

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	20/00612/FULD Hungerford Town Council	5 May 2020 ¹	Section 73A variation of condition (2) plans of approved 18/02374/FULD – demolition of 2-bed dwelling house and erection of new 3-bed dwelling house. Riverbend, Upper Eddington, Hungerford, RG17 0HH Mr & Mrs Denny

¹ Extension of time agreed with applicant until 12 June 2020

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/00612/FULD>

Recommendation Summary: The Head of Development & Planning be authorised to GRANT planning permission.

Ward Member(s): Councillor D. Benneyworth
Councillor J. Cole
Councillor C. Rowles

Reason for Committee Determination: 10 or more letters of objection

Committee Site Visit: Owing to social distancing restrictions, the option of a committee site visit is not available. Instead, a collection of photographs is available to view at the above link.

Contact Officer Details

Name: Lydia Mather
Job Title: Senior Planning Officer
Tel No: 01635 519111
Email: Lydia.mather@westberks.gov.uk

1. Introduction

- 1.1 The application is made under Section 73A of the Town and Country Planning Act 1990 for development carried out without complying with conditions subject to which planning permission was granted. The changes to the permission affect condition 2 – approved plans of permission 18/02374/FULD.
- 1.2 Riverbend is a detached dwelling set within a large plot. It is accessed off Upper Eddington to the north. Unlike the majority of development along Upper Eddington the property is not directly off the highway but set further south via a long driveway. The south/west boundary joins the riverbank, the west boundary is adjacent to an agricultural field.
- 1.3 The site is outside of a defined settlement boundary and within the North Wessex Downs Area of Outstanding Natural Beauty; a national landscape designation. There is a public right of way along Upper Eddington. Part of the rear garden is within a biodiversity opportunity area, and the banks of the river and the river itself is a Site of Special Scientific Interest, as well as the edge of flood zones 2 and 3.
- 1.4 The changes sought are:
 - External materials – return to timber cladding to the upper floor;
 - Roofing materials – retrospective change to Rhenofol CV (thermoplastic polymer) in grey from zinc;
 - Roof lights – retrospective change on the car port from 2 rectangular to 1 square roof light; retrospective change on the stairwell from a rectangular to a square roof light; an additional rectangular roof light to the dining area; the domed roof lights that have been installed will be replaced to be flat;
 - Fascia – increase in depth from 300mm to 600mm and change in colour to anthracite;
 - Chimney flue – now central;
 - South west elevation to dwelling – area of fenestration retained but using 2 timber doors rather than 3 timber windows, and base of wood trim to base of balustrade in anthracite colour;
 - North west elevation to dwelling – timber screening to study removed and door reduced in size, balustrade extended and base of wood trim to base of balustrade in anthracite colour;
 - Ridge height of dwelling increased from 8.5 to 8.8m;
 - Finished floor levels of 104.98m AOD for garage; 105.16m AOD for upper floor; 102.21m AOD for lower floor.
 - New retaining wall to parking court;
 - New installation of air source heat pump – approximately a metre from the south east elevation;
 - New landscaping plan including tree protective fencing measures.

2. Planning History

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

Application	Proposal	Decision / Date
18/02374/FULD	Demolition of 2-bed dwelling house and erection of a new 3-bed dwelling house	Approved November 2018
19/00943/NONMAT	Non-material amendment to permission 18/02374/FULD. Amendment – replacing 3 windows/doors on eastern side of upper floor by one window/door and shortening the balcony.	Approved April 2019
19/00848/FUL	Partial realignment of residential driveway	Approved June 2019

2.2 The red line of the original permission to which this application relates excludes part of the new driveway granted permission under 19/00848/FUL.

3. Procedural Matters

3.1 The proposed development falls within the description of development in 10(b) in column 1 of schedule 2 of the Environmental Impact Assessment Regulations. The proposed development does not meet the applicable threshold but the site is within a sensitive area (an Area of Outstanding Natural Beauty). As such the proposal is schedule 2 development and EIA screening is required and has been undertaken. The EIA screening opinion concluded that an Environmental Statement was not required.

