

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	20/02922/FUL Lambourn	10 February 2021 ¹	Demolish existing bungalow and redevelopment to provide 4 No. 3 bedroom dwelling houses with associated parking and amenity areas. 39 Newbury Street, Lambourn, Hungerford, RG17 8PB. Mr S Church
¹ Extension of time agreed with applicant until 8 November 2021			

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/02922/FUL>

Recommendation Summary: To DELEGATE to the Service Director of Development and Regulation to GRANT PLANNING PERMISSION subject to the conditions set out in section 8 of this report.

Ward Member(s): Councillor Howard Woollaston

Reason for Committee Determination: The Council has received 10 letters of objection.

Committee Site Visit: 28th October 2021

Contact Officer Details

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1. Introduction

- 1.1 This application seeks planning permission for the demolition of the existing bungalow and redevelopment of the site to provide 4 no. 3 bedroom dwelling houses with associated parking and amenity areas.
- 1.2 The application site is located on the corner of Newbury Street and Station Road, within the defined settlement of Lambourn, it is approximately 15 metres from the edge of the Lambourn Conservation Area and lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The existing bungalow appears to have been constructed during the 1960's, having replaced an earlier building dating from the mid-1800s. There is a wide area of highway verge immediately to the south-east of the site, between Station Road and the site boundary. There are two trees (Whitebeam and Swedish Whitebeam) on this land, along with a telegraph pole. This open area of land and trees makes a positive contribution to the eastern approach into Lambourn and the Conservation Area. The site is in an established residential area comprising a variety of house types, styles and ages, the majority of which are two storey. To the north-west, adjacent to the site, are two storey dwellings, dating from the mid-1800s. There is a modern housing development adjacent to the south-western boundary fronting Station Road.
- 1.3 The application site and existing bungalow are located at a higher level than Newbury Street and the ground level from Newbury Street gradually rises south-westwards. The application proposes to replace the existing bungalow with four terraced dwellings, two storeys in height with rooms in the roof, respective rear gardens and car parking. The dwellings would have a ridge height similar to the neighbouring dwellings adjacent to the application site. The proposed dwellings would front onto Station Road, behind the existing grassed verge, with the north-eastern most dwelling also addressing the car parking area proposed and Newbury Street. The existing vehicular access point onto Newbury Street will be moved south-eastwards and widened to be more centrally located when viewed from Newbury Street and to serve the car parking area located in the north-eastern part of the site, comprising 10 parking spaces. The existing front boundary to Newbury Street is proposed to be set back within the site to enable the provision of a 1.6 metre pedestrian footway along that section of Newbury Street.

2. Planning History

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

Application	Proposal	Decision / Date
15/02781/FULD	Demolition of existing bungalow and redevelopment to provide four 1 bed flats and four 2 bed flats with parking and ancillary areas.	Application refused 27/10/17.
17/03127/FULD	Demolish existing bungalow and redevelop to provide 2 x 1 bed flats and 4 x 2 bed flats with parking and ancillary areas.	Resolution to approve by the Western Area Planning Committee on 25/4/18 subject to the completion of a s106 agreement (planning obligation). At the time of writing this report the s106 agreement had not been completed and the application is undetermined.

- 2.2 In respect of application 17/03127/FULD above, Members are advised that matters regarding the planning obligation associated with that application are now progressing.

3. Procedural Matters

- 3.1 The proposed development falls within the column 1 description at paragraph 10(b) (urban development projects) of Schedule 2. Although it does not meet/exceed the relevant threshold in column 2, it is located in a sensitive area, namely the North Wessex Downs Area of Outstanding Natural Beauty. The proposal is therefore "Schedule 2 development" within the meaning of the Regulations.
- 3.2 However, taking into account the selection criteria in Schedule 3, it is not considered that the proposal is likely to have significant effects on the environment. Accordingly, the proposal is NOT considered "EIA development" within the meaning of the Regulations.
- 3.3 Site notices were displayed on 8/9/21 on the telegraph pole at the front of the property; the deadline for representations expired on 29/9/21.
- 3.4 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).
- 3.5 Based on the CIL PAIR form, it appears that the development proposed will be CIL liable. However, 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 [Others]

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.

