

standards, such as amenity space and drainage, but these are considered acceptable in the context of the site's constraints and the wider planning benefits.

- 29.4 On balance, the proposal is considered to comply with the development plan when read as a whole, and the material considerations clearly indicate that planning permission should be granted. The application is therefore recommended for approval, subject to conditions and the completion of a Section 106 legal agreement.

30. Full Recommendation

- 30.1 PROVIDED THAT a Section 106 Agreement has been completed within 6 months (or such longer period that may be authorised by the Development Manager, in consultation with the Chairman or Vice Chairman of the Western Area Planning Committee), to delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed in section 8 of this report (or minor and inconsequential amendments to those conditions authorised by the Development Manager, in consultation with the Chairman or Vice Chairman of the Western Area Planning Committee).
- 30.2 Or, if the Section 106 legal agreement is not completed, to delegate to the Development Manager to REFUSE PLANNING PERMISSION for the reasons listed in this report.

Conditions

1.	<p>Commencement of development</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Drawings and plans listed on Drawing List received on the 01.09.2025</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>Schedule of materials (prior approval)</p> <p>No above ground construction works shall take place until a schedule of all materials and finishes visible external to the building have been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available to be viewed at the site or by arrangement with the Planning Officer. The development shall be carried out in accordance with the approved details/ samples.</p> <p>Reason: To ensure that the materials are appropriate to the character of the Conservation Area and adjacent listed buildings. This condition is imposed in accordance with the National Planning Policy Framework and Policies SP7, SP9, DM9 and DM10 of the West Berkshire Local Plan Review 2023-2041.</p>
4.	<p>Sample Brickwork/Stonework/Roofing and Surfacing Materials Schedule</p> <p>No above ground construction shall take place until a sample panel of the materials to be used in the construction of the external surfaces/roofing/brickwork/stonework shall have been prepared on site for inspection and approved in writing by the local planning authority. All sample panels shall be at least 1 metre x 1 metre and show</p>

	<p>the proposed material, bond, pointing technique and palette of materials (including roofing, cladding and render) to be used in the development. The development shall be constructed in accordance with the approved sample, which shall not be removed from the site until completion of the development.</p> <p>Reason: To ensure that the materials are appropriate to the character of the Conservation Area and adjacent listed buildings. This condition is imposed in accordance with the National Planning Policy Framework and Policies SP7, SP9, DM9 and DM10 of the West Berkshire Local Plan Review 2023-2041.</p>
5.	<p>Window/door details</p> <p>No new external doors and windows shall be fitted until working drawings (scale 1:20, 1:10, 1:5, half or full size etc.) fully detailing the new / or replacement windows and/or external doors (cross sections for full glazing bars, sills, heads etc.) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved specification and retained thereafter.</p> <p>Reason: To ensure that the materials are appropriate to the character of the Conservation Area and adjacent listed buildings. This condition is imposed in accordance with the National Planning Policy Framework and Policies SP7, SP9, DM9 and DM10 of the West Berkshire Local Plan Review 2023-2041.</p>
6.	<p>Architectural details</p> <p>No above ground construction development shall take place until full details of the following have been submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> - window/door arches, lintels, reveals and surrounds - eaves and fascia - parapets, cornices and pediments - brick detailing and decorative features - metalwork (railings and/or balconies) - external services (drainage pipework (including soil vent pipe terminations) and accessories, rainwater goods, boiler flues, extract vent grilles, meter cupboards, external lighting. <p>Thereafter the development shall incorporate and be undertaken in accordance with the approved details.</p> <p>Reason: To ensure that the materials are appropriate to the character of the Conservation Area and adjacent listed buildings. This condition is imposed in accordance with the National Planning Policy Framework and Policies SP7, SP9, DM9 and DM10 of the West Berkshire Local Plan Review 2023-2041.</p>
7.	<p>Method Statement and Schedule of Works</p> <p>No development (including preparatory or demolition work), shall take place until a detailed method statement and schedule of works relating to any demolition and buildings works occurring beside the adjacent listed buildings has been submitted to and approved in writing by the Local Planning Authority. This shall include details of adequate protection and support to the adjacent listed buildings during demolition and construction as required including scaffolding to ensure no damage is incurred to the historic fabric. Thereafter the development shall incorporate and be undertaken in accordance with the approved details.</p> <p>Reason: To protect the special architectural or historic interest of the heritage assets. This condition is imposed in accordance with the National Planning Policy Framework and Policies SP7, SP9, DM9 and DM10 of the West Berkshire Local Plan Review 2023-2041</p>

	<p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application, so it is necessary to approve these details before any development takes place.</p>
8.	<p>Archaeology</p> <p>No development including site clearance shall take place within the application area until a Stage 1 written scheme of investigation (WSI) for a programme of archaeological work has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.</p> <p>If heritage assets of archaeological interest are identified by Stage 1, then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the WSI no site clearance work or development shall take place other than in accordance with the agreed WSI, which shall include:</p> <ul style="list-style-type: none"> A. The Statement of significance and research objectives, the programme and methodology of archaeological site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works. B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting archaeological material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI. <p>Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 212 of the 2024 National Planning Policy Framework and is accordant with the requirements of Policy DM14 of the West Berkshire Local Plan Review 2023-2041.</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application, so it is necessary to approve these details before any development takes place. The measures required for this condition will need to be in place for when the development begins.</p>
9.	<p>Landscape (Soft and Hard) – (Major applications)</p> <p>Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:</p> <ul style="list-style-type: none"> 1) a scaled plan showing all and trees and plants to be planted; 2) location, type and materials to be used for hard landscaping including specifications, where applicable for: <ul style="list-style-type: none"> a. permeable paving b. tree pit design c. underground modular systems d. Sustainable urban drainage integration e. use within tree Root Protection Areas (RPAs);

