

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	25/00140/FUL Tilehurst Parish Council	31 st March 2025 ¹	Erection of 4no. residential dwellings comprising 4 x 2-bedroom semi-detached houses including 2no. parking spaces per dwelling and private gardens. Creation of new vehicular access from City Road. Provision of accessible greenspace to rear of site Land Adjacent To Linnet Close Linnet Close Tilehurst Reading James Cooper
¹ Extension of time agreed with applicant until 10 th October 2025			

The application can be viewed on the Council's website at the following link:
[25/00140/FUL | Erection of 4no. residential dwellings comprising 4 x 2-bedroom semi-detached houses including 2no. parking spaces per dwelling and private gardens. Creation of new vehicular access from City Road. Provision of accessible greenspace to rear of site | Land Adjacent To Linnet Close Linnet Close Tilehurst Reading](#)

Recommendation Summary: To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the completion of a S106 agreement and to the conditions listed in Section 8 of this report

Ward Member(s): Councillor Joanne Stewart
Councillor Clive Taylor

Reason for Committee Determination: Called-in by Ward member
More than 10 Objections

Committee Site Visit: 1st October 2025

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1. Introduction

- 1.1 The purpose of this report is for the Committee to consider the proposed development against the policies of the development plan and the relevant material considerations, and to make a decision as to whether to approve or refuse the application.
- 1.2 This application seeks planning permission for the erection of 4 no. 2 bedroom semi-detached houses, the application proposes two parking spaces for each dwelling, to be served from a new access onto City Road. The application also proposes that the southern part of the site will be an area of accessible open space, which is landscaped and accessible to the public from Linnet Close.
- 1.3 The application site forms part of the original residential curtilage of 187 City Road, and an area of grassland which was formerly used as public open space, which has been fenced off. The site is situated between City Road, Linnet Close and Bitterne Avenue. The section of the site outside the curtilage of 187 City Road was used as a play area between 1971-2006 until the lease to Tilehurst Parish Council expired. Since that time the land has been closed off to public use. The site is bounded by 1.8 metre high close boarded fences.
- 1.4 The application proposes the erection of two pairs semi-detached two-bedroom houses. Each house will have its own private garden, and there is single access point from City Road which will lead to a communal parking and turning area with two spaces per dwelling, and a bin storage area. The proposed garden areas are between 89 sq. metres to 142 sq. metres. It is proposed to retain the southern part of the site as publicly accessible space, with access from Linnet Close. The site layout plan indicates that this is proposed to be laid to grass with new hedges and trees with a gate access.

2. Planning History

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

Application	Proposal	Decision / Date
84/21393/ADD	Pair of semi-detached houses for private occupation	Refused 25/04/1984 Appeal Dismissed 13/02/1985
06/01759/OUTD	Erection of 4 semi-detached houses with garages (2 x 2 bed, 2 x 3 bed)	Refused 05/09/2006 Appeal dismissed 01/06/2007

09/01723/OUTD	Erection of 4 No. semi detached houses with garages with approval being sought for access, landscaping and layout.	Refused 12/11/2009 Appeal dismissed 09/07/2010
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3. Legal and Procedural Matters

- 3.1 **Environmental Impact Assessments (EIA):** Given the nature, scale and location of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 **Publicity:** Publicity has been undertaken in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's Statement of Community Involvement. Site notices were displayed on 27th February 2025 at Linnet Close, Bitterne Avenue and City Road, with a deadline for representations of 20th March 2025. Notification letters were sent to 14 adjoining occupiers.
- 3.3 **Local Financial Considerations:** Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body. The table below identified the relevant local financial considerations for this proposal.

Consideration	Applicable to proposal	Material to decision	Refer to paragraph(s)
Community Infrastructure Levy (CIL)	Yes	No	3.4
New Homes Bonus	Yes	No	3.5
Affordable Housing	No	No	
Public Open Space or Play Areas	Yes	Yes	6.3 & 6.26
Developer Contributions (S106)	No	No	6.26
Job Creation	No	No	

- 3.4 **Community Infrastructure Levy (CIL):** Community Infrastructure Levy (CIL) is a levy charged on most new development within an authority area. The money is used to pay for new infrastructure, supporting the development of an area by funding the provision, replacement, operation or maintenance of infrastructure. CIL will be used to fund roads and other transport facilities, schools and other educational facilities, flood

defences, medical facilities, open spaces, and sports and recreational areas. Subject to the application of any applicable exemptions, CIL will be charged on residential (Use Classes C3 and C4) and retail (former Use Classes A1 – A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of gross internal area (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). CIL liability, and the application of any exemptions, will be formally confirmed by the CIL Charging Authority under separate cover following any grant of planning permission. More information is available at <https://www.westberks.gov.uk/community-infrastructure-levy>

- 3.5 **New Homes Bonus (NHB):** New Homes Bonus payments recognise the efforts made by authorities to bring residential development forward. NHB money will be material to the planning application when it is reinvested in the local areas in which the developments generating the money are to be located, or when it is used for specific projects or infrastructure items which are likely to affect the operation or impacts of those developments. NHB is not considered to be a relevant material consideration in this instance, but can be noted for information.
- 3.6 **Public Sector Equality Duty (PSED):** In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The Council must have due regard to the need to achieve the following objectives:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.7 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—
- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3.8 The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have regard to and remove or minimise disadvantage. In considering the merits of this planning application, due regard has been given to these objectives.
- 3.9 There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