Lambourn Parish Council:	No objections.
WBC Highways (1st response):	Further information and amended information required regarding footway, parking and electric vehicle charging.
WBC Highways (2nd response following receipt of additional and amended information):	No objections subject to conditions securing electric vehicle charging point, construction method statement, access closure, provision of 1.5 metre wide footway, access surfacing, visibility splays, parking and turning area and cycle storage.

Archaeologist:	No objections.
Waste Services:	Only the end house on the left appears to have access to the rear amenity area for the storage of bins. Dedicated bin stores at the front of each dwelling have been provided however it is not clear if they are large enough for the bins provided by West Berkshire Council. Please ensure they are if they are to be provided.
Conservation Officer:	No objections.
Environment Agency:	Do not wish to be consulted on this application.
Thames Water:	No objections.
Environmental Health:	No objections.
Tree Officer:	No objections subject to condition securing tree protection scheme.
Lead Local Flood Authority (1st response):	Request further information regarding detailed drainage design and calculations.
Lead Local Flood Authority (2nd response following receipt of additional information):	No objections subject to a condition to secure suitable sustainable drainage.
Ecology:	No response received.
North Wessex Downs AONB:	No response received.

Public representations

- 4.2 Representations have been received from 10 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:
- Overdevelopment of site;
 - Impact on character and appearance of the area and AONB;
 - Impact on highway safety;
 - Lack of parking provision resulting in additional street parking;

- Inadequate visibility for vehicles exiting the site;
- Prominent location;
- Impact on existing drainage issues in Lambourn;
- No application site notice posted;
- Lack of neighbour notification of the application;
- Plans submitted not to scale;
- Existing site is elevated therefore exacerbating impact;
- Development will be out of place;
- Inadequate sewage system capacity in the area for further development;
- Submitted Flood Risk Assessment refers incorrectly to Sulham Brook;
- Lack of access to rear gardens for two plots resulting in garden rubbish being brought through dwellings;
- Lack of street elevations showing levels and adjacent properties;
- Existing roads surrounding site already suffer from on street parking.

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 ADPP1, ADPP5, CS1, CS4, CS5, CS13, CS14, CS16, CS17, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS.5, OVS.6, TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- Policies 1 and 2 of the Replacement Minerals Local Plan for Berkshire 2001 (RMLP).

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

- National Planning Policy Framework (NPPF)
- National Planning Policy for Waste (NPPW)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC Quality Design SPD (2006)
- Sustainable Drainage Systems SPD (2018)
- Cycle and Motorcycle Advice and Standards for New Development (2014)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of Development;
- Design, Character and Appearance;
- Neighbouring Amenity;
- Highway Matters;
- Flooding and Drainage;
- Other Matters.

Principle of Development

- 6.2 The NPPF takes the development plan as the starting point for all decision making, and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan for West Berkshire comprises the West Berkshire Core Strategy (adopted 2012), Housing Sites Allocation DPD and the Saved Policies of the West Berkshire District Local Plan 1991-2006.
- 6.3 The site lies within the identified settlement of Lambourn, where there is normally a presumption in favour of development subject to consideration of material planning constraints and relevant policy considerations. Policy CS1 of the Core Strategy attracts full weight as a development plan policy adopted since the introduction of the NPPF. It states that new homes will be located in accordance with the district settlement hierarchy, and primarily developed on suitable land within settlement boundaries. This site is currently occupied by a bungalow and garage. The proposal will replace the bungalow with a terrace of four dwellings. Each dwelling comprises three bedrooms over three floors. This will make efficient use of previously developed land and add to the housing stock and mix of housing in the District. The principle of development is therefore considered acceptable.