	<p>3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;</p> <p>4) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and</p> <p>5) types and dimensions of all boundary treatments</p> <p>There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.</p> <p>Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with the NPPF and Policies SP7, SP9, DM9 and DM15 of the West Berkshire Local Plan Review 2023-2041</p>
10.	<p>Compliance with existing detailed biodiversity method statements, strategies, plans and schemes</p> <p>All ecological measures and/or works shall be carried out in accordance with the details contained in Ecological impact assessment (November 2024, EPR) and Landscape strategy (November 2024, Lochailort) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.</p> <p>Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policy SP11 of the West Berkshire Local Plan Review 2023-2041.</p>
11.	<p>Construction Environmental Management Plan</p> <p>No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:</p> <ul style="list-style-type: none"> • Risk assessment of potentially damaging construction activities. • Identification of “biodiversity protection zones”. • Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). • The location and timing of sensitive works to avoid harm to biodiversity features. • The times during construction when specialist ecologists need to be present on site to oversee works. • Responsible persons and lines of communication. • The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. • Use of protective fences, exclusion barriers and warning signs.

	<p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: To ensure the adequate safeguarding of protected species. This condition is imposed in accordance with the National Planning Policy Framework and Policy SP11 of the West Berkshire Local Plan Review 2023-2041</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application, so it is necessary to approve these details before any development takes place. The measures required for this condition will need to be in place for when the development begins.</p>
12.	<p>Landscape and Ecological Management Plan (LEMP)</p> <p>No above ground construction development shall take place until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:</p> <ul style="list-style-type: none"> A. Description and evaluation of features to be managed. B. Ecological trends and constraints on site that might influence management. C. Aims and objectives of management. D. Appropriate management options for achieving aims and objectives. E. Prescriptions for management actions. F. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period) and 30 year management plan for meeting biodiversity net gain requirements. G. Details of the body or organization responsible for implementation of the plan. H. Ongoing monitoring and remedial measures. I. Habitat enhancement measures and location plan including all bird and bat boxes integrated into the new structures. <p>The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.</p> <p>(where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.</p> <p>Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policy SP11 of the West Berkshire Local Plan Review 2023-2041.</p>
13.	<p>Submission of a copy of the EPS licence</p> <p>The following works 'demolition of the existing building on site' shall not in any circumstances commence unless the Local Planning Authority has been provided with either:</p> <p>(a) A licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development to go ahead;</p> <p>or</p>

	<p>(b) A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.</p> <p>Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policy SP11 of the West Berkshire Local Plan Review 2023-2041. This “strict protection” condition helps to ensure that a developer will apply for an EPS licence and, if they do not, can be prevented in advance from undertaking the activities that might jeopardize the protected species, before the species is harmed. The use of planning conditions for this purpose has been established through case law and is also recommended in government.</p>
14.	<p>Lighting design strategy for light sensitive biodiversity</p> <p>Prior to occupation, a “lighting design strategy for biodiversity” for the new dwellings and associated works shall be submitted to and approved in writing by the local planning authority. The strategy shall:</p> <ul style="list-style-type: none"> A. identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and B. show how and where external lighting will be installed (through the provision of appropriate Isolux lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.</p> <p>Reason: Bats are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation. This condition is applied in accordance with the National Planning Policy Framework, and Policy SP11 of the West Berkshire Local Plan Review 2023-2041</p>
15.	<p>Biodiversity measures</p> <p>The development hereby permitted shall not be occupied until integrated bird and bat boxes have been installed in accordance with a minimum ratio of 1-4 dwellings and details shown on a submitted plan.</p> <p>Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policy SP11 of the West Berkshire Local Plan Review 2023-2041.</p>
16.	<p>Infiltration Drainage</p> <p>No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 187 of the</p>

	National Planning Policy Framework and Policy DM6 and DM7 of the West Berkshire Local Plan Review 2023-2041.
17.	<p>Piling</p> <p>Piling or other intrusive foundations using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure that the proposed development does not harm groundwater resources in line with paragraph 187 of the National Planning Policy Framework.</p> <p>Piling or other intrusive foundations using penetrative methods can result in risks to potable supplies from, for example, pollution/turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Groundwater is particularly sensitive in this location because the proposed development site:</p> <ul style="list-style-type: none"> • within source protection zone 3 • located on a Secondary aquifer A, with a Principal Aquifer present beneath at depth. • where groundwater has been observed at shallow depths <p>A piling plan and risk assessment to be submitted and agreed to, prior to the commencement of works is therefore necessary.</p>
18.	<p>Boreholes</p> <p>A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.</p> <p>Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 187 of the National Planning Policy Framework. The submitted planning application indicates that boreholes are currently on the development site to investigate groundwater resources and or carry out soakage tests. If these boreholes are not decommissioned correctly, they can provide preferential pathways for contaminant movement which poses a risk to groundwater quality.</p>
19.	<p>Noise protection for future occupiers</p> <p>A scheme for protecting the proposed dwellings of the approved development from road and entertainment noise from the town centre night-time economy shall be submitted, for written approval, to the Local Planning Authority.</p> <p>The development shall not be occupied until the noise mitigation measure identified in the approved scheme, have been fully implemented. The noise mitigation measures shall be retained and maintained thereafter.</p> <p>Reason: To protect future residents from noise from road noise and commercial noise from the town centre. To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041.</p>
20.	Noise Management Plan for Use Class E Premises

