

Item No	Application No. and Parish	Proposal, Location and Applicant
(1)	11/01345/FULMAJ Burghfield Parish	Demolition of existing buildings and erection of 14 residential dwellings. Springwood Engineering, Bunces Lane, Burghfield Common, Reading Bewley Homes

Recommendation Summary: **To DELEGATE to the Head of Planning and Countryside to GRANT Planning Permission** subject to conditions and the completion of a Legal Agreement to secure developer contributions no later than 21st April 2012.
Or, if the Legal Agreement to secure developer contributions is not completed by 21st April 2012 to **DELEGATE to the Head of Planning and Countryside to REFUSE Planning Permission.**

Ward Member(s): Councillor Carol Jackson-Doerge
Councillor Dr R E Longton

Reason for Committee determination: Called in by Councillor Royce Longton due to local interest and over 20 letters of objection received

Committee Site Visit: Visited prior to committee on 21st December 2011

Contact Officer Details

Name: Hazel Evans
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1. Site History

No relevant planning history

2. Publicity of Application

Press notice expired 18/8/2011

Neighbour notifications expired: 12/8/2011

Site notice expired: 13/10/2011

3. Consultations and Representations

Parish Council:

Object

While the residents and Burghfield parish council are not opposed to any development, this proposal is considered as having a higher density of dwellings for the location. The main points of the objection are:

1. The relocation of the electricity sub station and the hum this will generate
2. The layout is considered inappropriate
3. No developer contributions
4. Does not fit with the current mix of housing in the surrounding area and is contrary to Burghfield VDS which encourages the provision of front gardens and open spaces with vegetation between dwellings both of which are missing from this development
5. Does not encourage the reduction of travel or promote sustainable travel choice
6. Considered to be overdevelopment of the site. Does not demonstrate high quality, sustainable design or respect the character of the immediate and wider area.

Burghfield PC are of the view that a smaller development would be able to meet the points raised above and would be more sustainable in the long run than this proposal.

Highways:

A Section 38 Agreement should be entered into for the adoption of the road.

No objections subject to conditions and informatives

Amended plans -No objections conditions as before.

Rights of Way:

Concerns about the number of additional vehicle movements which would take place between Reading Road and the site entrance and would wish to see a safe way for pedestrians to cross the site entrance if they were walking between the northern end of the footpath and the Reading Road.

The existing fencing between the proposed Plot 1 and the footpath is in poor condition and this would be a good opportunity to replace this but care would need to be taken to ensure any new fencing was correctly positioned so the legal width of the footpath is not compromised. As the footpath is quite narrow the fencing may add to the "tunnel effect" on the footpath and consideration should be given to street lighting. The developer should contact the rights of way team for advice.

Amended plans: The additional width of footpath is welcomed

Tree Officer

Overall the application is acceptable, the trees to be lost are of limited value and can be mitigated with new landscaping. The trees to be retained can be protected subject to agreement along with additional tree works on the trees in the rear gardens of plots 3-6. No objections subject to conditions.

Amended plans comments:

The minor changes in terms of the impact to trees has improved the layout at the site with the loss of plot 14 and thus the potential impact to trees, the additional landscaping for the boundary with Three Trees is welcomed, but the other changes in terms of the impact to trees are much the same as the previous layout and are covered in previous comments. No objections and conditions as previously.

Environmental Health

No objections subject to a full contaminated land condition, conditions on hours of work and dust.

Amended plans – No objections

Disabled Access

Level thresholds to all entrances to all units.
Designate unit suitable under HSG8

Environment Agency

No objections subject to conditions re contaminated land and drainage.

Amended plans -No objections.