Design, Character and Appearance

- 6.4 Policies ADPP1 and ADPP5 of the Core Strategy seeks to ensure that new development responds positively to the local context, particularly in the latter regard to the AONB landscape in which the site is set. Policy CS14 of the Core Strategy states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. The site is situated outside, approximately 15 metres from the edge, of the Lambourn Conservation Area where the existing character should be conserved and enhanced under Policy CS19.
- 6.5 The Council has adopted a Supplementary Planning Document series entitled Quality Design (SPDQD). Part 1 of SPDQD provides design guidance including key urban design principles. Part 2 of SPDQD provides detailed design guidance on residential development. Part 3 of SPDQD provides a residential character framework for the prevailing residential developments in the district.
- 6.6 The site lies within the settlement of Lambourn in an area which is largely characterised by two storey semi-detached and terraced dwellings of varying ages and styles. The application is to replace the existing bungalow with a four terraced dwellings, two storeys in height with rooms in the roof, respective rear gardens and car parking. The development has been designed to respect existing building lines in the immediate area. The north-east and south-east elevations are appropriately designed to address the street scene of Newbury Street and Station Road respectively. The layout, scale and form is considered appropriate to the locality, relating well to existing neighbouring dwellings and with space about the development such that it would not appear as an overdevelopment of the site. The external appearance of the proposed development will reflect the mixed development pattern in the area. Full details of materials can be secured by condition. The building will be constructed close to the south-eastern and south-western boundaries of the site. There will be opportunity for some landscaping to the front of the dwellings facing Station Road and around the boundaries of the car park adjacent to Newbury Street. With careful boundary treatments facing Station Road, the building will be read through the existing retained highway verge and not detract from the approach to the Conservation Area.

- 6.7 There are two existing trees close to the development site on the highway land adjacent to Station Road. These could be affected by the development and their long term survival could be at risk as a result of construction activities. The Tree Officer has reviewed the application and raises no objections subject to a condition to ensure adequate tree protection during the development of the site.
- 6.8 In respect of garden areas for each of the dwellings proposed, these range from approximately 48sqm. to 64sqm. Part 2 of the Quality Design SPD suggests that 3 bed dwellings require a garden size of 100sqm. but recognises that it is the quality of outdoor space that matters most and gardens should be large enough to accommodate such features as garden shed, washing lines and other domestic features and should allow for opportunities for sitting outside in comfort and reasonable privacy and, in family dwellings, for children's play. Whilst the development proposed does not meet the suggested garden sizes set out in Part 2 of the Quality Design SPD, it is considered that sufficient quality outdoor space is provided and would not be out of keeping with the wider area.
- 6.9 It is important to note the previous application, 17/03127/FULD, for the demolition of the bungalow and redevelopment of the site to provide two 1 bed flats and four 2 bed flats with associated parking. That application comprised a built form that was similar in footprint, slightly taller in height and positioned closer to Newbury Street with a car parking area occupying the majority of the north-western half of the site. The development proposed in this application is approximately 1.5 metres greater in depth than that considered under application 17/03127/FULD and has rooms within the roof. That application was presented to the Western Area Planning Committee on 25th April 2018 who resolved to approve the application subject to the completion of a planning obligation to provide a contribution toward off site affordable housing provision and a two year maintenance contribution of new trees to be planted on the adjacent highway verge fronting Station Road. At the time of writing this report, the planning obligation had not been completed and that application remains undetermined. However, the previous resolution to approve application 17/03127/FULD is a material consideration for this application. It is not considered that the proposed development in this application introduces any significant impacts upon that previously approved.
- 6.10 It is considered that, subject to appropriately worded conditions, the proposed development would not adversely affect the character of the area, street scene nor visual distinctiveness of this part of the settlement or nearby Conservation Area. The development will therefore comply with development plan policies ADPP5, CS14 and CS19 and advice set out within the NPPF.

Neighbouring Amenity

- 6.11 Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. The West Berkshire Quality Design SPD provides guidance on the impacts of development on neighbouring living conditions and provision of amenity space for future residents. Local Plan Saved Policy OVS.6 relates to potential noise impacts of development.
- 6.12 The proposed built form will be located approximately 12 metres from the side of No.37 Newbury Street (a two storey semi-detached Victorian dwelling) at the closest point and 3 metres from the side of Saddleford, an end of terrace dwelling fronting Station Road. The siting of the proposed built form will not extend forward of the front of either of these dwellings. The siting is such that the new building would not be overbearing for either neighbouring dwelling nor would there be any undue loss of day light or sunlight.