- 3.10 All new buildings within the development will be required to comply with Building Regulations which have their own criteria to apply for the design of buildings which also has due regard to the Act. CIL contributions are also taken towards healthcare and education & training facilities as part of the development.
- 3.11 **Human Rights Act:** The development has been assessed against the provisions of the Human Rights Act, including Article 1 of the First Protocol (Protection of property), Article 6 (Right to a fair trial) and Article 8 (Right to respect for private and family life and home) of the Act itself. The consideration of the application in accordance with the Council procedures will ensure that views of all those interested are taken into account. All comments from interested parties have been considered and reported in summary in this report, with full text available via the Council's website.
- 3.12 It is acknowledged that there are certain properties where they may be some impact, such as some limited overlooking) However, any interference with the right to a private and family life and home arising from the scheme as a result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the district and wider area and is proportionate given the overall benefits of the scheme in terms of provision of 4 new homes, and additional public open space.
- 3.13 Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

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.

Tilehurst Parish Council:	<p>1st response: Object due to poor visibility of the access close to a bus stop, overlooking to neighbouring properties, exacerbate drainage and sewage problems, increased flood risk, traffic congestion worsened on City Road, particularly at school drop-off and pick up times, reduced parking at neighbouring property, existing long-term green space will be lost, displacement of wildlife, smaller green space likely to increase incidents of anti-social behaviour.</p> <p>2nd response: Object as the new access is opposite a road junction, all other comments still stand.</p>
Highways:	<p>1st Response: Amended plans are required to provide the full visibility splays and widened access. Parking, and cycle storage is acceptable, electric vehicle charging points required which can be secured by condition.</p> <p>2nd Response: Amended plans required for the replacement parking for the existing dwelling. The street light can be moved</p>

	<p>at the applicant's expense. It has been confirmed that the bus stop is not in use.</p> <p>3rd Response: On-site turning for the existing dwelling must be provided</p> <p>4th response: A clearer site plan is required to show the turning spaces, subject to this the recommendation is conditional approval</p>
LLFA:	<p>1st Response: The principles for the drainage strategy are accepted but further amendment is required to allow for Greenfield discharge rate, and more green storage measures are also required.</p> <p>2nd Response: Recommend pre-commencement conditions</p>
Ecology:	Sufficient information has been provided, and recommend conditions
Thames Water:	No response received
Countryside Team:	No response received
Waste Management:	No response received

Public representations

- 4.2 Representations have been received from 18 contributors 0 of which support, and 18 of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- There are existing problems with drainage, which this will make worse
 - Concern about the responsibility and upkeep of the public accessible space
 - The design does not fit with the local area
 - Existing landscaping around the site is overgrown, there should be fences around the whole site
 - The height of the houses will impact sunlight to adjacent gardens
 - Linnet Close is not suitable for construction traffic
 - Overlooking into adjacent gardens & houses
 - Increased flood risk in an area with surface water issues
 - No Flood Risk Assessment
 - Overdevelopment of the site, excessive density for the plot
 - Proximity to the bus stop
 - Impact on wildlife
 - Insufficient parking, no visitor parking
 - Excessive density of development
 - Garden spaces are not practical useable space
 - The previous appeal said the site provides significant amenity value

- The public accessible space is not an adequate substitute for the loss of the bigger space
- Set a precedent for unsustainable infill development
- Proximity to bus stop will be a hazard to road uses and pedestrians
- Increased congestion, problems with congestion at school times, Travis Perkins, the pub and the bus stop, only access to the Birds Estate
- Increase in crime
- Noise and disturbance during construction for shift workers and residents
- Previous appeals on the site were dismissed
- Site notices not correctly posted
- No dimensions provided to show how the development fits or for the public land
- Plans incorrectly show a bus stop on that side of City Road
- Noise pollution
- The site should be reopened to the public
- Issues with construction traffic getting to a constrained site in a residential area
- Incorrect drainage plans
- Large oak trees were felled before the ecological surveys were undertaken
- Green infrastructure is being removed and not replaced by a suitable equivalent green space
- Lack of engagement with the community
- The site is an important green buffer providing visual and environmental benefits
- Impact on the social fabric of the neighbourhood
- Repeat applications on the same site

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.

Development Plan Document	Relevant Policies
West Berkshire Local Plan Review 2023-2041	Policy SP1 The Spatial Strategy Policy SP3 Settlement Hierarchy Policy SP5 Responding to Climate Change Policy SP6 Flood Risk Policy SP7 Design Quality Policy SP10 Green Infrastructure Policy SP11 Biodiversity & Geodiversity Policy SP12 Approach to Housing Delivery Policy SP15 Housing Type & Mix Policy SP19 Transport Policy SP20 Infrastructure Requirements & Delivery Policy DM4 Building Sustainable Homes & Businesses Policy DM5 Environmental Nuisance & Pollution Control Policy DM6 Water Quality Policy DM7 Water Resources & Waste Water Policy DM8 Air Quality

	Policy DM15 Trees, Woodland & Hedgerows Policy DM30 Residential Amenity Policy DM41 Digital Infrastructure Policy DM42 Transport Infrastructure Policy DM44 Parking
<u>Minerals and Waste Local Plan (2022-2037)</u>	Policy 9 Minerals Safeguarding