TV Police

Changes suggested which have been incorporated into the amended plans

Developer

Education: £35,517.64 (amended plans)

Contributions

Health £2308 (amended plans)

Adult Social Care: £8980

Requested

Libraries:£3414 (amended plans)

Open Space: £22,756 (amended plans)

Correspondence: 16 letters of objection and 2 further letter of comment from local residents citing:

- Overdevelopment and excessive density
- Traffic at Reading Road junction
- Access on right angle bend
- Inadequate car parking
- Out of character with area
- Inappropriate design
- Health issue of sub-station resiting
- Concerns re flooding and state of footpath alongside site
- Loss of trees
- Concerns re TPOd trees
- Loss of privacy
- Impact on wildlife
- Dust and issues during construction

**No further comments
on amended plans.**

4. Policy Considerations

West Berkshire District Local Plan Policies:
OVS1; OVS2; OVS3; OVS11; HSG1; HSG8; TRANS.1
Supplementary Planning Document 'Quality Design'

South – East Plan Policies: SP3, CC6, CC7, H1

National Policies PPS1; PPS3
Burghfield Village Design Statement

5. Description of Development

5.1 The proposal is for the demolition of the existing buildings at Springwood Engineering including the commercial premises and an existing bungalow at the site. It was originally proposed to replace these with 14 dwellings comprising 6 x 2bed dwellings, 4 x 3 bedroomed dwellings and 4 x 4 bedroomed dwellings. Following discussions at the Eastern Area Planning Committee on 21st December 2011, the application has been amended so that it is reduced to 13 dwellings with an amended mix of 4x 2 bed, 5 x 3 bed and 4 x 4 bed. There is no change to the relocation of the electricity sub-station.

5.2 The site is accessed off Bunces Lane which leads off the Reading Road in Burghfield Common. There is a public footpath which borders the western boundary of the site whilst the other boundaries of the site back onto properties in Auclum Lane and Auclum Close.

5.3 There are a number of trees in the gardens of dwellings in those two roads some of which are subject to Tree Preservation Orders. Whilst not within the red line boundary of the site some of these are close to the boundaries of the site.

5.4 Amended plans : Following this application being discussed at Committee as described above the following changes have been made to the application:

- As described above plot 14 has been omitted from the scheme. Plot 13 is moved further from the bungalow Three Trees to allow planting on the boundary. The garage for plot 13 has a flat roof to minimise impact on Three Trees.
- The footpath along the south side of Bunces lane has been clearly shown on the plans. (This was already on the original proposal)
- The rumble strip at the access has been removed as requested by Committee Members
- A 0.5 strip of land has been added to the public footpath alongside plot 1.

6. Consideration of the Proposal

6.1 The main issues raised by the proposal are:

The principle of the development

The impact of the proposal on the character of the area

The impact of the proposal on neighbouring properties

Highways safety and parking issues

Developer contributions

6.2 The Principle of the development

6.2.1 The site lies within the identified settlement boundary of Burghfield Common and within an area which is principally in residential use. The last known use of the site was for an employment generating use but the works has been closed for at least four years and the site is currently unused.

6.2.2. Policy HSG1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 (WBDLP) states that new housing development will normally be permitted within settlement boundaries subject to a number of criteria. These relate to the existing residential nature of the surrounding area and any issues with the general amenity of the area such as access and on-street parking difficulties. These issues will be covered in the following sections.

6.3. The impact on the character of the area

6.3.1 The immediate area is very varied in character with a range of dwellings from bungalows, and small cottages to larger semi-detached and detached dwellings. Gardens are varied in size with some very small plots and others with generous sized gardens. The area is identified in the Council's SPD Quality Design as being semi-rural in character whilst the area immediately to the south is late 20th century suburban.

6.3.2 The proposed development is now for 13 dwellings of varying sizes on a plot of 0.47 hectares. This gives a density of approximately 27.6 dwellings per hectare. This is slightly below the minimum overall density of 30 dph which was previously sought by the Government. Guidance in PPS3, however, no longer specifies a minimum limit of density but it does state that,

"the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the environment" (paragraph 50 PPS3) .

6.3.3. There have been many consultation responses regarding density but a density of 27.6 dwellings per hectare is not a high density and is considered acceptable in this residential area which forms part of the core of Burghfield Common.

6.3.4 The style of the proposed dwellings is traditional with detached and semi-detached houses featuring in the development. The garden sizes are adequate although those for plots 10 and 11 (two bedroomed houses) are, at 63sq m, slightly below the recommended minimum size of 70 sq metres.

6.3.5 The site is partly hidden from views from Bunces Lane and it is the larger detached houses which would be visible from the lane. It is considered that the proposal makes efficient use of this area of land and that the proposed development would not have an adverse impact on the character of the existing area.