However, it is acknowledged that the outlook of dwellings opposite the site on Station Road and Newbury Street would be altered. There would be some direct overlooking into the rear garden area of the property at 37 Newbury Street. However this type of rear/side relationship with a separation distances of 12-15 metres occurs elsewhere in this part of Lambourn and indeed in most built up areas and is not considered sufficient to warrant a refusal.

- 6.13 The Environmental Health Officer has not raised an objection to the proposal. Your officers propose that a condition to secure a construction method statement, including details of hours of construction and dust minimisation, is required due to the proximity to existing residential dwellings, should the application be approved.
- 6.14 For the reasons set out above the development would not adversely affect amenity of neighbouring properties and would comply with development plan policies ADPP5, CS14, OVS.6 and advice set out within the NPPF.

Highway Matters

- 6.15 The existing vehicular access point onto Newbury Street will be stopped up and a new widened access is proposed onto Newbury Street to serve the car parking area located in the north-eastern part of the site, comprising 10 parking spaces. A new front boundary wall to Newbury Street is proposed to be set back within the site to enable the provision of a 1.6 metre pedestrian footway along that section of Newbury Street.
- 6.16 Two 22kW electric vehicle charging points are proposed within the car park.
- 6.17 Many of the representations received raise concerns regarding inadequate visibility for vehicles exiting the site and a lack of parking provision resulting in additional on-street parking.
- 6.18 Visibility splay plans have been submitted and reviewed by the Highways Officer who raises no objections to the development proposed subject to condition securing the provision of electric vehicle charging points and a construction method statement in the interest of highway safety.
- 6.19 In respect of the parking provision proposed, Policy P1 of the HSA DPD requires 10 parking spaces for a development of this type and size. Ten parking spaces are proposed within the application site and therefore the development proposed accords with this policy, as confirmed by the Local Highway Authority.
- 6.20 Cycle storage is proposed in the rear gardens of each dwelling, the details of which can be secured by condition. In respect of refuse storage, adequately sized bin stores are proposed to the front of each dwelling.
- 6.21 Therefore the development proposed is considered to accord with development plan policies CS13, P1 and TRANS1, current guidance set out in the Manual for Streets and advice set out within the NPPF.

Flooding and Drainage

- 6.22 The application site is located within Flood Zone 1 (lowest risk of fluvial flooding) but within a designated critical drainage area as identified within the West Berkshire Strategic Flood Risk Assessment. It is noted that a number of residents have expressed concern in respect of sewerage capacity and surface water flooding.

- 6.23 Thames Water have been consulted and raise no objections as they consider that the scale of the development proposed does not materially affect the sewer network. In respect of surface water, Thames Water request that if the developer follows the sequential approach to the disposal of surface water they would have no objection. Thames Water advise that where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- 6.24 The flood risk assessment submitted with the application identifies that sustainable drainage methods will be required to ensure that surface water is adequately managed within the site. The Lead Local Flood Authority (LLFA) have reviewed the application and raise no objections subject to a condition to secure adequate details of SuDS within the site to prevent surface water discharge off site and into public sewers, as was the case for the previous application, 17/03127/FULD, for flats on the site.
- 6.25 Therefore the development proposed is considered to accord with development plan policy CS16, subject to the submission of a sustainable drainage management scheme and implementation that can be secured by condition.

Other Matters

Tree Matters

- 6.26 There are two trees adjacent to the application site located on the grassed verge. These could be affected by the development and their long term survival could be at risk during construction works. The Tree Officer has reviewed the application and raises no objections subject to a condition securing adequate tree protection during the development of the site.

Ecology

- 6.27 No response has been received from the Ecologist. The existing dwelling appears to be in reasonable condition, reducing the likelihood of protected species such as bats occupying parts of the existing dwelling. However, to ensure that any bats that may be present are appropriately dealt with during the demolition of the existing dwelling, it is recommended that a condition is imposed requiring a soft strip of the existing roof supervised directly by a licensed ecologist, should the application be approved.
- 6.28 In addition, it is proposed to impose a condition preventing the removal of any existing hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds between 1st March and 31st August inclusive unless a competent ecologist has undertaken a careful, detailed check of vegetation or buildings/structures for active birds' nests immediately before the vegetation is cleared, should the application be approved.
- 6.29 In order to maximise the opportunities for biodiversity enhancement and net gain in biodiversity in accordance with Policy CS17 of the Core Strategy, a condition is also proposed requiring details of bird and bat boxes to be installed at the site, should the application be approved.