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

- The National Planning Policy Framework (NPPF)
- The Planning Practice Guidance (PPG)
- Quality Design SPD (2006)
- Planning Obligations SPD (2014)
- Sustainable Drainage Systems SPD (2018)

6. Appraisal

Principle of development

- 6.1 Policy SP1 sets out the spatial strategy for development, and says that development will follow the settlement hierarchy set out on policy SP3, and says that development within settlement boundaries will be supported. Policy SP1 says that the Eastern Urban Area will continue to be a focus for housing development, including through change in the existing built-up area. The policy says that in making the optimum use of land and achieving high quality design, density of individual sites will vary, but goes on to say that in Tilehurst net densities of at least 35 dwellings per hectare would be expected. Policy SP12 sets out the housing requirements during the plan period.
- 6.2 The application site is on land within the Tilehurst settlement boundary, and represents a net density of 36 dwellings per hectare. The principle of the development accords with Policies SP1 and SP3.
- 6.3 There have been previous applications for residential development on this site, which was formerly used as a play area for young children. These applications were refused and subsequent appeals dismissed. In the most recent decision in 2010 the Inspector dismissed the appeal, because although the site had not been used for some time it still had an amenity value, and could still be brought back into use, and it did not constitute previously developed land. The Inspector said that it had an amenity value even if it was not brought back into use. In assessing the current application, there have been changes to national and local planning policy since the previous appeal was dismissed, with the introduction of the NPPF, and the LPR superseding the previous Local Plan policies. It has now been 19 years since the site was used as a play area. It is no longer a community facility and it is considered that as a sustainably located site within the settlement boundary within a residential area, and with albeit a much reduced area provided for publicly accessible space, the previous reasons for refusing the application have been overcome, and the application is considered to be acceptable in principle, subject to the consideration of the following material considerations.

Character and appearance

- 6.4 Policy SP7 requires new development to strengthen a sense of place through high quality locally distinctive design and place shaping, and to take opportunities for conserving and enhancing the character, appearance and quality of an area and the way it functions, and for development to respond positively to design guidance. The supporting text sets out further guidance about how development can demonstrate a positive response to the characteristics of a well-designed place.
- 6.5 The application is proposing the erection of two pairs of semi-detached houses, which will face towards City Road, to the east is 187 City Road which is a detached bungalow, and to the west on higher ground are pairs of semi-detached houses in Bitterne Avenue, to the south-east of the site is Linnet Close which also comprises semi-detached houses. The form of the development blends with the surrounding scale and pattern of development.
- 6.6 There have been objections raised about the height of the dwellings, as they are taller than the surrounding development. However, given the differences in the ground levels, it is considered to be a scale of development which blends with the surroundings. The dwellings will be set back from the road, set back from the bungalow at 187 City Road, which will also help them to blend into the street scene. The 1.8 metres high close boarded fence which currently runs along City Road, would be replaced with a 1.2 metres high brick wall to enclose the parking area, and this is considered to be visually appropriate, and opens up the street frontage along City Road, rather than the harsh close boarded fence.
- 6.7 The front elevation of the dwellings takes the uniform style of houses in Bitterne Avenue and Linnet Close as a design cue, and interpret them in a contemporary way, with a different mix of materials, including a zinc roof, and diamond tile hanging and a grey/buff brick to the ground floor and side elevations. Whilst these materials are different to those used elsewhere in the immediate vicinity, where there is a mixture of ages of development, and the proposed materials provide the houses with a contemporary appearance. The exact specification and approval of the final schedule of materials can be secured through conditions.

Residential Amenity (Neighbours)

- 6.8 Policy DM30 says that all development will be required to provide and/or maintain a high standard of amenity for existing and future users of land and buildings. When considering the impact on the living conditions of existing and proposed residential dwellings, development proposals will be supported where there is no unacceptable harm in terms of the following criteria:
- a. Any significant loss of daylight and/or sunlight to land and buildings;
 - b. Any significant overlooking of land and buildings that results in a harmful loss of privacy;
 - c. Development resulting in an undue sense of enclosure, overbearing impact, or a harmful loss of outlook; and
 - d. Noise, dust, fumes and odours
- 6.9 There have been a number of objections which have referred to the loss of sunlight and daylight the houses and gardens as a result of the proposals. The nearest dwellings to the application site are 187 City Road, and 2 Linnet Close. The applicant submitted information with regards to the sunlight and daylight to the nearest habitable room windows from a sunlight and daylight consultant who confirmed that there was

unlikely to be a material impact on the affected windows. The positioning of Plot 4 is such that whilst it is 7.6 metres separation distance to between the nearest parts of the dwellings, plot 4 is to the north-west of the site, and situated so that there will not be an unacceptable degree of overshadowing to the habitable rooms of 2 Linnet Close. Due to the orientation distances, there will be some shadowing to the garden, however, as the proposed dwellings are to the north-west of Linnet Close this is limited to the late evenings, and is not considered to be a significant level of loss.