3.2 A site notice was displayed on 19 March 2020 on a sign post with the deadline for representations having expired on 9 April 2020. A public notice was displayed in the Newbury Weekly News on 19 March 2020. A further consultation on amended plans and information was undertaken with those who had commented on the application.

3.3 The Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Hungerford Town Council:	Objection. Matters raised: adverse visual impact on landscape and locality; design issues with blue render and increases in height of building; loss of existing trees to have been retained; request compliance with approved landscaping plan; request revert to timber cladding as per original permission.
Public Rights of Way:	No objection subject to informatives.
Archaeology:	No objection.
Tree Officer:	No objection.
Local Highway Authority:	No objection subject to conditions applied to original permission.
Local Lead Flood Authority:	No comments received to date.
Waste Management:	No comments received to date.
Public Protection:	No objection.
Canal & River Trust:	No comments to make.
Kennet & Avon Canal Trust:	No objection.
Natural England:	No comments to make.

Public representations

- 4.2 Representations have been received from 11 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:
- The coloured render of the building is stark, inappropriate and visually intrusive;
 - Lack of screening from loss of trees between the building and the river bank;
 - Roof height greater than previous bungalow on site;
 - Building out of keeping with setting in area of outstanding natural beauty;

- The volume of retrospective amendments is unacceptably changing the original approval;
- Failure to comply with the original landscaping conditions has detrimentally impacted on the adjacent river and increased the visual impact of the building;
- Poor quality of building due to the variations away from the original permission;
- No justification for the increase in mass and height of the building;
- The additional height of the building and the coloured render is an eyesore from the road and the footpath from Leverton.

5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies NFFP, ADPP1, ADDP5, CS1, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, C7, C8, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies TRANS.1, OVS.6 of the West Berkshire District Local Plan Saved Policies 2007.

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC Quality Design SPD (2006)
- Sustainable Drainage SPD (2018)

6. Appraisal

6.1 The main issue for consideration in this application is whether the variations to the originally approved development are acceptable. The national planning practice guidance notes that with such applications there is no statutory definition of a minor material amendment but that it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

6.2 The guidance states that local planning authorities should focus their attention on national and development plan policies, and other material considerations which have changed significantly since the original grant of permission. Since the original permission there have been no changes to the main policies of the development plan. A supplementary planning document on sustainable drainage has been adopted, but this does not in itself affect how this application should be assessed and determined. The National Planning Policy Framework has been updated, most recently in 2019, but has not changed significantly in terms of assessing this application.

6.3 Given the guidance the principle of development for a replacement dwelling remains established by policy C7 of the Housing Site Allocations DPD. Highways remain satisfied that there is sufficient parking and turning on site which is unchanged by this application. The ecological mitigation and enhancement measures are unchanged; 2 bat boxes are

to be installed to the building and a lighting strategy has been agreed under a previous discharge of condition. The gravel driveway using stabilisation grids to minimise noise disturbance to the neighbouring property has also been agreed under a previous discharge of condition (although it is noted a separate application has been granted for a new tarmac driveway).

- 6.4 The issues raised by the proposed variations are the impact on the amenity of the neighbouring property and the impact on the character and appearance of the area including the area of outstanding natural beauty.