Permitted Development

- 6.30 It is noted that no openings at second floor level on the rear elevation other than a dormer on the south western most dwelling is proposed. That dormer is not considered to introduce a significant degree of overlooking and loss of privacy due to the distance from the neighbouring garden area and degree of possible view. No openings are proposed on the second floor of the side (south west) elevation. To prevent the introduction of any additional openings at second floor level on the rear (north-west) elevation and side (south-west) elevation that are reasonably likely to introduce a harmful impact on the amenity of neighbouring dwellings, your officer considers it necessary to impose a condition to restrict the addition of openings on those elevations under the Town and Country (General Permitted Development) (England) Order (as amended), should the application be approved.
- 6.31 In addition, Part 3, Class L of the Town and Country (General Permitted Development) (England) Order (as amended) enables dwellings under use class C3 to change to houses in multiple occupation (HMO) without the need for planning permission. It is considered necessary to restrict that permitted development right as the use of the dwelling(s) as HMOs would generate a greater need for car parking which would not be available to the occupants and result in on street parking, harmful to highway safety.

7. Planning Balance and Conclusion

- 7.1. Having taken account of all the relevant policy considerations and the other material considerations referred to above, it is considered the proposal is acceptable and a conditional approval is justifiable for the following reasons.
- 7.2. The proposal will not unduly harm the character and appearance of the surrounding area, Conservation Area and the AONB; or neighbouring amenity, highway safety or increase the risk of flooding. There are no other material considerations that indicate planning permission should otherwise be refused. It is recommended that the application be approved.

8. Full Recommendation

- 8.1 To delegate to the Service Director of Development and Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1.	Commencement of development The development hereby permitted shall begin not later than three years from the date of this decision. Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
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2.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Block and Location Plan, drawing number 11420-11 received on 10th December 2020; Proposed Site Plan, drawing number 11420-01 Rev C received on 15th October 2021; Visibility Splay Plan, drawing number 11420-12 received on 10th December 2020; Proposed Rear and Front Elevations Plan, drawing number 11420-06 Rev A received on 24th September 2021; Proposed Side Elevations Plan, drawing number 11420-07 Rev A received on 24th September 2021; Proposed Ground Floor Plan, drawing number 11420-02 Rev A received on 24th September 2021; Proposed First Floor Plan, drawing number 11420-03 Rev A received on 24th September 2021; Proposed Second Floor Plan, drawing number 11420-04 Rev A received on 24th September 2021; Proposed Roof Plan, drawing number 11420-05 Rev A received on 24th September 2021.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>Construction Method Statement</p> <p>No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved CMS. The CMS shall include measures for:</p> <ul style="list-style-type: none"> (a) A site set-up plan during the works; (b) Parking of vehicles of site operatives and visitors; (c) Loading and unloading of plant and materials; (d) Storage of plant and materials used in constructing the development; (e) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing; (f) Wheel washing facilities; (g) Measures to control dust, dirt, noise, vibrations, odours, and surface water run-off during construction; (h) A scheme for recycling/disposing of waste resulting from demolition and construction works; (i) Hours of construction and demolition work. <p>Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.</p>
4.	<p>Tree Protection</p> <p>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</p>

	<p>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. The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012. All 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.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the National Planning Policy Framework, and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>
5.	<p>Sustainable Drainage</p> <p>No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.</p> <p>These details shall:</p> <ul style="list-style-type: none"> a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and the Sustainable Drainage Systems SPD (December 2018); b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels; any soakage testing should be undertaken in accordance with BRE365 methodology; c) Include attenuation measures to retain rainfall run-off within the site, off site discharge will not be permitted; d) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site; e) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change; f) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater; g) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines; h) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate; i) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises; j) Provide details of how surface water will be managed and contained within the site during any construction works to prevent silt migration and pollution of watercourses, highway drainage and land either on or adjacent to the site; k) Provide a verification report carried out by a qualified drainage engineer demonstrating that the drainage system has been constructed as per the approved scheme (or detail any minor variations thereof), to be submitted to and approved by the Local Planning Authority on completion of construction. This shall include: plans