	<p>A Noise Management Plan shall be produced for Use Class E premises and submitted to Environmental Health for approval prior to Class E uses commencing or any subsequent change of use/user. The Noise Management Plan shall include:</p> <ul style="list-style-type: none"> A. An assessment of how the business use could impact neighbouring noise sensitive receptors, including structural and airborne transfer of noise B. Details of the noise control measures employed to mitigate the impact of noise as far as reasonably possible, including structural design, operational hours, and noise management procedures C. Contact details of the person responsible for noise management <p>The noise management plan shall be reviewed periodically and whenever there are changes which could result in a change to the impact on surrounding neighbours.</p> <p>Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041.</p>
21.	<p>Condition – Deliveries</p> <p>No deliveries including collection of waste shall be dispatched or accepted outside the following times.</p> <ul style="list-style-type: none"> - Monday to Saturday – 7:00 am and 10:00 pm - Sundays and Public Holidays – 9:00 am and 6:00 pm <p>Vehicle engines and refrigeration units shall be switched off during deliveries and no engine idling shall be permitted.</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, and Policies SP19, DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041. A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.</p>
22.	<p>Cooking Odours from Commercial Kitchens</p> <p>The applicant shall submit to the Local Planning Authority, for written approval, a scheme of works to minimise the emission of cooking odours.</p> <p>The permitted use shall not commence until the odour mitigation measures, as set out in the approved scheme, have been implemented. The odour mitigation measures shall be maintained and retained for the duration of the development.</p> <p>Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041.</p>
23.	<p>Plant noise</p> <p>Prior to any works above foundation level development apart from demolition work the following shall be submitted to the Local Planning Authority</p> <ul style="list-style-type: none"> a) written details concerning any proposed air handling plant associated with the development including: <ul style="list-style-type: none"> - the proposed number and location of such plant as well as the manufacturer's information and specifications; - the acoustic specification of the plant including general sound levels and frequency analysis under conditions likely to be experienced in practice - and the intended operating days and times.

	<p>b) calculations showing the likely impact of noise from the development;</p> <p>c) a scheme of works or such other steps as may be necessary to minimize the effects of noise from the development;</p> <p>no construction above foundation level apart from demolition work shall commence until written approval of a scheme under (c) above has been given by the Local Planning Authority. All works forming part of the scheme shall be completed before any of the dwellings is first occupied.</p> <p>Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041.</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application, so it is necessary to approve these details before any development takes place.</p>
24.	<p>Hours of Construction Works</p> <p>No construction works shall take place outside the following hours:</p> <p>0730 hours to 1800 hours Mondays to Fridays. 0830 hours to 1300 hours Saturdays; and</p> <p>No work shall be carried out at any time on Sundays or Bank Holidays</p> <p>Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041.</p>
25.	<p>Construction Management Statement (Environmental Health)</p> <p>No development shall take place until details of a scheme (Construction Method Statement) to control the environmental effects of the demolition and/or construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-</p> <p>(i) the control of noise (ii) the control of dust, smell and other effluvia (iii) the control of rats and other vermin (iii) the control of surface water run-off (iv) the proposed method of piling for foundations (if any) (v) proposed construction and demolition working hours (vi) hours during the construction and demolition phase when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the site.</p> <p>The development shall be carried out in accordance with the approved scheme.</p> <p>Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041.</p>
26.	<p>Contaminated land (investigation and remediation)</p> <p>No development* shall take place until a scheme to deal with contamination at the site has been submitted to and approved in writing by the LPA. The above scheme shall:</p>

	<p>(a) Include an investigation and risk assessment. A report of the findings shall: identify the nature and extent of any contamination on the site (irrespective of its origin); include an assessment of the potential risks to human health, property, and the environment; and include an appraisal of remedial options, and proposal of preferred option(s).</p> <p>(b) Include a remediation scheme* which ensures that, after remediation, as a minimum, the land shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.</p> <p>(c) Include a monitoring and maintenance scheme* to ensure the long-term effectiveness of the proposed remediation, and the provision of reports on the same that shall be submitted to and approved in writing by the LPA.</p> <p>(d) Be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation), and conducted in accordance with current best practice.</p> <p>Thereafter, any approved remediation scheme and/or monitoring and maintenance measures shall be carried out in accordance with the approved details. Two weeks written notice shall be given to the LPA prior to the commencement of any remediation scheme.</p> <p>If any previously unidentified land contamination is found during the carrying out of the development, it shall be reported immediately in writing to the LPA. Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. Thereafter, any remediation measures shall be carried out in accordance with the approved details.</p> <p>The development shall not be occupied* until all approved remediation measures have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the LPA.</p> <p>(* Unless otherwise agreed in writing by the LPA)</p> <p>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. This condition is applied in accordance with paragraphs 170, 178, 179 and 180 the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required to ensure that adequate investigation and a suitable remediation and/or monitoring is agreed before it may be implemented throughout the demolition and/or construction phase.</p>
27.	<p>Unexpected contamination</p> <p>If any previously unidentified contaminated land is found during demolition and/or construction activities, it shall be reported immediately in writing to the Local Planning Authority (LPA). Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. These submissions shall be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation) and conducted in accordance</p>

	<p>with current best practice. The remediation scheme shall ensure that, after remediation, as a minimum, the land shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. Thereafter, any remediation measures shall be carried out in accordance with the approved details. Unless otherwise agreed in writing by the LPA, the development shall not be occupied until any approved remediation measures have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the LPA.</p> <p>Reason: To ensure that any unexpected contamination encountered during the development is suitably assessed and dealt with, such that it does not pose an unacceptable risk to human health or the environment. This condition is applied in accordance with paragraphs 170, 178, 179 and 180 the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
28.	<p>Electric Charging Point (details to be submitted)</p> <p>No development shall take place until details of electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the electric vehicle charging points have been provided in accordance with the approved drawings. The charging points shall thereafter be retained and kept available for the potential use electric cars.</p> <p>Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policies SP5, SP19, DM42 and DM44 of the West Berkshire Local Plan Review 2023 – 2041.</p>
29.	<p>Construction method statement (Highways)</p> <p>No development shall take place until a Construction Method Statement and plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:</p> <ul style="list-style-type: none"> A. The parking of vehicles of site operatives and visitors B. Loading and unloading of plant and materials C. Storage of plant and materials used in constructing the development D. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing E. Wheel washing facilities F. Measures to control the emission of dust and dirt during construction G. A scheme for recycling/disposing of waste resulting from demolition and construction works H. A site set-up plan during the works. I. The control of noise during construction and demolition J. The control of dust, smell, and other effluvia, K. The control of rats and other vermin L. The control of surface water run-off M. The proposed method of piling for foundations (if any) N. Show where any spoil arising from the development to remain on the site will be deposited. O. Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels). P. Include measures to remove all spoil from the site (that is not to be deposited). Q. Include timescales for the depositing/removal of spoil. <p>All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.</p>