Neighbouring Amenity

- 6.5 There is a variation in both the finished floor levels of the building and the overall height of the building itself between the approved scheme and that built. The amended plans show the datum levels for the original scheme and that built.
- 6.6 In the original scheme the maximum height from the lowest ground floor level to the highest ridge point was 8.54m, and in the proposed scheme it is 8.71m, an increase of 17cm. The ground level the building is set on is also higher than the original approval by 13.5cm. Combining the difference in ground level and the height of the building the overall increase in height is 30.5cm.
- 6.7 Where the dwelling is split level the garage part of the building which is closest to the neighbouring property to the north east has also increased in height by 12.9cm. The ground level it is set on has also increased by 16cm. Combining the difference in ground level and the height the overall increase is 28.9cm.
- 6.8 Policy CS 14 of the Core Strategy requires new development to make a positive contribution to the quality of life in West Berkshire. The Council's Supplementary Planning Document - Quality Design discusses privacy, daylight and outlook. The separation distance for 2 storey dwellings 'back to back' is 21m to avoid direct overlooking. In this case the separation distance is approximately 17m and where the building is single storey towards the neighbouring property there is no direct overlooking into the neighbouring building or loss of daylight.
- 6.9 With regard to outlook the Quality Design SPD refers to the Council's House Extension SPG. This document states that the consideration is whether there is material harm to a neighbour. It is the case that the dwelling is highly visible from the neighbouring property, and is more so having been built on a higher ground level and of greater height than originally granted. However, the building does not block views to the sky or to wider views either side of the building. The highest section of the building roof breaks the skyline on the other side of the valley. It would undoubtedly be preferable for the building to have been set lower at the originally approved ground levels and built to the approved height. Overall and on balance however, the additional harm of the extra 30cm height is not considered to materially harm the outlook from the neighbouring dwelling. As such it complies with policy CS14 and the supplementary documents on design.
- 6.10 The proposal now includes an air source heat pump to the south east elevation of the new dwelling. The specification of this has been submitted and consulted upon with Public Protection. They advise that the noise output of the pump is within acceptable limits. However, policy OVS.6 of the Local Plan Saved Policies states that special consideration is required where noisy development is proposed in or near Sites of Special Scientific Interest or which would harm the quiet enjoyment of Areas of Outstanding Natural Beauty. Under a precautionary approach given the site is within and in proximity to both these designations it is considered appropriate to apply a condition for details of acoustic screening, particularly between the pump and the

neighbouring dwelling, to ensure the noise output is minimised in accordance with policy OVS.6.