- 6.10 The proposed dwellings have habitable windows to the front and rear of the buildings, facing City Road and the rear garden and open space respectively. On the side elevations there are secondary windows serving habitable rooms in Plots 1 and 4, and these will be screened by the 1.8 metres existing fences round the site. At first floor level there are landing and bathroom windows. These are not habitable rooms, and so there will not be overlooking between these dwellings. There are first floor windows on the side elevation of 2 Linnet Close which faces towards the site, however these do not serve habitable rooms, and so given the angles, it is not considered that there would be a loss of privacy to that dwelling. The distance between the directly facing windows in Bitterne Avenue exceeds the minimum of 21 metres between facing habitable room windows required by the supporting text to Policy DM30 and the Quality Design SPD. The proposals are not considered to result in a significant loss of privacy to those dwellings.
- 6.11 The application site is within a residential area, and during the construction phase of the development it would be necessary to limit the hours of works on site to minimise the potential disruption to residents. There was a concern raised about the disturbance to shift workers needing to rest during the day. However, it is not reasonable to further restrict the hours of operation beyond standard working hours, as this would lead to a prolonged construction period.

Residential Amenity (Occupiers)

- 6.12 Policy DM30 also sets out requirements for development to meet to maintain a high standard of amenity for future occupiers and sets the following criteria:
- i. Functional amenity space of a quality and size to meet the needs of the occupants;
 - ii. Internal accommodation of an adequate size and layout relative to the intensity of occupation envisaged;
 - iii. Natural light in all habitable rooms of the proposed development;
 - iv. A garden size which is at least a minimum of 10.5 metres in depth, where possible; and
 - v. A minimum distance of 21 metres between directly facing windows, serving habitable rooms.
- 6.13 The supporting text to Policy DM30 repeats the guidance within the Quality Design SPD, that the guidance requires a minimum outdoor amenity space of at least 70 sq. metres for one- and two-bedroom houses. The garden sizes ranged from 89 sq. metres to 142 sq. metres accessible from the rear of the house, and will be divided by 1.8 metre high fencing. This exceeds the minimum garden size required by the guidance, and is considered to be suitable to meet the needs of future residents. The garden spaces proposed have a depth of 15 metres, which also exceeds the minimum requirements set out in Policy DM30. As previously discussed, there are sufficient privacy distances between facing habitable room windows. The floor plans indicate that there is natural light to all of the habitable room windows, and the houses have a suitable size and layout for the anticipated occupation of being occupied by 4 people.

The size and layout of the development meets the internal and external amenity needs of future occupiers in accordance with Policy DM30.

6.14 Highways

- 6.15 According to Policy SP19, development that generates a transport impact will be required to (amongst others) mitigate any adverse impact on local transport networks. Policy DM44 sets out the parking requirements for new developments.
- 6.16 The application is proposing 2 spaces for each of the dwellings, so a total of 8 spaces for the development, which will be accessed from one point onto City Road, with space for turning within the site. Following the submission of amended plans showing the access in a new location the Highways Authority have confirmed that the access details are acceptable, subject to the relocation of an existing streetlight, and the removal of a bus stop on the carriageway adjacent to the access. These can be secured via conditions. The application site includes a part of the residential curtilage of 187 City Road, and this included some of the previous parking and turning area which served that dwelling. Whilst the remaining curtilage is beyond the application site, it is on land owned or controlled by the applicant, and so conditions relating to the development can be imposed on this land. Swept path diagrams were submitted with the application to demonstrate that parking and turning can be provided to serve 187 City Road following the reduction in parking area. A condition can be added to the permission to ensure that the area is retained for parking.
- 6.17 There were objections raised by the public about the potential for additional congestion and increase in traffic as a result of the development. The Highways Authority have not raised any objection to the amount of traffic that the proposal will generate. The relocation of the access further away from the bus stop and widening of the access has overcome the initial concerns of the Highway Authority, and with the imposition of conditions. There were also objections raised about the deliveries to the site, and a condition requiring a Construction Method Statement is required. The wording of the condition also restricts deliveries so that they cannot occur between 8am and 9am in the morning and 5pm and 6pm in the evening. With the imposition of these conditions the application is considered to accord with Policies SP19 and DM44.

6.18 Flooding and Drainage

- 6.19 Policy SP6 sets out the policies for development on sites at risk of all sources of flooding. It goes on to say that on all development sites in order to restrict or reduce runoff surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS).
- 6.20 The application site is within Flood Zone 1 and is not in an area at risk of groundwater or surface water flooding. The application was submitted with a Drainage Strategy which was amended following the initial consultation response from the Council's Drainage Engineers. The details which were subsequently submitted have demonstrated adequate run-off rates, and that the surface water from the site can be satisfactorily drained, subject to further details being provided via conditions, and that this will not increase the surface water flood risk from the site.
- 6.21 There were objections raised about the sewer capacity of the existing network surrounding the site. Thames Water are the statutory undertaker for dealing with foul water. They were consulted on the application and no comments on the application were received. The developer will require in due course consent from Thames Water to discharge into their network which is a matter separate to the planning regime.

Ecology

- 6.22 Policy SP11 says that development proposals will be required to demonstrate how they conserve and enhance biodiversity and/or geodiversity including their long-term future management and, where required, deliver Biodiversity Net Gains. Criterion k of Policy DM28 requires that the proposal conserves and enhances biodiversity, in accordance with policy SP11.
- 6.23 The application was submitted with a Preliminary Ecological Assessment which concluded that the site is not of a particularly high intrinsic value from a nature and conservation perspective, and concluded that there would not be any adverse impact to designated site, habitats of ecological significance or protected species. The Council's Ecologists have reviewed the submission and are satisfied with the level of information provided. They have recommended that if the application is approved, it is subject to conditions requiring that works are carried out in accordance with the biodiversity method statements, and that a Construction Environmental Management Plan is secured as a pre-commencement condition. The development is also subject to statutory Biodiversity Net Gain, and so a condition is required to secure a Habitat and Management Monitoring Plan in accordance with the Biodiversity Gain Plan. The biodiversity improvements are proposed to be provided within the publicly accessible open space within the site.