	<p>No demolition or construction works or delivery of materials shall take place outside the following hours:</p> <p>0730 hours to 1800 hours Mondays to Fridays.</p> <p>0830 hours to 1300 hours Saturdays; and</p> <p>No work shall be carried out at any time on Sundays or Bank Holidays</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies SP7, SP9, SP19, DM5, of the West Berkshire Local Plan Review 2023-2041</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application, so it is necessary to approve these details before any development takes place. The measures required for this condition will need to be in place for when the development begins.</p>
30.	<p>Framework Servicing & Management Plan – details to be submitted</p> <p>No development shall take place until a Framework Servicing & Management Plan has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policies SP19 and DM42 of the West Berkshire Local Plan Review 2023 – 2041.</p>
31.	<p>Road construction</p> <p>No development shall take place until details of road construction have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until associated road construction has been constructed in accordance with the approved drawings. The road construction shall comply to the Local Highway Authority standards and shall thereafter be maintained by appropriate legal agreements when required.</p> <p>Reason: In the interest of road safety and flow of traffic and to ensure waste collection. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policies SP19 and DM42 of the West Berkshire Local Plan Review 2023 – 2041.</p>
32.	<p>Parking and turning</p> <p>No dwelling shall be occupied until the associated vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.</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 2024 and Policy DM44 of the West Berkshire Local Plan Review 2023 – 2041.</p>
33.	<p>Car Parking Management Plan</p> <p>No part of the development shall be taken into use until a Car Parking Management Plan for the proposed car parks has been submitted to and approved in writing by</p>

	<p>the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved plan.</p> <p>Reason: To ensure the development is provided with adequate parking facilities for all users within the scheme, 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 2024 and Policies SP19 and DM42 of the West Berkshire Local Plan Review 2023 – 2041.</p>
34.	<p>Cycle and motorcycle parking</p> <p>No development shall take place until details of the cycle and motorcycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. The use shall not commence until the associated cycle and motorcycle parking, and storage space has been provided in accordance with the approved details and retained for this purpose at all times.</p> <p>Reason: To ensure that there is adequate and safe cycle and motorcycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policies SP19 and DM42 of the West Berkshire Local Plan Review 2023 – 2041.</p>
35.	<p>Lighting</p> <p>No development shall take place until details of a system of lighting which shall include a scheme of illuminating pedestrian, cycle and car parking areas have been submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme of lighting shall be implemented prior to the development being brought into use and maintained in accordance with the approved scheme.</p> <p>Reason: In the interest of security and safety. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policies SP19 and DM42 of the West Berkshire Local Plan Review 2023 – 2041.</p>
36.	<p>Set back of gates</p> <p>Any gates to be provided at access(es) where vehicles will enter or leave the site, shall open away from the adjoining highway and be set back at the distances shown from the edge of the highway.</p> <p>Reason: In the interest of road safety and to ensure that vehicles can be driven off the highway before the gates are opened. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policies SP19 and DM42 of the West Berkshire Local Plan Review 2023 – 2041.</p>
37.	<p>Access construction prior to occupation/use (plans required)</p> <p>No development shall take place until details of all access(es) into the site have been submitted to and approved in writing by the Local Planning Authority. The use shall not commence until the associated accesses have been constructed in accordance with the approved details.</p> <p>Reason: In the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policies SP19 and DM42 of the West Berkshire Local Plan Review 2023 – 2041.</p>
38.	<p>Proposed access onto Bear Lane / Cheap Street / Market Square traffic signal junction (details required)</p> <p>No development shall take place until details of the proposed access into the site have been submitted to and approved in writing by the Local Planning Authority. In</p>

	<p>addition to the details submitted on drawing 18916100-WAT-HGN-ZZ-DR-C-950122 submitted on August 20th 2025, the following details are also required:</p> <ul style="list-style-type: none"> • From the existing building frontage, the provision of a clear width of 4.5 metres for a distance into the site of 10.0 metres. • Adequate stop line detection to be agreed within the above 10.0 metre distance with the same section of road being provided to adoptable standard and adopted using Section 38 of the Highways Act 1980. • Move stop line back at least to 3.0 metres from existing building frontage and install signal head at rear of footway. • Remove controlled pedestrian crossing on the proposed fourth arm and replace with uncontrolled crossing. • Shared space to be at the same level as the footway and raised table on Cheap Street. <p>The access shall then be constructed in accordance with the approved drawing(s).</p> <p>Reason: To ensure that the access(es) into the site are constructed before the approved buildings in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policies SP19 and DM42 of the West Berkshire Local Plan Review 2023 – 2041.</p>
39.	<p>Submission of a further Access and Security Strategy</p> <p>No works above foundation level shall commence on site until an Access and Security Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall be informed by the principles and guidance set out in <i>Secured by Design</i>, and shall include details of:</p> <ul style="list-style-type: none"> • Site access controls including to external gates, buildings, bin and cycle stores • Measures to design out crime and anti-social behaviour such as defensive planting and planting on blank facades. • Lighting and surveillance (including CCTV where relevant) • Other relevant considerations of secured by design. <p>The approved Access and Security Strategy shall be implemented in full prior to first occupation of the development and shall be retained and maintained thereafter for the lifetime of the development.</p> <p>Reason: To ensure a safe and secure environment for future occupiers and visitors to the site, and to reduce opportunities for crime. This condition is imposed in accordance with the National Planning Policy Framework and Policies SP7 of the West Berkshire Local Plan Review 2023-2041.</p>
40.	<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> <p>a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the submitted drainage strategy 4508-RBG-ZZ-XX-RP-CV-00004, paragraph 182 of the NPPF and associated planning practice guidance, the National Standards for SuDS (2025), the SuDS Manual C753 (2015) and the WBC SuDS Supplementary Planning Document (2018). No reduction in the volume of surface water storage, and no increase to the permissible discharge</p>