6.3.6 The amended plans remove one dwelling from the proposal and a single detached house is proposed for the plot adjacent to the adjoining bungalow, Three Trees instead of two semi-detached dwellings. Although the proposed house would be partly hidden by the trees at the front of the site, a single dwelling is an improvement to the appearance of the entrance to the site.

6.4 The impact of the proposal on neighbouring properties

6.4.1 The site borders other residential properties on all sides. Immediately to the north of the site is the bungalow, Three Trees which is the closest dwelling to the site. The bungalow lies less than a metre from the boundary with the site. The amended plans which have now been received remove plot 14 which was closest to the bungalow. Plot 13 has been moved further to the south away from the boundary. Although a garage has been added, this has a flat roof and therefore will not be visible from Three Trees and will help separate the site from the bungalow. The addition of a garage and driveway for plot 13 also reduces the amount of car parking within the turning area to the east of plot 13 and means that there is likely to be less temptation to park in the highway instead of the parking spaces which were originally at the end of the gardens of plots 13 and 14. Additional planting is also proposed along the boundary with Three Trees.

6.4.2 The electricity sub-station is still re-located to a position at the end of the garden of Plot 13 and well away from any residential properties. Environmental Health have no objections to this location.

6.4.3. There are no changes to the remainder of the plots in the latest amended plans. Plot 12 is 29 metres from the rear of the dwellings in Reading Road. There are only bathroom windows in the first floor side elevation of this dwelling and therefore no issues with overlooking are likely to occur. This is considered an acceptable distance and unlikely to be overbearing on those properties. There is in addition screening along this boundary and additional planting proposed.

6.4.4. The distances to dwellings to the south of the site are in the region of 30 metres and there is considerable tree screening between these properties and the site. Some of these trees are subject to tree preservation orders and are therefore protected.

6.4.5 The impact of the amended plans on neighbouring properties is therefore considered acceptable and it is not considered that the development is likely to result in any overlooking or loss of privacy. The proposal is in line with Policy OVS.2 of the WBDLP.

6.5 Highways issues and parking

6.5.1 Following the Committee meeting of 21 December 2011, the rumble strip across the entrance has been removed as requested. The new footpath proposed to link the public right of way with the existing footpath in Bunces Lane has been made clearer on the plans. In addition the applicants have included a 0.5m strip of land to be made part of the public right of way on the west side of Plot 1. This should improve the appearance of the footpath and when the fences are replaced it should be less 'tunnel' like. The Rights of Way Officer welcomes this proposal. Any lighting would be subject to a condition requiring details to be submitted and approved.

6.5.2 Previous amendments included moving some of the garages (plots 4 -7) back slightly to allow for two cars to be parked on the driveway. This is in excess of normal requirements as these properties also have garages. Cycle storage has been added to plots 9-12 as these properties do not have garages. The provision for parking is therefore well within the Council's requirements and the Council's Highways officer has no objections to the scheme.

6.5.3 Although the access to the site is on a bend in the road, visibility is good from the new access and those exiting the site would be able to see clearly in both directions. Poor visibility on the bend is an existing problem and it is not considered that the proposal will exacerbate this issue.

6.6. Developer contributions

Developer contributions will be required to mitigate against the development and a s106 will need to be signed in this respect. The requested amounts are listed at the start of this report.

Conclusion

The proposal is considered acceptable for the reasons discussed above and it is considered to be fully in line with policies OVS.1, OVS2 and HSG1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and in line with the guidance contained within PPS1 and PPS3. The amended plans requested following the Committee meeting on 21st December 2011 address the concerns raised by members at that meeting. Given the clear reasons to support the application it is recommended that condition permission is granted.

Full Recommendation

To DELEGATE to the Head of Planning and Countryside to GRANT Planning Permission subject to conditions and the completion of a Legal Agreement to secure developer contributions no later than 21st April 2012.

Or, if the Legal Agreement to secure developer contributions is not completed by 21st April 2012 to **DELEGATE to the Head of Planning and Countryside to REFUSE Planning Permission.**

'The development fails to provide an appropriate scheme of works or on and off-site mitigation measures to accommodate the impact of the development on local

infrastructure, services, or amenities or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to government advice, Policy OVS3 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007 as well as the West Berkshire District Council's adopted SPG4/04 'Delivering Investment from Sustainable Development'.