	<p>and details of any key drainage elements (surface water drainage network, attenuation devices/areas, flow restriction devices and outfalls) and details of any management company managing the SuDS measures thereafter.</p> <p>The above sustainable drainage measures shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied or 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 and managed in accordance with the approved details thereafter.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and the Sustainable Drainage Systems SPD (December 2018). A pre-condition is necessary because insufficient detailed information accompanies the application and sustainable drainage measures may require work to be undertaken throughout the construction phase, therefore it is necessary to approve these details before any development takes place.</p>
6.	<p>Ground and Finished Floor Levels</p> <p>No development shall take place until details of existing and proposed ground levels, and finished floor levels of the dwellings, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. These details are required before development commenced because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the NPPF, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (June 2006).</p>
7.	<p>Biodiversity measures (prior approval)</p> <p>No development shall take place until details of biodiversity enhancement measures have been submitted to and approved in writing by the Local Planning Authority. Such measures shall include bat boxes and bird boxes. Thereafter, no dwelling shall be occupied until the measures related to that dwelling have been installed/constructed in accordance with the approved details.</p> <p>Reason: To ensure biodiversity enhancements are incorporated into the development. These details are required before development commenced because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
8.	<p>Protection of breeding birds during construction</p> <p>No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful,</p>

	<p>detailed check of vegetation or buildings/structures for active birds' nests immediately before the vegetation or buildings/structure is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.</p> <p>Reason: To ensure that breeding birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
9.	<p>Soft stripping before mechanical demolition</p> <p>No mechanical demolition of the existing dwelling and garage will take place until a soft strip of the roof has been undertaken. The roof tiles will be lifted carefully by gloved hands, or with handheld tools as necessary, supervised directly by a licensed ecologist or 'Registered Consultant' under the Bat Mitigation Class licence. In the event that bat(s) are discovered during the course of the work, the ecologist will capture the bat(s) and transfer it/them directly to a bat box erected in advance of the works. If a bat is found during work to the remainder of the property when the ecologist is not present, works will stop immediately, and a licensed ecologist will be called back to site to provide further advice. Mechanical demolition shall not take place until the licensed ecologist has confirmed that all potential roosting sites have been stripped adequately.</p> <p>Reason: To avoid harm to protected bat species during demolition operations. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
10.	<p>Materials</p> <p>No construction above slab level of any dwelling shall take place until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
11.	<p>Soft landscaping</p> <p>No dwelling hereby permitted shall be first occupied until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first occupation of any new dwelling (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme</p>

	<p>shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p> <p>Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.</p>
12.	<p>Hard landscaping</p> <p>No dwelling hereby permitted shall be first occupied until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.</p> <p>Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.</p>
13.	<p>Provision of Footway</p> <p>No dwelling shall be first occupied until the 1.5-1.6 metre wide footway to be constructed on the western side of Newbury Street fronting the application site has been provided in accordance with drawing number 11420-01 Rev C received on 15th October 2021 and any statutory undertaker's equipment or street furniture located in the position of the footway has been re-sited to provide an unobstructed footway.</p> <p>Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians. This condition is imposed in accordance with the National Planning Policy Framework 2019 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
14.	<p>Electric Charging Point</p> <p>No dwelling shall be first occupied until the electric vehicle charging points have been provided in accordance with the approved drawings. Thereafter, the charging points shall be maintained and kept available and operational for the charging of electric vehicles at all times.</p> <p>Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.</p>
15.	<p>Access Closure with reinstatement</p> <p>The existing vehicular access at the site shall be stopped up and abandoned immediately after the new access hereby approved has been brought into use. The footway shall, at the same time as the stopping-up and abandonment, be reinstated to the satisfaction of the Local Planning Authority.</p> <p>Reason: In the interest of road safety and highway maintenance. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>