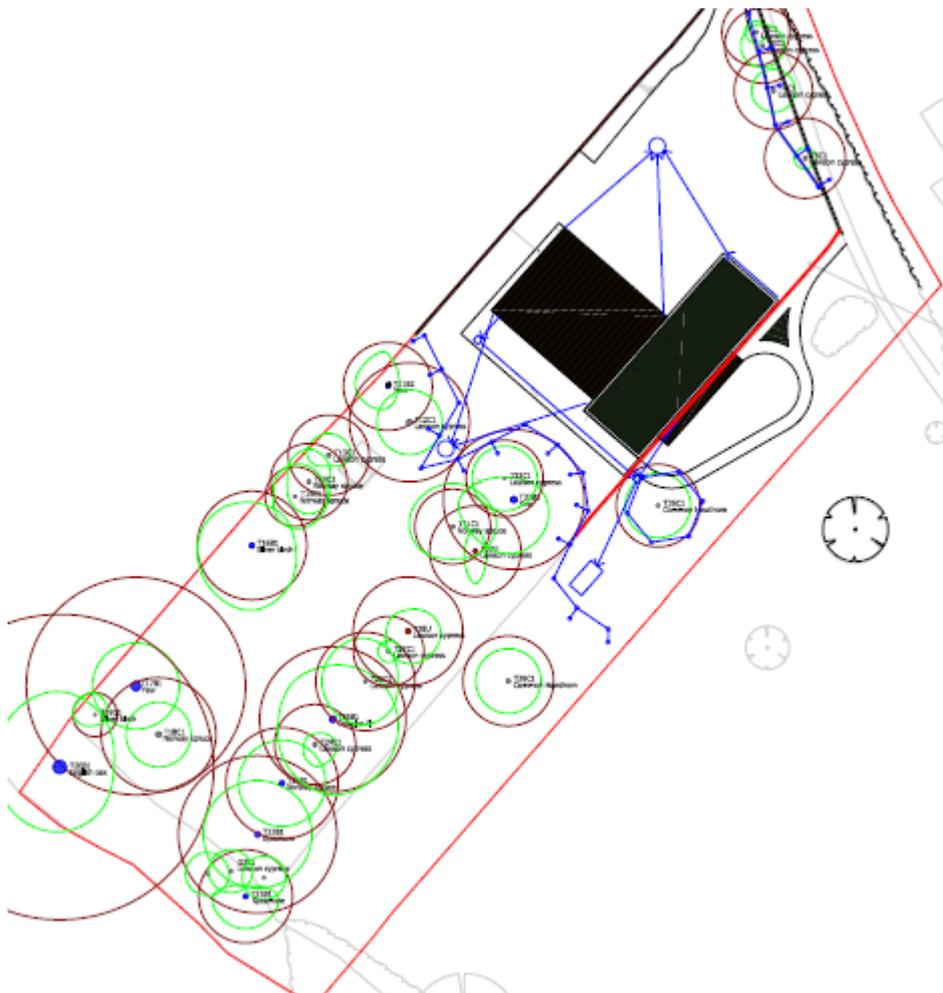
Character and appearance

- 6.11 Policy C7 requires replacement dwellings to be proportionate in size and scale to the existing dwelling, use appropriate materials and not have an adverse impact on character, heritage assets and landscape setting. Policy C3 requires new dwellings to have regard to the landscape character and its sensitivity to change.
- 6.12 Policy CS 14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. It further states that development shall contribute positively to local distinctiveness and sense of place.
- 6.13 Policy CS 19 seeks to conserve and enhance the functional components of the landscape character and environment. Particular regard will be given to the sensitivity of the area to change, and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. Policy ADPP5 requires development to conserve the landscape setting of the AONB.
- 6.14 The site is sensitively located; it is set at a higher ground level to the land and river to the south and is also visible from a distance from the public right of way to the north west, being the first dwelling when approaching Upper Eddington from the west.
- 6.15 The variations sought to the permission are to the external building materials, height/floor levels of the building, fascia depth, roof lights, fenestration, flue positioning, trees retained, and landscaping. The changes to the fenestration and flue positioning are considered minimal changes on the original scheme, do not particularly affect the overall design, and are therefore considered acceptable.
- 6.16 The roof lights were originally approved as flat and not protruding above the roof. The installed roof lights are domed and do protrude above the roof. These were considered to detract from the overall design form of the building and are visible in their own right from public viewpoints. It is now proposed to change these back to flat so that they would be in line with roof, particularly once the sedum roof on the garage has been installed. It is only therefore the change in aperture of the original proposed roof lights and the addition of another over the dining area that are changes to the original permission. The overall area of roof light is unchanged. As such the variation to roof lights is acceptable.
- 6.17 The external building materials now proposed are the coloured render on the lower floor, timber cladding to the upper floor, and a thermoplastic polymer main roof coloured grey instead of zinc (with the garage roof to remain sedum.) The fascia will be coloured anthracite to match the base of the balustrade. The materials are considered similar to the original permission, in particular restoring the upper level timber cladding. This will blend in more naturally with the rural setting, in particular where the site is open on its west boundary from the side of the dwelling towards the public right of way to the north west, and more generally with the AONB setting. A condition to ensure the external materials are changed within 6 months of permission being granted is proposed.
- 6.18 As outlined in the section on neighbouring amenity the raising of the ground level the building is sat on and the height of the building have resulted in an overall increase in height of 30cm. This contributes to increasing the visual prominence of the new dwelling in its immediate and wider setting. However, it is considered in itself the additional impact of the increased height on the site and wider area is not materially harmful as only the highest part of the dwelling breaks the surrounding skyline from closer viewpoints. As

such the height is considered acceptable under policies ADPP1, ADPP5, CS14 and CS19.

- 6.19 The retaining wall around the parking area would be set to north of the site (south of the public right of way) and return at a right angle towards the garage. It is constructed from reclaimed hardwood railway sleepers laid horizontally and supported by vertical steel columns which are concreted in. The average height of the wall is 70cm. The relatively low height of the wall and containment within the site are such that the retaining wall would not impact on the character of the site or the enjoyment of the public right of way.
- 6.20 The original permission included a requirement for tree protective fencing to be installed and the approved arboricultural report identified the retention of 31 existing trees on site. Subsequently trees identified as being retained have been removed with only 7 now shown as remaining on site. The result is that the scheme is currently highly visible from the river and beyond to the south west. In particular the site is sloping with the dwelling set into the slope and rising above it.
- 6.21 The trees which were to be retained on site were an integral part of ensuring the impact of the dwelling on the setting within the Area of Outstanding Natural Beauty was minimised by helping it blend into its surroundings and reducing its prominence. Therefore a new landscaping proposal was requested to seek to address this.

Original Tree Retention Plan – 2 trees to be removed, remainder to be retained.