	<p>rate will be permitted. No reduction in the quantity of SuDS provided will be permitted.</p> <p>b) Include a Flood Response Plan identifying safe access and egress routes to the site and, where appropriate, areas of safe refuge for the occupants.</p> <p>Residents must be able to safely access and egress the site during design storm events and evacuate before an extreme flood event. The vulnerability of site users must be taken into consideration. Evidence must be provided demonstrating that the development does not increase the scale of rescue required by emergency services should the site become inundated.</p> <p>Details of procedures to be followed and provisions to be available should be included within the pack for use during a flood event. The relevant emergency contact details should also be provided.</p> <p>c) Include flood water exceedance routes (low flow, overflow and exceedance routes), both on and off site. Exceedance routes must be provided irrespective of the standard of design of surface water drainage on site and must consider the impact of drainage infrastructure failing, and events in excess of the 1%AEP event.</p> <p>The routes should follow the natural drainage routes through the site where possible and evidence should demonstrate that exceedance routes have no adverse effects the development or elsewhere.</p> <p>Exceedance routes should be provided on plans with level information showing the path of water noting any potential issues and mitigation measures used to control overland flow.</p> <p>d) Include full information of catchments and flows discharging into the site from neighbouring land and across the site. Evidence must be provided showing how these flows will be managed and routed through the development. Where the flows exit the site, both pre-development and post-development information must be provided.</p> <p>e) Demonstrate that proposed finished floor levels are set in accordance with Environment Agency Standing Advice on flooding. Current advice recommends floor levels are set 600mm above the estimated flood levels and flood resistant materials are used up this depth.</p> <p>Relaxation of this recommendation will only be permitted with additional certainty regarding flood levels.</p> <p>Evidence will need to be provided that you have considered estimated flood depths of river, surface water and groundwater flooding as applicable to the site.</p> <p>f) Include a detailed sustainable drainage strategy for surface water run-off within the site in accordance with submitted information. The drainage strategy must include a report and associated plans detailing all relevant flood risk and drainage matters as outlined in the planning practice guidance, national standards for SuDS and WBC SuDS SPD.</p> <p>g) Demonstrate that the discharge hierarchy has been followed. Any deviation from the submitted information must be accompanied by sufficient evidence justifying the approach taken. Discharge into highway drainage systems, or foul sewers is not permitted.</p>
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	<p>h) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse or piped surface water system at no greater than 1 in 1 year greenfield run-off rates. Relaxation of this requirement will only be permitted in agreement with the LLFA for previously developed sites.</p> <p>Include supporting calculations and modelling information for any elements of flood risk and surface water drainage design in accordance with best practice. Surface water drainage design must utilise appropriate data for the site and be based on current rainfall data models, greenfield/agreed discharge rates, and, if applicable infiltration rates and groundwater levels. Contributing footprint of impermeable and pervious surfaces should both be considered in calculations. Appropriate safety factors must be selected as part of the calculations as applicable.</p> <p>Calculations must demonstrate that flooding does not occur on any part of the development for rainfall events up to the 3.3% AEP event. The surface water drainage system shall be designed so that flooding does not occur during rainfall events up to a 1% AEP event in any areas critical infrastructure or prevent safe access/egress from the site.</p> <p>i) Exclude pumping stations unless agreed due to the associated carbon, energy and maintenance implications, and the risks associated with failure and exceedance. Attempts to implement pumping stations to account for a lack of fixed design and levels design at this stage will not be considered a valid justification.</p> <p>Where proposed pumping stations shall be design to industry recognised guidance and evidence must be provided demonstrating why a gravity-based solution is not viable.</p> <p>Evidence must consider the consequences of failure and demonstrate how this will be managed from an operational and flood risk perspective.</p> <p>j) Include with any design calculations an allowance for an additional 10% increase of paved areas (Urban Creep) over the lifetime of the development.</p> <p>k) Include evidence that the first 5mm of rainfall is to be managed on site via SuDS interception and will not enter surface waters, or piped system.</p> <p>l) Demonstrate that SuDS used on site have been considered as part of the landscape design and offer multifunctional uses. Provide evidence that the design has considered visual amenity, matters relating to trees, plants and vegetation, health and wellbeing, and education and safety where relevant.</p> <p>m) Demonstrate that SuDS provide biodiversity value throughout the development lifecycle. Evidence should show value has been created by creating diverse, self-sustaining, resilient local ecosystems which contribute to net gains in biodiversity supporting and promoting natural local habitat and species, for example, through local nature recovery strategies (LNRS), contributing to the delivery of local biodiversity strategies, and/or contributing to habitat connectivity.</p> <p>n) Include construction drawings, cross-sections and specifications of all proposed SuDS and flood alleviation measures within the site</p> <p>o) Provide evidence that an analysis of pollution risk has been considered in the surface drainage design with specific reference to sources of pollution and their</p>
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	<p>impacts on water quality. This includes on site risks and risks to surface water bodies, sewers and groundwater. The process used to analyse pollution risk should be appropriate to the pollution hazard and sensitivity of the site, or receiving waters – taking into account any special environmental or ecological designations. On standard residential sites the simple index approach should be used. On sites where there are significant risks of contamination (such as oil storage, refuelling, etc.) a detailed assessment of potential contaminants and mitigation measures should be provided.</p> <p>p) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil, groundwater, watercourse or drain. Ensure that adequate SuDS measures have been applied to address water quality risks from the development where possible.</p> <p>q) Include written confirmation from Thames Water of their acceptance of the discharge from the site into the surface water sewer and confirmation that the downstream sewer network has the capacity to take this flow via enquiry.</p> <p>r) Include a management and maintenance plan showing how the SuDS measures will be maintained and managed after completion for the lifetime of the development in accordance with Standard 7 of the National Standards for SuDS.</p> <p>This plan shall incorporate arrangements for adoption by the Council, Water and Sewage Undertaker, Maintenance or Management Company (private company or Trust) or individual property owners, or any other arrangements, including maintenance responsibilities resting with individual property owners, to secure the operation of the sustainable drainage scheme throughout its lifetime.</p> <p>These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises. If any element of the SuDS design is to be adopted by the local authority whole life costing information relevant to all SuDS must be provided.</p> <p>s) For phased developments the designer shall provide a phased management plan to demonstrate how the surface water drainage design will operate during each phase of construction.</p> <p>t) Include details of how surface water will be managed and contained within the site during construction works to prevent silt migration and pollution of watercourses, highway drainage and land either on or adjacent to the site.</p> <p>The designer shall provide information on how drainage features should be managed, protected and commissioned during construction to ensure the functionality of the completed surface water drainage system is not compromised.</p> <p>This information will help inform the contractor's SuDS construction method statement (CMS). Guidance on the production of a SuDS CMS is provided in industry recognised guidance</p> <p>The above sustainable drainage measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced/before the building(s) hereby permitted is/are occupied/before the dwelling(s) hereby permitted is/are occupied/in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained in the approved condition</p>
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	<p>thereafter/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 and associated Planning Practice Guidance, National Standards for SuDS, Policy SP6 of the Adopted Local Plan (2023-2041)</p>
41.	<p>Skills and Employment Plan</p> <p>No development shall take place until an Employment and Skills Plan (ESP), in relation to the construction phase of the development, has been submitted to and approved in writing by the Local Planning Authority. The ESP will set out the measures that the developer will take to enhance the training and employment opportunities that are offered to the local workforce in West Berkshire in the construction process. The measures set out in the ESP should be appropriate and proportional to the scale and value of the development. The ESP should set out, through a method statement, how the following priorities will be addressed:</p> <ul style="list-style-type: none"> A. Promotion of employment opportunities generated on site to the West Berkshire workforce (but not excluding those outside of West Berkshire), with a focus on those who are not currently employed. B. Creation of new apprenticeship starts specific to the development site. This should include how the developer will work directly with local employment and training agencies. C. Identification of training and work placement opportunities on site with discussion on how these may be promoted to local people, working directly with local employment and training agencies. <p>The Employment and Skills Plan should also:</p> <ul style="list-style-type: none"> D. Identify a lead contact who is responsible for managing the plan. E. Set out a timetable for the implementation of the ESP which, for the avoidance of doubt, shall include a start date no later than the date of commencement of development. F. Set out the process for how implementation of the ESP will be monitored and reported back to West Berkshire Council. <p>Thereafter approved ESP shall be implemented in full concurrent with the development of the site.</p> <p>Reason: To promote local job opportunities in the district in accordance with the National Planning Policy Framework. A pre-commencement condition is necessary because the ESP will need to be in place before any construction activities take place.</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application, so it is necessary to approve these details before any development takes place. The measures required for this condition will need to be in place for when the development begins as they relate to construction workforce.</p>
42.	<p>BREEAM Excellent</p> <p>All the non-residential areas of the development shall achieve an Excellent rating under BREEAM (or any such equivalent national measure of sustainable building</p>