Conditions

1. The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007 should it not be started within a reasonable time.

2. The development hereby approved shall be carried out in accordance with drawing title numbers:

10-P643-01 Rev D received on 22nd February 2012;
10-P643-08 Rev B; and
10-P643-09 Rev B both received on 17th February 2012;
10-P643-05 Rev A received on 10th November 2011 and
10-P643-07; 10-P643-06 and
10-P643-02 both received on 14th July 2011,
unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out in accordance with the submitted details assessed against National, Regional and Local Planning Policy.

3. No development shall commence on site until samples of the materials to be used in the development hereby permitted have been approved in writing by the Local Planning Authority. Samples shall be made available to be *viewed at the site*. This condition shall apply irrespective of any indications as to the details that may have been submitted with the application. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of visual amenity in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

4. No development or other operations shall commence on site until a scheme of fencing and other means of enclosure to be erected on the site is submitted to and approved in writing by the Local Planning Authority and no buildings shall be occupied before the fencing and other means of enclosure have been erected to the satisfaction of the Local Planning Authority.

Reason: The fencing and other means of enclosure are essential elements in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

5. No development shall commence on site until a scheme for the means of treatment of the hard surfaced areas of the site is submitted to and approved in writing by the Local

Planning Authority. No building shall be occupied before the hard surfaced areas have been constructed in full in accordance with the approved scheme.

Reason: In the interests of visual amenity, in accordance with Policy OVS.2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

6. Irrespective of the provisions of the current Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent revision), no gates shall be permitted across the access road to the site unless planning permission has been granted on an application made to the Local Planning Authority for that purpose.

Reason: A gated development would be considered inappropriate in this semi-rural location and contrary to the guidance in Supplementary Planning Document 'Quality Design'.

7. No development or other operations shall commence on site until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

a) Completion of the approved landscape scheme within the first planting season following completion of development.

b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason; To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of Policies OVS2 (a & b) and OVS 3 (b) of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

8. No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with B.S.5837:2005. Such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figure 2 of B.S.5837:2005.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy OVS 2b of West Berkshire Local Plan 1991 – 2006 Saved Policies 2007.

9. No site works, demolition or development shall take place within the application area until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted by the applicant and approved by the Planning Authority.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of Policy OVS 2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

10. No development or other operations on site shall commence until a detailed schedule of tree works including timing and phasing of operations has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved schedule.

Reason; To ensure the retention of selected trees at the site in accordance with the objectives of policy OVS2 (b) of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

11. No development or other operations on site shall commence until details of the proposed access, hard surfacing, drainage and services providing for the protection of the root zones of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full in accordance with the approved details.

Reason; To ensure the protection of trees identified for retention at the site in accordance with the objectives of policy OVS2 (b) of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007

12. No development or other operations on site shall commence until an Arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority which shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area. Thereafter the development shall incorporate and be undertaken in full in accordance with the approved statement.

Reason; To ensure the protection of trees identified for retention at the site in accordance with the objectives of policy OVS2 (b) of the West Berkshire District Local Plan 1991 – 2006 Saved Policies 2007.

13. The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety and flow of traffic in accordance with Policies OVS.2 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

14. No building or other operations on site shall commence until the vehicular, pedestrian, cycle access and associated engineering operations have been constructed in accordance with the approved drawing.

Reason: In the interest of highway safety and to accord with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 and in the interest of highway safety.

15. The development shall not be brought into use until the visibility splays at the access; have been provided in accordance with the approved drawings. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.

Reason: In the interest of road safety in accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

16. The development shall not be brought into use until the vehicle parking and turning space has been provided in accordance with the approved plans. The parking and 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 for adequate parking facilities in order to reduce the likelihood of roadside parking which would be a danger to other road users in accordance with Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

17. The development shall not be brought into use until the cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles in accordance with Policy OVS3 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

18. No development shall commence *on site* until details to show a temporary parking area and turning space to be provided and maintained concurrently with the development of the site, have been submitted to and approved in writing by the Local Planning Authority. Such approved parking area and turning space shall at the commencement of development be provided and thereafter retained in accordance with the approved details until the development has been completed and shall during that time be used for parking by all employees, contractors and operatives or other visitors during all periods that they are working at or visiting the site.

