two years from the date of approval of the last of the approved matters, whichever is the later.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
44.	<p>Phasing Plan (as amended under 20/01009/NONMAT).</p> <p>The development may be carried out in accordance with the approved phasing plan (ref: P1-05) on a phased basis in respect of phase 1 - allotment works, phase 2 - all works relating to the part of the hybrid application site that was submitted in full, and phase 3 - change of use of agricultural to public open space and works relating to the part of the hybrid application site that was submitted in outline (all matters reserved) in accordance with a phasing plan for that area of the site which shall be submitted and approved in writing by the local planning authority on or before submission of the first reserved matters application which shall show the phases in which development is to be carried out, including details on the broad number of dwellings (Including affordable units) to be provided at each phase(s). The development shall thereafter only be carried out in accordance with the approved Phasing Plan and/or any subsequent amendment(s) to it that has been agreed in writing by the Local Planning Authority.</p> <p>Reason: To assist with the identification of each chargeable phase for the purposes of the Community Infrastructure Levy payable in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and to ensure the comprehensive masterplan led development of the site in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP2, ADDP5, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA2 of the Housing Site Allocations DPD 2006-2026, West Berkshire Quality Design SPD and the Speen Village Design</p>

	Statement (2002).
45.	<p>Parking and Turning Areas</p> <p>No dwelling hereby permitted shall be occupied until the associated vehicle parking and/or turning space has been surfaced, marked out and provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The parking and/or turning space shall thereafter be provided in accordance with the approved details and kept available for parking (of private motor cars and/or light goods vehicles) at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
46.	<p>Station Road Emergency Access</p> <p>Upon occupation of the 50th dwelling hereby approved, the Station Road emergency access and cycle route shall be constructed and made available for use in accordance with the approved drawing 07733/SK/009 rev A or as otherwise agreed by the LPA.</p> <p>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).</p>
47.	<p>Off - site Section 278 highway works</p> <p>No dwelling hereby permitted shall be occupied until a Section 278 Agreement has been signed and provided to procure the following works:</p> <p>By occupation of the 50th dwelling:</p> <ul style="list-style-type: none"> • Emergency and cycleway access onto Station Road <p><u>Public Transport Infrastructure</u></p> <ul style="list-style-type: none"> • Provision of raised Kassel kerb, 21 metre time-restricted bus stop clearway marking to enable the bus to safety line and timed clearway sign plate at “The Sydings” bus stop northbound in Station Road • Provision of raised Kassel kerb at arrival end and safety line at “The Sydings” bus stop southbound towards A4 in Station Road <p><u>Dropped kerbing and tactile paving at the following locations:</u></p> <ul style="list-style-type: none"> • Across Station Road at the junction with the A4 • Across Lambourn Road west of the junction with Station Road with decrease in kern radii on western side of Station Road to enable this crossing • Across The Sydings at the junction with Station Road • Across Station Road at the southbound bus stop <p>Reason: To encourage sustainable travel, in the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists.</p>

	This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).
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3. FULL PLANNING PERMISSION

48.	<p>Time Limit</p> <p>The development hereby permitted shall commence before the expiration of five years from the date of this permission 17/02092/OUTMAJ (the expiry date being 18th February 2025).</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
49.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans listed below:</p> <p>Received 18 September 2023:</p> <ul style="list-style-type: none"> • Proposed Bath Road access - 07733/SK/002 rev E • Amended Drawing No: 0766-S73-1- 102 Revision A – Planning Layout • Amended Drawing No: 0766-S73-1-HTB Issue 4 – House Type Booklet • Amended Drawing No: 0766-S73-1-103 Revision A – Street Scenes • Amended Drawing No: 0766-S73-1-109 Revision A – Garages • Amended residential travel plan <p>Received 10 January 2024:</p> <ul style="list-style-type: none"> • Amended site levels <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
50.	<p>Archaeological Scheme of Building Recording</p> <p>The development shall be carried out in accordance with the final amended Written Scheme of Investigation The Thames Valley Archaeological Services WSI dated 17/3/22 (file name 21e129bld WSI rev3) approved by Archaeology. The development shall be completed in accordance with the approved scheme</p> <p>Reason: To ensure that an adequate record is made of these buildings of architectural, historical or archaeological interest. This condition is applied in accordance with the National Planning Policy Framework and Policy CS19 of the West Berkshire Core Strategy (2006-2026). A pre-condition is necessary as insufficient information is provided at this stage.</p>
51.	<p>Visibility Splays Before Development</p> <p>No development hereby permitted (other than works to implement the visibility</p>

