

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	26/00711/OUT Parish Basildon	4th June 2026	Outline application for the erection of 2 self build detached dwellings with associated access. Matters to be agreed -access and layout. Land to the east of Hippo Pools, Upper Basildon. Hathor Property Limited.
¹ Extension of time agreed with applicant until 3 rd July 2026.			

The application can be viewed on the Council's website at the following link:

<https://publicaccess.westberks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=TCPLFFRDHIP00>

Recommendation Summary: **The Development Manager be authorised to GRANT conditional planning permission.**

Ward Member(s): Councillor Coyle.

Reason for Committee Determination: The Council has received in excess of 10 objections.

Committee Site Visit: 24th June 2026.

Contact Officer Details

Name: Michael Butler
Job Title: Principal Planning Officer
Tel No: 01635 519111
Email: Michael.butler@westberks.gov.uk

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 2 number self build detached 2 storey dwellings of gross internal area (GIA) of 294m² with associated garaging, parking [3 spaces per house] and access with gardens at land to the east of Hippo Pools in Upper Basildon. The site area is 0.25ha in extent and comprises existing garden land to Hippo Pools.
- 1.3 The site is partly treed and lies in the settlement boundary of the village, lying also in the North Wessex Downs National Designated Landscape -was AONB. It is surrounded by either housing on 3 sides and open fields to the north where there is a footpath -BASI/9/1. It lies in flood zone 1 in addition. It lies presently in the domestic curtilage of Hippo Pools held on a 4 year lease.
- 1.4 To clarify at this outline stage, it is ONLY layout and access which is being considered by the LPA so matters of eg. design are not taken into account at this stage.

2. Planning History

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

Application	Proposal	Decision / Date
136978	Erection of 5 houses	Refused pre 2000
144226	Erection of 2 dwellings	Approved 1994.

3. Legal and Procedural Matters

- 3.1 **Environmental Impact Assessments (EIA):** Given the nature, scale and location of this development, it is considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. This is because the site lies in the NWDNDL which is a sensitive area in the Regulations. The Council has however already issued a letter identifying a negative screening opinion.
- 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. A site notice was displayed on site on the 22nd of April and expired on the 14th May 2026. Notification letters were sent to 20 local occupants with an overall expiry date of the 20th June 2026.

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. There are no financial matters for the LPA to take into account.

- 3.3 **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>
- 3.4 **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.
- 3.5 **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.
- 3.6 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.
- 3.7 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.

- 3.8 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.
- 3.9 **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.
- 3.10 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.
- 3.11 **National Landscapes (AONB):** Section 85 of the Countryside and Rights of Way (CROW) Act 2000 (as amended) provides a general duty for public bodies: "Any relevant authority exercising or performing any functions in relation to, or so as to effect, land in an area of outstanding natural beauty in England must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty)." AONBs have been rebranded to be known as National Landscapes, although their legal AONB status continues. This site lies in this designation.

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.

Basildon Parish Council:	Objections :loss of garden land [green infrastructure]and the access is poor, visual impact in the NDL, overdevelopment of the site. Impact on amenity, and on public rights of way users.
Highways:	Conditional permission -the access road need not be adopted as will serve 5 dwellings, and the revised visibility splays onto the adjacent highway have been approved. Parking on site is acceptable. Traffic generation and local road safety will not be impacted.
Public Health	No concerns -conditional permission.
Archaeologist	No objections.
Suds	Site lies in Flood Zone 1 -no objections -apply a precondition.

Tree officer	No objections per se but the tree officer remains concerned that a number of trees have already been felled on the site to provide capacity for the houses should the application be approved by the LPA. Conditions at the reserved matters stage will need to be applied to provide replacement trees in mitigation, and a comprehensive landscaping scheme to be applied via condition in addition.
Thames Water	No response.
Ecology	Views awaited.

Public representations

- 4.2 Representations have been received from 18 contributors, all 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:
- Concerns that the site has been reinserted into the identified settlement boundary of the village -why?
 - Drainage and flooding-impact on infrastructure.
 - Visual impact in the NWDNDL.
 - Loss of trees, impact on newts. Impact on ecology.
 - Overdevelopment of the site.
 - Impact on local road safety, poor access.
 - Noise and disturbance during construction.
 - Overlooking and overshadowing.
 - Need more modest homes.
 - Does not comprise infill.

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
<u>West Berkshire Local Plan Review 2023-2041</u>	Strategic Policies • Policy SP1 The Spatial Strategy • Policy SP2 North Wessex Downs AONB • Policy SP3 Settlement Hierarchy • Policy SP7 Design Quality • Policy SP8 Landscape Character • Policy SP10 Green Infrastructure • Policy SP11 Biodiversity & Geodiversity Development Management Policies

	• Policy DM15 Trees, Woodland & Hedgerows • Policy DM18 Self and Custom-Build Housing • Policy DM30 Residential Amenity • Policy DM44 Parking
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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)
- National Design Guide
- Quality Design SPD (2006)
- Basildon Village Design Statement (2001)

6. Appraisal

Principle of development

6.1 The whole of the application site lies in the defined settlement boundary of the village and so accordingly the principle of new housing is accepted under policy SP1 in the WBLPR. This is irrespective of whether the site is greenfield or not.