Climate Change

- 6.24 Policy SP5 requires that the principles of climate change mitigation and adaptation will be required to be embedded into new development. Proposals should be accompanied by a Sustainability Statement which demonstrates how the principles in Policy SP5 have been embedded into the development, proportionate to the scale and nature of the development proposed. Policy DM4 sets out the minimum standards of construction that new residential development will need to meet, and then once this has been met to include onsite renewable, zero and low carbon energy technologies to achieve net zero carbon operational energy (regulated and unregulated) on site. It should be demonstrated through the submission of an Energy Statement how these standards can be achieved.
- 6.25 The Design and Access Statement includes a Sustainability Assessment. Whilst this does not fully incorporate all of the measures referred to in Policies SP5 and DM4 it refers to utilising the Fabric First approach and using ultra high efficiency heating and hot water systems and the using air source heat pumps, as well as the use of recycled materials in the construction of the development. Given the information that has been provided it is considered that an Energy Statement can be secured through a pre-commencement condition. This will need to demonstrate the standards of construction of 63% reduction in carbon emissions by on-site measures, as compared to the baseline emission rate set by Building Regulations Part L 2021(SAP 1.2) and the appropriate Fabric Efficiency (FEE) metric, as well as details of the renewable energy to be used on site in the development.

Publicly Accessible Space

- 6.27 The application proposes that part of the site will be made available as publicly accessible space. This is an area of approximately 239 sq. metres to be accessed from Linnet Close. Whilst this is only a small part of the site which was once fully accessible to the public and maintained by the Parish Council, I would still make a contribution to the space that is available for recreational needs. There has been comments made within the public representations about the management of this land. The developer has indicated that they are willing to work with the Parish Council or West Berkshire Council for this to be managed by either body. At the current time there is not a willingness for this this to be agreed by ether body. Alternatively, the applicant has indicated that they would seek a management company to manage the

land on the behalf of the applicant. The means of long-term and sustainable management of the land can be secured through a S106 agreement, to be secured before planning permission is granted.

7. Planning Balance and Conclusion

- 7.1 The application is proposing the addition of new dwellings on land within the Eastern Urban Area settlement boundary within the community of Tilehurst, as supported in principle by Policies SP1 and SP3. The proposal will make a small contribution to the housing land supply as a windfall developmental and whilst the number of units is small, given the location of the development this is given great weight, given that the Council can only demonstrate a Five Year Housing Land Supply of 5.7 years (June 2025). The proposed dwellings can be provided without significant harm to the living conditions of the surrounding residents, and provide a suitable level of accommodation which accords with the relevant policies for the future occupiers of the dwellings. Following the amendments to the proposals, and with the imposition of suitable conditions the proposal accords with the highway safety requirements set out in policy and guidance. The proposal will not be harmful to the general character and appearance of the area, as the houses relate to the design of houses adjacent to the site, and uses a mixture of contemporary materials.
- 7.2 The development will result in the loss of the open space which has been used historically as public open space. Whilst the previous appeals on the site gave great weight to the retention of the land for this use, given that it has not been publicly available for 19 years, the amenity value of the land is reduced, and the need to retain it for the amenity value it provides, which is now diminishing, given that the trees on the site have been removed, and it is of limited amenity value to residents, and so the loss of the area is given limited weight. The proposals include an albeit smaller area to be available to the public, with a legal agreement to secure its long-term management, rather than the larger area with no management plan, and no certainty that it will ever provide publicly available amenity space, and this is given moderate weight as the land will provide an area for rest and relaxation to the community.
- 7.3 The development is considered to provide a sustainable form of development, and whilst it is regrettable that the land which was formerly open space will be significantly reduced in size, taking the development plan as a whole and the urgent need to provide more houses that the need outweighs the loss of the amenity land, and it accords with the development plan as a whole.

8. Full Recommendation

- 8.1 To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed below.
- 8.2 PROVIDED THAT a Section 106 Agreement has been completed by 10th December 2025 (or such longer period that may be authorised by the Development Manager, in consultation with the Chairman or Vice Chairman of the Eastern Area Planning Committee), to delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed below.
- 8.3 OR, if a Section 106 Agreement is not completed, to delegate to the Development Manager to REFUSE PLANNING PERMISSION for the reasons listed below.