	<p>splays hereby described) shall take place until visibility splays of 2.4 metres by 43.0 metres have been provided at the A4 Bath Road access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.</p> <p>Reason: In the interests of road safety. This condition is applied in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
52.	<p>Bath Road Access</p> <p>No dwelling hereby permitted shall be occupied until the A4 Bath Road access has been constructed in accordance with details to be submitted and approved in writing by the Local Planning Authority.</p> <p>Reason: In the interest of road safety. This condition is applied in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
53.	<p>Off - Site Highway Works</p> <p>No dwelling hereby permitted shall be occupied until a Section 278 Agreement has been signed and provided to procure the following works:</p> <ul style="list-style-type: none"> • Vehicular and footway access onto A4 Bath Road with turn right lane and pedestrian refuge crossing and footway widened to 1.8 metres fronting the site. <p>Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is applied in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
54.	<p>Parking and Turning Areas</p> <p>No dwelling hereby permitted shall be occupied until the associated vehicle parking and/or turning space has been surfaced, marked out and provided in accordance with the approved plans. 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.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
55.	<p>External Materials</p> <p>Irrespective of details submitted, prior to above foundation level works commencing, details of external facing materials shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with approved details.</p> <p>Reason: To ensure the satisfactory appearance of the development and in order</p>

	to protect the character and amenity of the area and the adjacent Conservation Area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the Quality Design SPD (June 2006) and Speen Village Design Statement (2002).
56.	<p>Obscure Glazing</p> <p>The first floor windows in the first floor south facing elevation of the dwelling identified as Plot 6 hereby permitted shall be of a top hung design and be fitted with obscure glazing before this dwelling is first occupied. The obscure glazing shall be permanently retained in that condition thereafter.</p> <p>Reason: 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).</p>
57.	<p>Landscaping (including hard surfaces)</p> <p>No development hereby permitted shall take place (including site clearance and any other preparatory works) until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing and materials to be used, a schedules of plants (noting species, plant sizes and proposed numbers/densities), an implementation programme, and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:</p> <ol style="list-style-type: none"> a) completion of the approved landscaping within the first planting season following the completion of the development; and b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of the development shall be replaced in the following year by plants of the same size and species. <p>Thereafter the approved scheme shall be implemented in full.</p> <p>Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy July 2006-2026.</p>

Informatives

1.	<p>Approach of the LPA</p> <p>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 a development, which improves the economic, social and environmental conditions of the area.</p>
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2.	<p>CIL</p> <p>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 the 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</p>
3	<p>Ground grading requirements</p> <p>The applicants' attention is drawn to league requirements for ground grading and the associated requirements for internal spaces to play in a particular league.</p>
4	<p>CLH Pipeline</p> <p>The applicants is advised to contact CLH Pipeline System who advise that their client's apparatus, the CLH Pipeline System - Energy Act 2013 (CLH PS), may be affected by the proposal. In order to verify the accurate location of the pipeline in conjunction with the development proposals to arrange a site visit, please contact:</p> <p>Central Services email: anne.swallow@clhps.uk Ashdon Road Tel: 01799 564101 Saffron Walden Essex, CB10 2NF</p> <p>When contacting Central Services, please quote the File Ref ATC/WB/WB/0950/172161.</p> <p>You should note that the interests of the CLH Pipeline System are conserved by means of the Energy Act 2013, in particular Part IV of the Act, and other legislation such as the Pipeline Safety Regulations 1996. It is, however, the Energy Act 2013 that prohibits any development and most intrusive activities within the Easement Strip without specific consent from CLH Pipeline System. CLH Pipeline System Easement Strips are 6 metres wide and can incorporate other associated CLH Pipeline System facilities.</p> <p>Central Services will be able to provide guidance on the required procedures for entering into a Works Consent and provide confirmation on permitted development and intrusive activities. The whole process of obtaining Works Consent can take between four and six weeks depending on circumstances at the time of application.</p> <p>To reiterate, you should not undertake any work or activity without first contacting the CLH Pipeline System Operator for advice and, if required, Works Consent. For your additional information please visit: http://www.linesearchbeforeudig.co.uk/index.php/useful-info, which set out the standard requirements for working/crossing the CLH Pipeline System - Energy Act 2013.</p> <p>You should also be aware that landowners and third parties have a duty of care not to carry out any works that have the potential to damage CLH Pipeline System apparatus. This duty of care applies even if the works themselves are situated more than 3 metres from the pipeline. Examples of such works are mineral extraction, mining, explosives, piling and windfarms.</p>

	<p>Please note that implementation of any unapproved work that affects a CLH Pipeline System Easement Strip may result in serious consequences in terms of health and safety, expense and other attendant liabilities. In such cases it is the perpetrator of the act, together with any other promoting organisation, that shall be held fully accountable for any resulting damage.</p>
	<p>Works Affecting the Public Highway</p> <p>Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be coordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in West Berkshire.</p> <p>Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be coordinated by them in liaison with West Berkshire Council's Street Works Section, (telephone 01635 519169/519234). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are coordinated to take place wherever possible at the same time.</p> <p>Reason: In order to minimise disruption to road users, be they pedestrians or vehicular traffic, under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. In order to satisfy the licensing requirements of the Highways Act 1980.</p>
	<p>HI 1 Access construction – for the works to the accesses</p> <p>The Highways Manager, West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.</p>
	<p>HI 3 Damage to footways, cycleways and verges</p> <p>The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.</p>
	<p>HI 4 Damage to the carriageway</p> <p>The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.</p>
	<p>Conditions</p> <p>The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.</p>
	<p>Pre-conditions</p> <p>The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the</p>

	<p>development occurs. For example, "Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met. A fee is required for an application to discharge conditions.</p>
	<p>Section 106 Legal Agreement</p> <p>This Decision Notice must be read in conjunction with the terms of the associated s106 Legal Agreement. You are advised to ensure that you have all the necessary documents before development starts on site.</p>