

**WESTERN AREA PLANNING COMMITTEE  
18 SEPTEMBER 2024**

**UPDATE REPORT**

**Item No:** (1)                      **Application No:** 23/02782/FULMAJ                      **Page No.** 7 - 60  
**Site:** 20 - 28A Pound Street, Newbury

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**1. Registered Speakers**

Please refer to List of Speakers provided under separate cover.

**2. Updates**

Additional Consultation Responses

<b>Environment Delivery Team:</b>	I note that the applicants point that compliance with CS15 is not technically viable and that only a 30% CO2 emissions reduction from regulated and unregulated energy can be achieved for the site.  A 30% reduction in CO2 emissions is disappointing, however I accept the technical viability constraints detailed for the site.
<b>Network Rail:</b>	No objections, request informatives.

**3. Sustainable Construction**

Following the submission of a further addendum to the Energy Statement at the time of writing the agenda report, the Environment Delivery Team provided the above response and accepting that it is not technically viable to achieve zero carbon as part of the development proposed. Therefore, the conclusions set out in paragraph 6.112 of the agenda report remain.

**4. Biodiversity Matters**

Clarification was sought at the Committee site visit regarding the provision of biodiversity enhancements proposed. The application is accompanied by an Ecological Impact Assessment which proposes landscaping and enhanced roosting opportunities for bats through the provision of six bat bricks as well as new nest boxes for birds (unspecified number).

To secure the provision of adequate bat bricks and bird boxes an additional condition is proposed.

The precise details of the soft landscaping to be provided would be secured by proposed condition 20 in the agenda report and the management and maintenance of the landscaping and ecological enhancements would be secured by proposed condition 5 of the agenda report.

**5. Other Additional and Amended Conditions**

Following a review of the conditions set out in the agenda report, condition 12 (Building Materials) is proposed to be amended to remove reference to doors and windows and an additional, separate condition to secure precise details of doors and windows including their reveals, glazing bars, sills and heads etc. is proposed.

In addition, proposed condition 19 (Public seating and seats in communal areas) is amended to include details of bollards and associated external lighting in those areas to be provided and approved prior to any occupation.

**6. Updated Recommendation**

The recommendation remains as set out in the agenda committee report, subject to the following additional condition and informatives.

Amended Conditions

12.	<p><b>Building Materials</b></p> <p>No above ground development shall take place until a schedule of all materials and finishes visible external to the buildings, including bin stores and cycles stores, have been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available to be viewed at the site or by arrangement with the Planning Officer. All materials incorporated in the work shall match the approved schedule and samples.</p> <p>Reason: To ensure that the materials are appropriate to the character of the building, and the Conservation Area. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
19.	<p><b>Public seating and seats in communal areas</b></p> <p>No dwelling shall be first occupied until details of the proposed seating, associated external lighting and bollards to be located in the public and communal areas of the development have been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: The provision of seating areas and associated lighting and bollards are integral elements of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS18 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.</p>

Additional Conditions

33.	<p><b>External Joinery Windows / Doors</b></p> <p>No new external doors and windows shall be fitted until working drawings (scale 1:20, 1:10, 1:5, half or full size etc.) fully detailing the new windows and external doors (cross sections for full glazing bars, sills, heads and window/door reveals etc.) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved specifications and retained thereafter.</p>
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	Reason: To ensure that the proposed works are sympathetic to the special architectural and historic interest of the heritage assets and to ensure a satisfactory appearance to the development. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).
34.	<p><b>Biodiversity measures</b></p> <p>The development hereby permitted shall not be occupied until bat bricks and bird boxes have been installed/constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure biodiversity enhancements are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>

Additional Informatives (as requested by Network Rail)

17.	<p><b>Safety</b></p> <p>Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basic Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact <a href="mailto:assetprotectionwestern@networkrail.co.uk">assetprotectionwestern@networkrail.co.uk</a>.</p>
18.	<p><b>Drainage</b></p> <p>Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels – if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.</p>
19.	<p><b>Ground Levels</b></p> <p>The developers should be made aware that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.</p>
20.	<p><b>Foundations</b></p> <p>Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.</p>
21.	<p><b>Site Layout</b></p> <p>It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.</p>

22.	<p><b>Demolition</b></p> <p>The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building, due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence.</p>
23.	<p><b>Landscaping</b></p> <p>It is recommended no trees are planted closer than 1.5 times their mature height to the northern boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.</p> <p>Permitted:  Birch (<i>Betula</i>), Crab Apple (<i>Malus Sylvestris</i>), Field Maple (<i>Acer Campestre</i>), Bird Cherry (<i>Prunus Padus</i>), Wild Pear (<i>Pyrus Communis</i>), Fir Trees – Pines (<i>Pinus</i>), Hawthorne (<i>Cretaeagus</i>), Mountain Ash – Whitebeams (<i>Sorbus</i>), False Acacia (<i>Robinia</i>), Willow Shrubs (<i>Shrubby Salix</i>), Thuja Plicatat "Zebrina"</p> <p>Not Permitted:  Alder (<i>Alnus Glutinosa</i>), Aspen – Popular (<i>Populus</i>), Beech (<i>Fagus Sylvatica</i>), Wild Cherry (<i>Prunus Avium</i>), Hornbeam (<i>Carpinus Betulus</i>), Small-leaved Lime (<i>Tilia Cordata</i>), Oak (<i>Quercus</i>), Willows (<i>Salix Willow</i>), Sycamore – Norway Maple (<i>Acer</i>), Horse Chestnut (<i>Aesculus Hippocastanum</i>), Sweet Chestnut (<i>Castanea Sativa</i>), London Plane (<i>Platanus Hispanica</i>).</p>