16.	<p>Surfacing of access</p> <p>No dwelling hereby permitted shall be first occupied until the surfacing arrangements for the vehicular access to the highway has been constructed in accordance with details that 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 for a distance of 5 metres measured back from the carriageway edge. Thereafter the surfacing arrangements shall be maintained in accordance with the approved details.</p> <p>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 2019 and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
17.	<p>Parking/turning in accordance with plans</p> <p>No dwelling shall be first occupied until the vehicle parking and turning spaces have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning space shall thereafter be kept available for parking and manoeuvring (of private motor cars) at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework 2019, Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
18.	<p>Cycle storage</p> <p>No dwelling shall be first occupied until cycle parking/storage facilities for that dwelling have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the facilities shall be maintained and kept available for that purpose at all times.</p> <p>Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD 2006-2026, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).</p>
19.	<p>Visibility splays before development</p> <p>No dwelling shall be first occupied until visibility splays of 2.4 metres x 43.0 metres have been provided in both directions at the new access onto Newbury Street in accordance with the approved plans. Thereafter, the visibility splays shall be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level at all times.</p> <p>Reason: To ensure there is adequate visibility at the access, in the interests of highway safety. This condition is applied in accordance with the National Planning</p>

	Policy Framework, and Policy CS13 of the West Berkshire Core Strategy 2006-2026.
20.	<p>Refuse Storage</p> <p>No dwelling shall be occupied until a storage area for refuse and recycling receptacles (and collection areas if necessary) has been provided for that dwelling in accordance with details, including any means of enclosure, which have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that there is adequate refuse and recycling storage facilities within the site, to ensure safe and adequate collection in the interests of highway safety and local amenity. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and the West Berkshire Quality Design SPD (Part 1, Section 2.13).</p>
21.	<p>HMO restriction</p> <p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that order with or without modification), the dwellings hereby permitted shall only be used as a single dwellinghouse (Use Class C3), and for no other purpose (including any other purpose in Class C4 (House of Multiple Occupation) on the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any order revoking, re-enacting or modifying that order with or without modification).</p> <p>Reason: There would be insufficient parking to use any of the dwellings as a house of multiple occupation under Use Class C4 without detriment to highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD (2006-2026), and Quality Design SPD (June 2006).</p>
22.	<p>Permitted development restriction (windows/dormers)</p> <p>Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) which would otherwise be permitted by Schedule 2, Part 1, Classes A, B and/or C of that Order shall be constructed at second floor level on the rear (north-west) and side (south-west) elevations of the dwellings hereby permitted, without planning permission being granted by the Local Planning Authority on an application made for that purpose.</p> <p>Reason: To prevent overlooking of adjacent properties/land, in the interests of safeguarding the privacy of the neighbouring occupants. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (2006) and House Extensions SPG (July 2004).</p>

Informatives

1.	<p>Proactive</p> <p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.</p>
2.	<p>CIL Liability</p> <p>The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil</p>
3.	<p>Compliance with conditions</p> <p>Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.</p>
4.	<p>Pre-conditions</p> <p>Conditions nos. 3-8 impose requirements which must be met prior to commencement of the development. Failure to observe these requirements could result in the Council taking enforcement action, or may invalidate the planning permission and render the whole of the development unlawful.</p>
5.	<p>Compliance with approved drawings</p> <p>Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.</p>

6.	<p>Access construction</p> <p>The Highways Manager, West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.</p>
7.	<p>Damage to footways, cycleways and verges</p> <p>The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.</p>
8.	<p>Damage to the carriageway</p> <p>The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.</p>
9.	<p>Excavation in close proximity to the highway</p> <p>In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority.</p>
10.	<p>Incidental works affecting the highway</p> <p>Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519169, before any development is commenced.</p>
11.	<p>Bats</p> <p>All bats are protected by The Wildlife and Countryside Act 1981 (WCA) (as amended) & The Conservation of Habitats and Species Regulations 2010. Should you find bats during development, all work must stop until advice has been sought from Natural England. Their local contact number is 0300 060 3886.</p>