Conditions

1.	<p>Commencement of development</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Location Plan Drawing No 7502-PL01D received 2nd June 2025; Block Plan Drawing No 7502-PL02D received 2nd June 2025; Detail Site Layout Plan Drawing No 7502-PL08D received 2nd June 2025; Proposed Site Plan Ground Floor Drawing No 7502-PL03C received 3rd April 2025; Proposed Site Plan First Floor Drawing No 7502-PL04C received 3rd April 2025; Proposed Site Plan Roof Drawing No 7502-PL05D received 3rd April 2025; Proposed Boundary Plan Drawing No 7502-PL06C received 3rd April 2025; Proposed Street Scenes Drawing No 7502-PL30B received 3rd April 2025; Proposed Floor Plans and Elevations Drawing No 7502 - PL09-2B4P received 24th January 2025; Proposed Floor Plans and Elevations Drawing No 7502 – PL10A-2B4P received 24th January 2025;</p> <p>Preliminary Ecological Assessment prepared by Ecology Solutions Version VF1 dated 10th January 2025 received 3rd April 2025; Drainage Strategy prepared by Price & Myers Rev 3 dated March 2025 received 3rd April 2025; Transport Note Addendum prepared by i-Transport ref BH/RS/ITB19385-002 received 3rd April 2025; Biodiversity Net Gain Report prepared by Ecology Solutions dated 26th March 2025 received 3rd April 2025; and Design & Access Statement prepared by ECE Architecture received 3rd April 2025;</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>Materials</p> <p>No above ground development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the appropriate use of external materials. This condition is applied in accordance with the National Planning Policy Framework, Policy SP7 of the West Berkshire Local Plan Review 2023-2041, and Supplementary Planning Document Quality Design (June 2006).</p>

4.	<p>Sustainable Drainage</p> <p>No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.</p> <p>These details shall:</p> <ul style="list-style-type: none"> a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and the WBC SuDS Supplementary Planning Document December 2018 with particular emphasis on Green SuDS and water re-use; b) Include full information of catchments and flows discharging into and across the site and how these flows will be managed and routed through the development and, where the flows exit the site, both pre-development and post-development information must be provided; c) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels. Soakage testing shall be undertaken in accordance with BRE365 methodology; d) Include run-off calculations based on current rainfall data models, discharge rates (no greater than 2.8 l/s), and infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change; e) Include with any design calculations an allowance for an additional 10% increase of paved areas (Urban Creep) over the lifetime of the development; f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site; g) Ensure permeable paved areas are designed and constructed in accordance with manufacturers guidelines if using a proprietary porous paved block system; otherwise ensure any permeable areas are constructed on a permeable sub-base material, such as MoT/DoT Type 3; h) Show that attenuation storage measures have a 300mm freeboard above maximum design water level. Surface conveyance features must have a 150mm freeboard above maximum design water level; i) Include written confirmation from Thames Water of their acceptance of the discharge from the site into the surface water sewer and confirmation that the downstream sewer network has the capacity to take this flow; j) Include a management and maintenance plan showing how the SuDS measures will be maintained and managed after completion for the lifetime of the development. This plan shall incorporate arrangements for adoption by the Council, Water and Sewage Undertaker, Maintenance or Management Company (private company or Trust) or individual property owners, or any other arrangements, including maintenance responsibilities resting with individual property owners, to secure the operation of the sustainable drainage scheme throughout its lifetime. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises; k) Include a verification report carried out by a qualified drainage engineer demonstrating that the drainage system has been constructed as per the approved scheme (or detail any minor variations thereof), to be submitted immediately following construction to be approved by the Local Planning Authority. This Report shall include plans and details of all key drainage elements (surface water drainage network, attenuation devices/areas, flow restriction devices and outfalls) and details of any management company managing the SuDS measures thereafter. <p>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>
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	<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 SP6 of the West Berkshire Local Plan Review 2023-2041, 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>
5.	<p>Parking Layout at 187 City Road</p> <p>No development shall take place until a plan showing the parking and turning area indicated at 187 City Road as indicated on the submitted swept path drawing has been submitted to and approved in writing by the Local Planning Authority. Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring (of private cars) 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, and Policies SP19 and DM44 of the West Berkshire Local Plan Review 2023-2041. A pre-commencement condition is required as it applies to land outside the application site and within the control or ownership of the applicant, and to ensure that satisfactory parking can be provided for 187 City Road, before development begins on the site, as the residential curtilage to that dwelling is reduced by the development.</p>
6.	<p>Street Lighting Column</p> <p>No dwelling shall be first occupied until details of the proposed relocation of the street lighting column adjacent to the access have been submitted to and approved in writing by the Local Planning Authority. The street lighting column shall be installed in the approved position and be in working order before the first dwelling is occupied.</p> <p>Reason: To ensure that the street is adequately lit for the safety of road users and pedestrians and to ensure that there is adequate visibility at the access, in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, and Policy SP19 of the West Berkshire Local Plan Review 2023-2041.</p>
7.	<p>Removal of the bus stop</p> <p>No dwelling shall be first occupied until the bus stop and bus stop markings on the carriageway closest to the application site on City Road have been removed.</p> <p>Reason: To ensure that there is adequate visibility and manoeuvrability at the access, in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, and Policy SP19 of the West Berkshire Local Plan Review 2023-2041.</p>

8.	<p>Construction Method Statement</p> <p>No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved CMS. The CMS shall include measures for:</p> <ul style="list-style-type: none"> (a) A site set-up plan during the works; (b) 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) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing; (f) Wheel washing facilities; (g) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction; (h) A scheme for recycling/disposing of waste resulting from demolition and construction works; <p>The Construction Method Statement will include the following limitations</p> <p>(1) No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:</p> <p>7:30am to 6:00pm Mondays to Fridays;</p> <p>8:30am to 1:00pm Saturdays;</p> <p>No work shall be carried out at any time on Sundays or Bank Holidays.</p> <p>(2) No deliveries to the site shall take place between 0800-0900 and 1700-1800</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, and Policies SP19, DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041. A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.</p>
9.	<p>Access Construction</p> <p>Unless otherwise agreed in writing by the Local Planning Authority, no construction activities other than those directly related and necessary to construct the construction access shall take place until the construction access has been completed in accordance with the approved drawings. Thereafter the</p>