	<p>which replaces that scheme). No later than 3 months after the building is operational, a final Certificate must be issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating of Excellent has been achieved for the development, and a copy provided to the Local Planning Authority.</p> <p>Reason: To ensure the development contributes to sustainable construction. This condition is applied in accordance with the National Planning Policy Framework, Policies SP5 and DM4 of the West Berkshire Local Plan Review 2023-2041.</p>
43.	<p>Water Network</p> <p>No dwelling shall be first occupied until confirmation has been submitted to and approved in writing by the Local Planning Authority that either:</p> <p style="padding-left: 40px;">A. all water network upgrades required to accommodate the additional demand to serve the development have been completed;</p> <p style="padding-left: 40px;">or</p> <p style="padding-left: 40px;">B. a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.</p> <p>Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.</p> <p>Reason: The development may result in no / low water pressure and network reinforcement works are likely to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development and the provision of adequate and appropriate infrastructure for water supply, both on and off site.</p> <p>Reason: To ensure the development provides a carbon reduction. This condition is applied in accordance with the National Planning Policy Framework, and Policies DM6 and DM7 of the West Berkshire Local Plan Review 2023-2041.</p>
44.	<p>Details of shopfronts</p> <p>No commercial unit shall be occupied until full details of the design and external appearance of the shop front(s), including the fascias, joinery, stall risers, pilasters, have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Thereafter the development shall be carried out in accordance with the approved details.</p> <p>Reason: The application does not contain sufficient details of the shop fronts to enable the Local Planning Authority to give proper consideration to those matters. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), SP7, SP9, DM9 and DM10 of the West Berkshire Local Plan Review 2023-2041 and Supplementary Planning Guidance 'Shopfronts'.</p>
45.	<p>Rainwater Goods</p> <p>Notwithstanding what is shown on the approved drawings or other approved documents, unless otherwise agreed in writing by the Local Planning Authority, all new rainwater goods shall be metal painted black, and any existing metal rainwater goods and accessories (to adjacent heritage assets) shall not be removed or</p>