Reason: In accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007 to ensure the development is provided with adequate parking facilities during the construction period, in order to minimise the incidence of off site parking in the locality which could cause danger to other road users or long term inconvenience to local residents.

19. The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of amenities of neighbouring occupiers in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

20. No development shall commence until the applicants have submitted to the Local Planning Authority a scheme of works, or other steps as may be necessary to minimise the effects of dust from the development. Development shall not commence until written approval has been given by the Local planning Authority to any such scheme of works.

Reason: In the interests of amenities of neighbouring occupiers in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

21. Contaminated Land

No development shall commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, have been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

22. Remediation scheme

Should contamination exist on the site no development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

23. Implementation of remediation scheme

No development, other than that required to carry out remediation, shall commence until the approved remediation scheme has been carried out in accordance with its terms unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

24. Reporting of unexpected contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 21, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 22, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 23.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

25. No infiltration of surface water drainage into the ground is permitted other than with the

express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: Infiltration drainage would not be acceptable in areas of contaminated soils.

26. The windows at first floor level in the north facing elevations of plot 12 shall be fitted with obscure glass before the dwelling is occupied and the obscure glazing shall thereafter be retained in position to the satisfaction of the Local Planning Authority. Irrespective of the provisions of the Town and Planning (General Permitted Development) Order 1995 (or any subsequent revision), no additional openings shall be inserted in the first floor north facing elevation of plots 12 without a formal planning application made to the Local Planning Authority for that purpose.

Reason: In the interests of the amenity of neighboring properties in accordance with Policy OVS2 of the West Berkshire District Local Plan 1991 - 2006 Saved Policies 2007.

27. During construction the wheels of all vehicles leaving the site shall be in a clean condition and adequate provision shall be made for wheel cleaning at the site exit in order to prevent the deposition of loose gravel, mud or any other material on the public highway.

Reason: In the interest of road safety in accordance with Policy OVS 2 of the West Berkshire District Local Plan 1991 – 2006, Saved Policies 2007.

28. The proposed development shall not be taken into use until the footpath fronting the site has been constructed in accordance with plans to be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interest of pedestrian safety in accordance with Policies OVS.2 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

29. No development shall commence until details of any external lighting have been submitted to and agreed in writing by the Local Planning Authority. No dwelling shall be occupied until any agreed external lighting has been provided.

Reason: In the interests of visual amenity and pedestrian safety in accordance with Policy OVS.2 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

Informatives

1. The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health and Licensing Manager.

2. The Highways (Planning) Manager, West Berkshire District Council, Highways and Engineering, Council Offices, Market Street Newbury RG14 5LD, telephone 01635 519169, 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 applicants behalf.

3. 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.

4. The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

5. In order to protect the stability of the highway it is advised that no excavation is carried out within 15 metres of a public highway without the written approval of the Highway Authority.

6. Any temporary signing required as part of this development is to be agreed in writing with the Highway Authority, West Berkshire Council, Highways and Engineering, Council Offices, Market Street Newbury RG14 5LD.

7. This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the ****. You are advised to ensure that you have all the necessary documents before development starts on site.

8. The decision to grant planning permission has been taken because the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area or the residential amenities of the occupants of the adjacent dwellings. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.

9. It is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, from land clearance to fitting-out, excluding VAT. Responsibility for producing the SWMP lies with the client and the principal contractor.

For projects estimated at between £300,000 and £500,000 the SWMP should contain details of:

- i. the types of waste removed from the site
- ii. the identity of the person who removed the waste
- iii. the site that the waste is taken to.

For projects estimated at over £500,000 the SWMP should also contain details of:

- iv. the waste carrier registration number of the person who removed the waste
- v. a description of the waste
- vi. the environmental permit or exemption held by the site where the waste is taken.

At the end of the project, you must review the plan and record the reasons for any differences between the plan and what actually happened.

You must still comply with the duty of care for waste. Having a SWMP will help you to ensure you comply with the duty of care because you will need to record all waste movements in the SWMP.

Further information can be found at www.netregs-swmp.co.uk