	<p>construction access shall be maintained in their approved condition, and the wheel washing arrangements set out in the approved Construction Method Statement shall be implemented, at all times during demolition and/or construction activities. Visibility splays shall be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level at all times.</p> <p>Reason: To ensure that safe access arrangements are provided and maintained during all demolition/construction activities, in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, and Policy SP19 of the West Berkshire Local Plan Review 2023-2041.</p>
10.	<p>Visibility Splays before Development</p> <p>No development shall take place until visibility splays of 2.4 metres x 43 metres have been provided in both directions at the new access onto City Road in accordance with the approved plans. Thereafter the visibility splays shall be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level at all times.</p> <p>Reason: To ensure there is adequate visibility at the access, in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, and Policy SP19 of the West Berkshire Local Plan Review 2023-2041. A pre-commencement condition is required as the provision of the access is a first development requirement and the visibility splays are required throughout the construction phase of the development.</p>
11.	<p>Parking Provision</p> <p>No dwelling shall be first occupied until vehicle parking and turning spaces for that dwelling have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for [parking and manoeuvring of private cars 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, and Policies SP19 and DM44 of the West Berkshire Local Plan Review 2023-2041.</p>
12.	<p>Electric Vehicle Charging Points</p> <p>No dwelling shall be first occupied until an electric vehicle charging point has been provided for that dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.</p> <p>Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, and Policies SP19 and DM44 of the West Berkshire Local Plan Review 2023-2041.</p>
13.	<p>Cycle Parking</p> <p>No dwelling shall be first occupied until cycle parking/storage facilities for that dwelling have been provided in accordance with the approved drawings.</p>

	<p>Thereafter the facilities shall be maintained and kept available for that purpose at all times.</p> <p>Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policies SP19 and DM44 of the West Berkshire Local Plan Review 2023-2041, the Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).</p>
14.	<p>Soft Landscaping</p> <p>No dwelling shall be first occupied until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first occupation of the new dwelling (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p> <p>Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies SP7, SP8 and SP10 of the West Berkshire Local Plan Review 2023-2041, and the Quality Design SPD.</p>
15.	<p>Compliance with existing detailed biodiversity method statements, strategies, plans and schemes</p> <p>All ecological measures and/or works shall be carried out in accordance with the details contained in "Ecological assessment" (January 2025, Ecology Solutions) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.</p> <p>Reason: To secure the mitigation and enhancement measures proposed with the application, required to conserve and enhance biodiversity. This condition is applied in accordance with the National Planning Policy Framework and Policy SP11 of the West Berkshire Local Plan Review 2023-2041.</p>
16.	<p>Construction Environmental Management Plan</p> <p>No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:</p> <ul style="list-style-type: none"> (a) Risk assessment of potentially damaging construction activities. (b) Identification of "biodiversity protection zones". (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). (d) The location and timing of sensitive works to avoid harm to biodiversity features.

	<p>(e) The times during construction when specialist ecologists need to be present on site to oversee works.</p> <p>(f) Responsible persons and lines of communication.</p> <p>(g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.</p> <p>(h) Use of protective fences, exclusion barriers and warning signs.</p> <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: To avoid harm to protected species during demolition/construction and preparatory operations. This condition is applied in accordance with the National Planning Policy Framework and Policy SP11 of the West Berkshire Local Plan Review 2023-2041. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.</p>
17.	<p>Habitat Management and Monitoring Plan in accordance with Biodiversity Gain Plan</p> <p>The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan (BGP) has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall be prepared to accompany the Biodiversity Gain Plan, and shall be submitted for approval alongside or after the submission the BGP.</p> <p>(NOTE: In accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990, this planning permission is subject to the condition (“the biodiversity gain condition”) that the development may not be begun unless (a) a biodiversity gain plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. This is deemed to be applied by Schedule 7A of the Town and Country Planning Act 1990, and is not replicated on this decision notice. Full details are set out in the informative below.)</p> <p>The HMMP shall include:</p> <p>(1) a non-technical summary;</p> <p>(2) the roles and responsibilities of the people or organisation(s) delivering the HMMP;</p> <p>(3) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;</p> <p>(4) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and</p>