	<p>modified without the prior written approval of the Local Planning Authority on an application made for that purpose.</p> <p>Reason: To ensure that the materials are appropriate to the character of the Conservation Area and adjacent listed buildings. This condition is imposed in accordance with the National Planning Policy Framework and Policies SP7, SP9, DM9 and DM10 of the West Berkshire Local Plan Review 2023-2041.</p>
46.	<p>Visible Services</p> <p>No above ground construction development shall take place until details of services visible external to the development, including the type and location of any services to include, drainage pipework (including soil vent pipe terminations) and accessories, rainwater goods, boiler flues, extract vent grilles, meter cupboards, external lighting, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the external services shall be installed in accordance with the approved details.</p> <p>Reason: To ensure that the materials are appropriate to the character of the Conservation Area and adjacent listed buildings. This condition is imposed in accordance with the National Planning Policy Framework and Policies SP7, SP9, DM9 and DM10 of the West Berkshire Local Plan Review 2023-2041.</p>
47.	<p>Spoil</p> <p>No development hereby permitted shall take place until details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:</p> <ul style="list-style-type: none"> • Show where any spoil to remain on the site will be deposited. • Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels). • Include measures to remove all spoil from the site (that is not to be deposited). • Include timescales for the depositing/removal of spoil. <p>All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.</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. A pre-condition is required 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 SP7, SP9, DM9 and DM10 West Berkshire Local Plan Review 2023-2041 and Quality Design SPD (June 2006).</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application, so it is necessary to approve these details before any development takes place. The measures required for this condition will need to be in place for when the development begins.</p>
48.	<p>Ground levels and finished floor levels</p> <p>No above ground construction development shall take place until details of existing and proposed ground levels and finished floor levels of the development (phased as appropriate), 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. This condition is imposed in accordance with the National</p>

	Planning Policy Framework and Policies SP7, SP9, DM9 and DM10 of the West Berkshire Local Plan Review 2023-2041.
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Heads of Terms for Section 106 Agreement

1	Public open space Financial contribution of £52,738.56 indexed linked payable prior to the commencement of development towards the provision of public open space or improved facilities nearby.
2	Private waste management strategy
3	Carbon offsetting financial contribution Residential – Contribution calculated to be £124,539.27 (tbc) Non-residential - Contribution calculated to be £12,687.90 (tbc) Total: £137,227.17 (tbc)
4	Contribution towards BID To be determined
5	Highways <ul style="list-style-type: none"> • The funding of traffic regulation orders to allow two way cycling north and south along Bartholomew Street from Market Street to Mansion House Street, and vehicles along Bartholomew Street from Market Street to the proposed vehicular accesses; • The provision of a traffic regulation order to cover the proposed layby along Market Street • A financial contribution of £70,000 towards improvements to the Market Street / Station MSCP and pedestrian links from the car park to Market Street as follows: <ul style="list-style-type: none"> ○ Improvements to doors to enable easier use and opening ○ Improvements to directional signage within the car park ○ Improvements to the surface markings of pedestrian routes through the car park to the lift area and to the car park vehicle entrance with coloured surfacing and markings ○ Improvements to the footway on the western side of Market Street fronting alongside the council office building with footway widening, a raised crossover across the grasscrete access area and a marked and coloured surface route to the car park vehicle entrance ○ Associated works.
6	Sustainable Travel Wayfinding Updates £15,000
7	Travel Plan Comprising Travel Pack (£10,000) plus £50 x 317 = £15,850 and a cycle/ public transport voucher (£600 x 317 = £190,200)

	Total: £216,050
8	Car Club Contribution £150,000
9	Affordable housing viability review
10	Build to Rent 10 yrs For a period of 10 years to retain the whole of the BtR land together as one parcel and in one ownership and not to alienate any part of the land or any building erected thereon (save for by way of a lease of an individual unit) without the prior consent of in writing of the Council.

Section 278 Agreement under the Town Country & Country Planning Act 1980 - Works to the public highway

i.	Closure and reinstatement of existing Market Street vehicle access
ii.	Provision of new vehicular accesses onto Market Street, Bartholomew Street and Cheap Street
iii.	Relocation of bus stop in Cheap Street
iv.	Footway resurfacing along the site frontages of Market Street and Cheap Street
v.	Resurfacing of Bartholomew Street from Market Street fronting the site including the provision of a two way traffic section from Market Street up to the proposed new site access, along with the provision of a dedicated surfaced and marked cycle route from Mansion House Street to Market Street
vi.	Relocation of rising bollards within Bartholomew Street
vii.	Reconfiguration and replacement of the Bartholomew Street / Market Street traffic signal junction
viii.	Reconfiguration and replacement of the Bear Lane / Cheap Street / Market Square traffic signal junction including the relocation of pedestrian crossings and the realignment of Cheap Street to ensure the required widening of the footway fronting the Catherine Wheel public house

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. The local planning authority has worked proactively with the applicant to secure a development that 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.	BIODIVERSITY NET GAIN