Character and appearance/ Density.

6.2 This application is in outline, so whilst the applicant has submitted a “plot passport” to engage with some details, essentially matters of design and overall scale and massing, plus landscaping, will be considered at the reserved matters stage assuming this application is approved. However, at this stage the Committee can consider the indicative details and the layout/access for the 2 dwellings which can be conditioned. This can inform the judgement of the Members. The applicant has submitted details in this application which show the site at this low density [8 dwellings per ha] is capable of accommodating 2 large dwellings proportionate in scale to the overall nature and character of the local area. In terms of density policy SP1 notes [inter alia] that in the NDL densities of circa 20 dwelling per ha are appropriate -this project is just 8/ha density. Whilst this may not make the best use of “urban” land it is considered this is appropriate in the area context, which is attractive.

6.3 There is also some concern that existing garden land is being taken up by the scheme and whilst this is taken to be greenfield in the definition in the glossary of the NPPF [ie not previously developed] the principle of building on site is still accepted -see above. It is accepted in addition that green infrastructure is being lost, but this is “overruled” by the application of policy SP1, given the overall demand for new housing in the District.

6.4 Amenity

6.41 The case officer has visited the site on two occasions, and is satisfied that the proposed layout of the 2 dwellings on the site will adhere to minimum separation distances between surrounding housing, being 21m back to back, and 10.5m rear to side. In addition, it is accepted that inevitably there will be a degree of noise and disturbance caused by the construction of the 2 dwellings, but with appropriate conditions applied this will be minimised and, of course, be temporary only. There will be minimal overlooking caused, which would not merit rejection of the scheme. For example, the distance from plot 2 to Seymore in the north, is 18m, and the distance from Hippo Pools to plot 1 is similar ie 18m. To Little Paddocks to the south, it is nearly

30m, from plot 1. All separation distances are adequate in accordance with the SPD and will allow sufficient amenity to neighbouring properties. Accordingly, it is concluded that the advice in policy DM30 is entirely met.

6.5 Highways

- 6.51 The application site if approved will mean a single access road accessing 5 dwellings, which is the maximum permitted by the local highways authority for non adoption of the road. In this case, each new occupier will be required to take their waste to the highway edge but the carry distances are not objected to by waste colleagues. Secondly, the officer is now content that the revised forward visibility splays onto the adjacent road in both directions, meets the required safety standards and can be conditioned. Thirdly the application site is in Zone 3 in parking terms so 3 spaces are required on site for the 4 bed dwellings-which is capable of being accommodated on site, so DM44 is satisfied. The concerns of some of the objectors are noted about highways safety, but the increase in traffic generation arising from two dwellings is minimal in relation to the overall flows presently experienced. Conditions can accordingly be applied as recommended if the application is approved.

6.6 Other matters including trees.

- 6.61 Given that the application site is for self build dwellings the present Government legislation advises that for sites of up to 9 dwellings and less than 0.5ha in extent then the scheme will be exempt from mandatory BNG. Accordingly, no on or off site BNG mitigation is required by the scheme, although the Council Ecologist has been consulted and his views will be noted on the update sheet. The scheme thus complies with policy SP11-no sites of particular ecological interest are identified on the site. Some objectors are worried about the loss of trees on the site -it was noted that some garden specimens have been felled already but these were not protected, nor are other trees across the site, in the absence of a conservation area designation or TPO. However, the tree officer views are as follows--
- 6.62 The application is in outline for the erection of two dwellings in a rear garden, bordered by trees. It is accompanied by an Arboricultural Impact Assessment. This document is of the opinion that the proposed development could not take place without the removal of several trees. Proposed tree losses include A & C grade trees, together with the relocating of an A grade Liquidambar. Much of this work has already occurred, which is disappointing (though I have no objection to the proposed relocation) and contravenes NPPF para 136 and Policies SP10 & DM15 in my opinion. A grade A tree could have been retained if a different layout had been proposed. The result of this work is that any development would require significant landscaping to mitigate the tree losses and improve screening of the site from the nearby Public Footpath.
- 6.63 In the view of the case officer, whilst the objection is understood this reason is not sufficient to overrule the recommendation to approve as the benefit of 2 additional dwellings and appropriate siting vis a vis adjoining dwellings, is a more significant factor in the planning balance. In terms of sustainability, as advised in policy DM4, it is noted that for outline applications where the final build details cannot be known the energy statement will be conditioned and so controlled at the reserved matters stage. Drainage on the site is taken to be acceptable as the suds officer has not objected so this can be again secured by condition. Policy SP6 is met. If the drainage officer responds prior to the EAPC this will be placed on the update sheet.