- 6.25 The loss of the trees shown as being retained has had a particularly detrimental impact on the setting of the new dwelling. The proposed landscaping also differs by introducing different species and layout of landscaping, in particular with less tree cover immediately south of the dwelling. It is noted that the Tree Officer does not object to the species of planting proposed. Overall, and very much on balance, it is considered that the proposed planting will provide sufficient screening and landscape mitigation in accordance with policies ADPP1, ADPP5, CS14 and CS19 of the Core Strategy, policies C3 and C7 of the Housing Site Allocations DPD.
- 6.26 It is considered appropriate to continue to apply a condition limiting permitted development rights on means of enclosure to ensure the soft landscaping mitigation isn't undermined and urbanised by boundary treatments which could be up to 2 metre high fencing/walls on the boundary with the field or river without requiring planning permission. Whilst permitted development rights of householders in the AONB are more restrictive, it is nevertheless considered that given the history of the site and its prominence it is appropriate to further restrict permitted development rights for extensions and alterations to the dwelling as well as outbuildings.

7. Planning Balance and Conclusion

- 7.1 It is the case that there are numerous variations sought over the original permission. Many of these are relatively minor – changes in fenestration, shape of roof lights, location of flue, roof material, retaining wall. These are not considered to materially alter the overall design, scale or impact of the dwelling. The additional height whilst it has increased the impact of the dwelling is not considered to be sufficiently harmful to warrant refusal of the application.
- 7.2 The main issues are the external materials to the walls and the setting in the designated landscape of the North Wessex Downs Area of Outstanding Natural Beauty. The render to the lower floor is still a brighter colour than indicated on the original plans. However, the return to the natural material and colour of timber cladding to the upper floor will be the most visible part of the dwelling from public view points. Overall the brighter lower floor render is not considered to be substantially different from the original permission.
- 7.3 The original retention of 31 trees on site contributed to the scale and nature of the development being minimised within the designated landscape. This has been lost by the removal of all but 7 trees on site which has greatly increased the visible scale of development and altered the nature of its setting. Without comprehensive landscaping and sensitive boundary treatments the nature of the overall development and its impact would be substantially different from that approved and materially harmful to the countryside setting, the Area of Outstanding Natural Beauty and in proximity to a Site of Special Scientific Interest. The proposed landscape planting returns a greater number of trees on site to provide screening and mitigate the impact on the development from both the SSSI and river to the south and from the public right of way and agricultural land to the west.
- 7.4 Subject to the previously applied conditions and those identified on acoustic screening of the air source heat pump, setting a time limit for changing materials on the dwelling, and the removal of some permitted development rights, having taken account of all the relevant policy considerations and other material considerations referred to above, it is considered that, on balance, the application complies with the development plan and is recommended for conditional approval.
- 7.5 Full Recommendation

- 7.6 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1.	<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>Drawing 02, Bat Survey Report by Ecology By Design, Biodiversity Report by Thames Valley Environmental Records Centre, Primary Ecological Assessment by Windrush Ecology, Archaeological Evaluation by Thames Valley Archaeological Services Ltd, Design and Access Statement received on 4 September 2018, Email and drawing received on 29 April 2020 with details of the wall to the parking area, Email received on 14 May 2020 with details that the roof lights shall be flat, Drawings 01 J and 11 F (excluding the annotation on the external wall materials) received on 1 June 2020, Structural Landscaping document by Certhia Consulting Ltd including drawing ccl/rb/ls01 Rev 04 received on 6 July 2020.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
2.	<p>Acoustic screening of air source heat pump</p> <p>Within 2 months of this permission details of acoustic screening to go around the installed air source heat pump shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the noise reduction specification of the screening materials. The acoustic screening shall be provided in accordance with the approved details within 2 months of the date of the approval of the details..</p> <p>Reason: In the interests of amenity and respecting the designated landscape and rural character and appearance of the surrounding area in accordance with policies ADPP5 and CS14 of the West Berkshire Core Strategy 2006-2026, policy OVS.6 of the West Berkshire District Local Plan Saved Policies 2007, and the National Planning Policy Framework.</p>
3.	<p>Tree Protective Fencing</p> <p>Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified in the Arboricultural Report by Certhia Consulting Ltd including drawing ccl/rb/tp/001. Within the fenced areas, there shall be no excavations, no storage/mixing of lime based products or fuels, no storage of materials, or machinery, no parking of vehicles, no fires.</p> <p>Reason: To ensure the protection of trees identified for retention at the site. This condition is imposed in accordance with the National Planning Policy Framework, and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
4.	<p>Materials</p>