<p>The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:</p> <p>(a) a Biodiversity Gain Plan has been submitted to the planning authority, and</p> <p>(b) the planning authority has approved the plan.</p> <p>The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be West Berkshire District Council.</p> <p>There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.</p> <p>Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.</p> <p>EXEMPTIONS AND TRANSITIONAL ARRANGEMENTS</p> <p>The following are the statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.</p> <ol style="list-style-type: none"> 1. The application for planning permission was made before 12 February 2024. 2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies. 3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and <ol style="list-style-type: none"> (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024. 4. The permission which has been granted is for development which is exempt being: <ol style="list-style-type: none"> 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where: <ol style="list-style-type: none"> i) the application for planning permission was made before 2 April 2024; ii) planning permission is granted which has effect before 2 April 2024; or iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii). 4.2 Development below the de minimis threshold, meaning development which: <ol style="list-style-type: none"> i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric). 4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure)
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	<p>(England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.</p> <p>4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).</p> <p>4.5 Self and Custom Build Development, meaning development which:</p> <ul style="list-style-type: none">i) consists of no more than 9 dwellings;ii) is carried out on a site which has an area no larger than 0.5 hectares; andiii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015). <p>4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.</p> <p>* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.</p> <p>APPLICABLE EXEMPTION</p> <p>The exemption that is considered to apply to this application is: Development below the de minimis threshold, meaning development which:</p> <ul style="list-style-type: none">i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); andii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric). <p>IRREPLACEABLE HABITAT</p> <p>If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.</p> <p>The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.</p> <p>The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.</p> <p>THE EFFECT OF SECTION 73D OF THE TOWN AND COUNTRY PLANNING ACT 1990</p>
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	<p>If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.</p> <p>Those circumstances are that the conditions subject to which the section 73 permission is granted:</p> <ul style="list-style-type: none"> i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan. <p>PHASED DEVELOPMENT</p> <p>If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 would apply if the permission were subject to the biodiversity gain condition.</p> <p>In summary: Biodiversity gain plans would be required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).</p>
	<p>Trees:</p> <p>The following British Standards should be referred to:</p> <ul style="list-style-type: none"> a. BS: 3882:2015 Specification for topsoil b. BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs c. BS: 3998:2010 Tree work – Recommendations d. BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces) e. BS: 4043:1989 Recommendations for Transplanting root-balled trees f. BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations g. BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf). h. BS: 8545:2014 Trees: from nursery to independence in the landscape – Recommendations i. BS: 8601:2013 Specification for subsoil and requirements for use
4.	<p>Official Postal Address</p> <p>Please complete and online street naming and numbering application form at https://www.westberks.gov.uk/snn to obtain an official postal address(s) once development has started on site. Applying for an official address promptly at the beginning of development will be beneficial for obtaining services. Street naming and numbering is a statutory function of the local authority.</p>

Supplemental Items for Western Area Planning Committee

**Wednesday 10 September 2025 at 5.00
pm**

**in Council Chamber Council Offices
Market Street Newbury**

Part I

Page No.

(1) 25/00391/FULMAJ Newbury Town Council

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West Berkshire
C O U N C I L

6. Updated Recommendation

The recommendation remains as set out in the agenda committee report, subject to the following additional/amended conditions.

Additional conditions

49.	<p>Maximum water consumption</p> <p>All new residential developments shall meet the Building Regulations optional higher water efficiency standard of 110 litres per person per day, using the 'Fittings Approach' as set out in table 2.2 of the Building Regulations part G2. No dwelling hereby permitted shall be occupied until this standard has been achieved for that dwelling. This standard shall be complied with for that dwelling and retained in perpetuity thereafter.</p> <p>Reason: To ensure development is designed to be water efficient and reduce water consumption in accordance with the National Planning Policy Framework and Policy DM7 of the West Berkshire Local Plan 2023-2041.</p>
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Amended conditions

42	<p>BREEAM</p> <p>All the non-residential areas of the development hereby permitted shall achieve a rating of "Excellent" under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). The development shall not be first occupied until a final certificate has been issued certifying that this rating has been achieved, and a copy of the certificate has been provided to the Local Planning Authority.</p> <p>Reason: To ensure the development contributes to sustainable construction. This condition is applied in accordance with the National Planning Policy Framework, Policies SP5 and DM4 of the West Berkshire Local Plan Review 2023-2041.</p>
48.	<p>Ground levels and finished floor levels</p> <p>No above ground construction development shall take place until details of existing and proposed ground levels and finished floor levels of the development (phased as appropriate), have been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. 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, and to ensure that ground levels do not have a significant impact on the drainage strategy. This condition is imposed in accordance with the National Planning Policy Framework and Policies SP6, SP7, SP9, DM9 and DM10 of the West Berkshire Local Plan Review 2023-2041.</p>

Updated S016 Heads of Terms

Contribution to BID

£35,000 is requested by the Economic Development Officer. This obligation has come about through meetings between the economic development officer and Newbury BID.

They have outlined how they wish for a contribution of £25,000 to support the council in the creation of a website for the Newbury aspect of the Berkshire LVEP, which would encourage tourism to Newbury (and would help to offset some of the Kennet centre's impact).

The Newbury Bid is also seeking support through wrapping vacant shop windows to help reduce the negative perception vacant units have on the town centre. As the Kennet Centre redevelopment will directly reduce the current floorspace within the town centre, it is sought the developer contributes funding in addition to the previously mentioned funding to help improve the atmosphere of the town during the autumn/winter campaign while promoting the vacant units in different ways. A contribution of £10,000 is sought for this.

Energy Efficiency Scheme

Financial obligation to deliver a development which complies with Policy DM4 of the West Berkshire Local Plan Review 2023 – 2041 with an updated Outline Energy Statement.

Private Waste Collection/Management Strategy

A strategy must be in place to ensure that waste and recycling services provided within the development are equivalent in quality and scope to those offered by West Berkshire Council and maintained in perpetuity.

Development shall not commence until a comprehensive Waste Collection and Management Strategy has been submitted to and approved by West Berkshire Council (WBC).

No occupation of any dwelling within the development shall occur until the Management Entity has entered into a formal contract with an Authorised Person for the collection of private household waste, in accordance with the approved strategy.

The Waste Collection/Management Strategy must include, but is not limited to, the following details:

- Management Entity: Identification and contact details of the entity responsible for overseeing waste collection.
- Appointed Waste Collection Company: Details of the company either appointed or invited to tender for the role of waste collector, acting as an Authorised Person under the Owner's statutory duty.
- Waste Collection Points: Specific locations within the development where residents will deposit household waste for collection.
- Collection Vehicles: Description of the vehicles to be used for waste collection, including type and capacity.
- Collection Schedule: Frequency, timing, and logistical arrangements for waste collection services provided by the Authorised Person.
- Funding Mechanism: Explanation of how the provision of bins and the cost of waste collection services will be funded.
- Futureproofing: Recycling services must be futureproofed to meet the requirements and timeframes of Simpler Recycling regulations, as well as any future legislation governing waste collections from residential properties