7. Planning Balance and Conclusion

- 7.1 On the one hand the views of the objectors are understood in the sense that a previously open area of land will be developed. There are legitimate worries about impact on green infrastructure, impact on amenity and highways safety, and impact on services, and ecology /trees, but no statutory consultee has objected to the application, apart from the Parish Council, and the tree officer.
- 7.2 On the other hand the site will make the best use of “urban” land given the context albeit at a low density of 8 units /hectare, will not harm the wider visual setting of the NWDNDL so complying with policy SP2, and will provide 2 additional homes in the District so to a small degree assisting the local rural economy both during and after the construction phase. The dwellings in the future will not harm local amenity to any appreciable degree, and will be accessed safely. The localised impact on ecology will be minimal and drainage is acceptable. The scheme fully complies with extant Development Plan policy. The application is accordingly recommended for approval, with conditions.

8. Full Recommendation

- 8.1 To delegate authority to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1	Reserved matters -a Details of the appearance, landscaping, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place. The development shall be carried out in accordance with the approved details. 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).
2	Reserved matters -b Application(s) for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. 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).
3	Reserved matters-c. The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved. 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).
4	Approved plans The development must be carried out in accord with the following approved plans -- 2506-PL01-A, 2506-PL03-C, PL05-A. Reason -to clarify the permission and to control access and layout at this stage in accord with the DMPO of 2015.
5	Drainage

	No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority. These details shall: a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (2015), the SuDS Manual C753 (2015) and the WBC SuDS Supplementary Planning Document (2018) with particular emphasis on Green SuDS that provide environmental/biodiversity benefits and water re-use; b) Provide an assessment of natural drainage patterns and existing drainage infrastructure (e.g. capacity, condition). c) Justify the drainage discharge destination, following the discharge hierarchy. d) 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, if applicable. e) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse or piped system at no greater than 1 in 1 year Greenfield runoff rates; f) Include run-off calculations based on current rainfall data models, discharge rates (based on 1 in 1 year greenfield run-off rates), and infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change. If not achievable, evidence must be provided and a suitable rate agreed with the LLFA. g) Provide an infiltration assessment demonstrating feasibility (if infiltration is proposed). If in an area at risk of flooding, or with high groundwater levels 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; h) Provide a Maintenance Plan for the proposed drainage system over its lifetime (100 years for residential, 60 years for commercial). The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwellings are occupied/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 sustainable drainage measures shall be maintained in the approved condition thereafter/The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter. 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 WBLPR as adopted and part 4 of Supplementary Planning Document Quality Design (2006) and SuDS Supplementary Planning Document (2018).
6	Ridge height restriction No dwelling hereby permitted shall exceed 2 storeys in height, with no rooms in the roof allowed. Reason-to ensure the approved ridge lines of the houses will be reasonably low, in the context of the NWDNDL location close to the edge of the village in accord with the advice in policy SP2 in the adopted WBLPR of 2023 to 2041.
7	Unforeseen contamination

	If, during development, contamination not previously identified is found to be present at the site, works shall cease immediately and the Local Planning Authority shall be informed without delay. A site-specific remediation strategy shall be submitted to and approved in writing by the Local Planning Authority before development recommences. The approved remediation scheme shall be fully implemented, and a verification report demonstrating the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. Reason-to protect public health in accord with the advice in policy DM5 in the WBLPR of 2023 to 2041.
8	Hours of working The proposed development is located within an established residential area, and construction activities have the potential to result in noise disturbance to neighbouring residential properties. In order to protect residential amenity, the hours of construction work, including the use of plant and machinery, shall be restricted to: 07:30 to 18:00 hours Monday to Friday 08:30 to 13:00 hours on Saturdays No construction work on Sundays or Bank Holidays No audible construction noise shall occur outside of these hours. Reason-to protect local amenity in accord with the advice in policy DM5 in the adopted WBLPR.
9	EV points No development shall take place until details of electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the electric vehicle charging points have been provided in accordance with the approved drawings. The charging points shall thereafter be retained and kept available for the potential use electric cars. Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policies SP5, SP19, DM42 and DM44 of the West Berkshire Local Plan Review 2023 2041.
10	Surfacing of access No development shall take place until details of the surfacing arrangements for the vehicular access(es) to the highway have been submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that bonded material is used across the entire width of the access(es) for a distance of 3 metres measured back from the carriageway edge. Thereafter the surfacing arrangements shall be constructed in accordance with the approved details, before occupation of the 2 dwellings hereby permitted. Reason: To avoid migration of loose material onto the highway in the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policy SP19 of the West Berkshire Local Plan Review 2023 2041.

11	Visibility splays No development shall take place until visibility splays of 2.4 metres by 43.0 metres have been provided at the access to the nearside carriageway edge in both directions. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level. Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policy SP19 of the West Berkshire Local Plan Review 2023 2041.
12	Parking No development shall take place until details of the vehicle parking and turning space/areas have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the parking spaces are to be surfaced and marked out. No dwelling shall be occupied until the vehicle parking and turning spaces/areas have been provided in accordance with the approved details. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times. Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policy DM44 of the West Berkshire Local Plan Review 2023 2041.
13	Cycle parking on site. No development shall take place until details of the proposed cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times. Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policies SP19, DM42 and DM44 of the West Berkshire Local Plan Review 2023 2041.