	<p>The changes to the external materials shall be completed within 6 months of the date of this permission. Notwithstanding the annotations on drawing 11 Rev G received on 1 June 2020 the external materials shall be:</p> <p>Vertical larch cladding to the upper level; White coloured render to the lower level and inset areas on the upper level; Anthracite coloured fascia and balcony balustrade; Sedum roof to the garage element; Rhenofol CV (thermoplastic polymer) in grey to the main roof; Gravel stabilisation grids to the driveway/parking area.</p> <p>Reason: To ensure that the external materials are visually attractive and respond to local character and the North Wessex Downs Area of Outstanding Natural Beauty in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies C3 and C7 of the West Berkshire Housing Site Allocations DPD 2006-2026, and Supplementary Planning Document Quality Design 2006.</p>
5.	<p>Landscaping</p> <p>All landscape works shall be implemented in full and carried out in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information within the Certhia Consulting Ltd Arboricultural Report including drawing number ccl/rb/lso1 rev 04 received on 1 July 2020, document titled Condition No. 6 and associated site plan received on 8 August 2019 detailing the orchard area with 20 fruit trees/bushes spaced 5-8m apart.</p> <p>The approved landscape works shall be implemented in full within the first planting season following first occupation of the dwelling. 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 development/completion of the approved 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: To ensure the implementation of a satisfactory scheme of landscaping. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Policy C7 of the West Berkshire Housing Site Allocations 2006-2026.</p>
6.	<p>Bat boxes</p> <p>The dwelling hereby permitted shall not be occupied until the bat mitigation measures shown on drawing 11 G received on 1 June 2020 have been provided and shall thereafter be retained.</p> <p>Reason: To ensure the protection of bat species, which are subject to statutory protection under European Legislation in accordance with the National Planning Policy Framework, Policy CS17 of the West Berkshire Core Strategy 2006-2026, and Policy C7 of the West Berkshire Housing Site Allocations 2006-2026.</p>
7.	<p>Lighting</p> <p>The dwelling hereby permitted shall not be occupied until the external lighting has been installed in accordance with drawings DD/M-M/RD/215-4 Rev B and DD/M-M/RD/215-3 Rev B, luminaire data sheets and document titled Condition No. 7 detailing that all external lights will be sensor operated (PIR) and be LED received on 13 August 2019.</p>

	Reason: To maintain dark night skies in an Area of Outstanding Natural Beauty and conserve protected species in accordance with the National Planning Policy Framework, and policies ADPP5 and CS17 of the West Berkshire Core Strategy 2006-2026.
8.	<p>Spoil</p> <p>Any spoil arising from and not used as part of the development hereby approved shall be removed from site within 3 months of the first occupation of the dwelling.</p> <p>Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Policy C7 of the West Berkshire Housing Site Allocations 2006-2026.</p>
9.	<p>Means of enclosure</p> <p>Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no means of enclosure or other development which would otherwise be permitted by Schedule 2, Part 2, Class A of that Order shall be carried out to the west side boundary or south boundary towards the River Kennet, without planning permission being granted by the Local Planning Authority on an application made for that purpose.</p> <p>Reason: In the interests of respecting the rural character and appearance of the surrounding area including the North Wessex Downs Area of Outstanding Natural Beauty in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5, CS14, and CS19 of the West Berkshire Core Strategy 2006-2026, and Policy C7 of the West Berkshire Housing Site Allocations 2006-2026.</p>
10.	<p>Extensions and outbuildings</p> <p>Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, C and/or E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.</p> <p>Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding area in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), policies C3 and C7 of the West Berkshire Housing Site Allocations (2006-2026), and Supplementary Planning Document Quality Design (2006).</p>

Informatives

1.	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 a development which improves the economic, social and environmental conditions of the area.
2.	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
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.	The applicant is advised that this planning permission does not in any way allow the Public Right of Way to be obstructed at any time during the course of the development.