	<p>(5) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,</p> <p>The details provided in relation to point (5) shall ensure that, as a minimum, monitoring takes place in 2 years, 5 years, 10 years, 15 years, 20 years, 25 years, 30 years following completion of the development. For the purposes of this condition, completion of development shall be taken as the 'completion of 4no. residential dwellings comprising 4 x 2-bedroom semi-detached houses including 2no. parking spaces per dwelling and private gardens.'</p> <p>No occupation shall take place until:</p> <p>(6) the habitat creation and enhancement works set out in the approved HMMP have been completed; and</p> <p>(7) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.</p> <p>Notice in writing shall be given to the Council when the:</p> <p>(8) HMMP has been implemented; and</p> <p>(9) habitat creation and enhancement works as set out in the HMMP have been completed.</p> <p>The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.</p> <p>Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.</p> <p>Where monitoring identifies the required habitat condition is not being maintained in accordance with the Biodiversity Gain Plan, the submission to the Local Planning Authority shall include any necessary remedial measures, and thereafter any such measures shall be carried out within a timescale agreed with the Local Planning Authority. Supplemental reports may be required pursuant to this condition where necessary.</p> <p>Where monitoring identifies the required habitat condition is not being maintained in accordance with the Biodiversity Gain Plan, the submission to the Local Planning Authority shall include any necessary remedial measures, and thereafter any such measures shall be carried out within a timescale agreed with the Local Planning Authority. Supplemental reports may be required pursuant to this condition where necessary.</p> <p>Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990. A pre-commencement condition is required because the habitat and management arrangements need to be determined before existing habitats are affected.</p>
18.	<p>Sustainability measures</p> <p>No development shall take place (except for demolition and site clearance) until detailed sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall be informed by the measures set out in the Design and Access Statement.</p> <p>Thereafter, the development hereby permitted shall incorporate the approved sustainability measures. No dwelling shall be first occupied until all</p>

	<p>sustainability measures have been provided in full accordance with these approved details.</p> <p>Reason: To secure the sustainability measures that the development is contributing to the district's response to climate change in accordance with Policy SP5 of the West Berkshire Local Plan Review 2023-2041. A pre-commencement condition is required because the details must be approved in advance so that they can be incorporated into the development.</p>
19.	<p>Energy Statement</p> <p>No development shall take place until a full detailed Energy Statement has been submitted to and approved in writing by the Local Planning Authority. This statement shall include full details of how the development will comply with the requirements of Policy DM4 of the West Berkshire Local Plan Review 2023-2041. Thereafter, the development shall be carried out in full accordance with the approved details, and until all approved measures have been completed.</p> <p>Reason: To secure sustainable construction measures in accordance with Policy DM4 of the West Berkshire Local Plan Review 2023-2041.</p>

Heads of Terms for Section 106 Agreement

2.	<p>Public open space</p> <p>The agreement shall set out the means by which the area of publicly accessible open space identified on the site plans will be managed by either a public body or a management company to ensure the long term maintenance and accessibility of the site. The agreement will include details of the funding arrangements to the public body or management company.</p>
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Refusal Reasons

2.	<p>Planning obligation</p> <p>The application fails to provide an appropriate planning obligation to secure the publicly accessible open space to ensure that it is available for the public benefit in perpetuity. This open space is required as a replacement for the land occupied by the development in the interests of the community, and the failure to provide it is contrary to Policy SP7 of the West Berkshire Local Plan Review 2023-2041</p>
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Informatives

1.	<p>Proactive</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 to be</p>
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	a development which improves the economic, social and environmental conditions of the area.
2.	<p>CIL Liability</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 this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil</p>
3.	<p>Biodiversity Net Gain Plan Required</p> <p>The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:</p> <p>(a) a Biodiversity Gain Plan has been submitted to the planning authority, and</p> <p>(b) the planning authority has approved the plan.</p> <p>The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be West Berkshire District Council.</p> <p>There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.</p> <p>Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.</p> <p>If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.</p> <p>In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).</p> <p>EXEMPTIONS AND TRANSITIONAL ARRANGEMENTS</p> <p>The following are the statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.</p> <ol style="list-style-type: none"> 1. The application for planning permission was made before 12 February 2024. 2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies. 3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

<p>(i)the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or (ii)the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.</p> <p>4. The permission which has been granted is for development which is exempt being:</p> <p>4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where: i) the application for planning permission was made before 2 April 2024; ii) planning permission is granted which has effect before 2 April 2024; or iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).</p> <p>4.2 Development below the de minimis threshold, meaning development which: i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).</p> <p>4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.</p> <p>4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).</p> <p>4.5 Self and Custom Build Development, meaning development which: i) consists of no more than 9 dwellings; ii) is carried out on a site which has an area no larger than 0.5 hectares; and iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).</p> <p>4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.</p> <p>* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.</p> <p>IRREPLACEABLE HABITAT</p>
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	<p>If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.</p> <p>The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.</p> <p>The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.</p> <p>THE EFFECT OF SECTION 73D OF THE TOWN AND COUNTRY PLANNING ACT 1990</p> <p>If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.</p> <p>Those circumstances are that the conditions subject to which the section 73 permission is granted:</p> <ul style="list-style-type: none"> i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.
4.	<p>Access Construction</p> <p>The Asset Management team, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD, or highwaysassetmanagement@westberks.gov.uk should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.</p>
5.	<p>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>
6.	<p>Excavation in close proximity to the highway</p> <p>In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority. Written approval would be obtained from the Asset Manager,</p>

	West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD or highwaysmaintenance@westberks.gov.uk
7.	Official Postal Address Please complete and online street naming and numbering application form at https://www.westberks.gov.uk/snn to obtain an official postal address(s) once development has started on site. Applying for an official address promptly at the beginning of development will be beneficial for obtaining services. Street naming and numbering is a statutory function of the local authority.
8.	Street Lighting The street lighting relocation will also need to be agreed with the Council's street lighting team who can be contacted at lighting@westberks.gov.uk
9.	Bus Stop Removal The applicant should contact Matthew Metcalfe, Senior Transport Officer to agree the works for the removal of the bus stop and markings. Email: matthew.metcalfe@westberks.gov.uk