



Basingstoke  
and Deane

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REF:20/01744/FUL

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UK

## **NOTICE OF APPROVAL**

### **Town & Country Planning Act 1990 Town & Country Planning (Development Management Procedure) (England) Order 2015**

In pursuance of its powers under the abovementioned Act, the Council as Local Planning Authority hereby GRANTS planning permission for the:

**Proposal:** Erection of detached dwelling with associated access and landscaping  
**Location:** Newtown Court Farm Newtown Newbury Hampshire RG20 9AP  
**Applicant:** Mr and Mrs Kirby

in accordance with your application, plans and particulars unless otherwise agreed in writing with the Local Planning Authority **and subject to compliance with the following conditions:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing number 1415i 401  
Drawing number 1415i 601  
Drawing number 1415B 100  
Drawing number 1415B 408  
Drawing number 1415B 410

**REASON:** For the avoidance of doubt and in the interests of proper planning.

2. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

**REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

3. No development above damp proof course shall commence on site until a schedule of materials and finishes to be used for the external walls and roof(s) of the proposed building(s) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved.

REASON: Details are required because insufficient information has been submitted with the application in this regard, in the interests of the visual amenities of the area and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

4. No development above damp proof course shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the dwelling is first occupied and thereafter maintained.

REASON: Details are required because insufficient information has been submitted with the application in this regard, in the interests of the visual amenities of the area and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

5. Notwithstanding the submitted details no development shall commence on site until details of the works for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the approved surface water drainage details have been fully implemented in accordance with the approved plans.

REASON: In the absence of sufficient and precise details of the proposed surface water drainage mechanism within the planning submission, it is necessary for further information to be submitted which ensures the proposal is provided with a satisfactory means of drainage. The information is requested prior to works commencing at the site in order to ensure the drainage infrastructure required for the development is fully considered and accommodated within the site in accordance with Policies EM6 and EM7 of the Basingstoke and Deane Local Plan 2011-2029.

6. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or fitting out, shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public or bank holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029.

7. No deliveries of construction materials or plant and machinery and no removal of any spoil from the site shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public or bank holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029.

8. Within 3 months of the date of commencement a Construction Statement detailing how the new home shall meet a water efficiency standard of 110 litres or less per person per day has been submitted to and approved in writing by the Local Planning Authority unless through a demonstration that this requirement for sustainable water use cannot be achieved on technical or viability grounds. The development shall be carried out in accordance with the approved details.

REASON: In the absence of such details being provided within the planning submission, details are required to ensure that the development delivers a level of sustainable water use in accordance with Policy EM9 of the Basingstoke and Deane Local Plan 2011-2029.

9. No development above slab level shall take place on site until details of electric vehicle charge points have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the occupation of the dwelling and shall be thereafter be retained and maintained.

**REASON:** To ensure that the development provides opportunities for sustainable transport modes in accordance with Policy CN9 of the Basingstoke and Deane Local Plan 2011-2029, the Parking SPD and the paragraph 110 (e) of the National Planning Policy Framework.

10. Protective measures, including fencing, ground protection, supervision, working procedures and special engineering solutions shall be carried out in accordance with the Arboricultural Design Statement written by CBA Trees June 2020.

**REASON:** To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework and Policy EM1 of the Basingstoke and Deane Local Plan 2011-2029.

11. In the event discoloured and/or odorous soils are encountered during any excavation works; or should any hazardous materials (including suspected asbestos) or significant quantities of made ground be found, then all development works shall be stopped and the Local Planning Authority contacted immediately. A scheme of works to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

**REASON:** It is the responsibility of the developer to ensure the safe development of the site and to carry out any appropriate land contamination investigation and remediation works. The condition is to ensure the 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. It also ensures that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and promotes the interests of residential amenity and in accordance with Policies EM10 and EM12 of the Basingstoke and Deane Local Plan 2011-2029.

12. No development above slab level shall take place on site until details of waste storage and collection points have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the first occupation of any dwelling affected and shall thereafter be maintained.

**REASON:** In the interests of amenity and highway safety in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

13. The area shown on the approved plan for the parking and manoeuvring of vehicles for the dwelling shall be provided prior to occupation and reserved for these purposes at all times.

**REASON:** To ensure adequate on site car parking provision for the approved development in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

14. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees where appropriate). The works approved shall be carried out in the first planting and seeding seasons following the first occupation of the building or when the use hereby permitted is commenced. In addition, a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting, shall be submitted to and approved in writing by the Local Planning Authority before development commences. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority. REASON: Details are required prior to commencement because insufficient information has been submitted with the application in this regard, to improve the appearance of the site in the interests of visual amenity in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

15. Notwithstanding the submitted information, no development above slab level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of screen walls/fences/hedges to be erected. The approved screen walls/fences shall be erected before the dwellings hereby approved are first occupied and shall subsequently be maintained. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, details of which shall be agreed in writing by the Local Planning Authority before replacement occurs. REASON: In the interests of the amenities of the area and in the interests of the privacy of the occupiers of adjoining residential properties, in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

16. The dwelling hereby approved shall not be occupied until details indicating 3 long term and 1 short term secure cycle parking storage for the proposed dwelling have been submitted and approved and the development shall be maintained in accordance with the approved details. REASON: No details have been provided in this regard in accordance with Policy CN9 and EM10 of the Local Plan.

## Notes to Applicant

1. 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.
- 1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.
- 1.3 The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £116 or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.
2. In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative manner:-

seeking further information following receipt of the application;  
considering the imposition of conditions

In this instance:

the application was acceptable as submitted and no further assistance was required.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. Any clearance of shrubs or trees should be outside of bird nesting season (March to August inclusive) otherwise areas should first be checked for nesting birds and if any signs of nesting are located clearance should not occur until nesting has finished and fledglings have left the nest.

4. The Borough Council declared a Climate Emergency during 2019 formally making this declaration at the meeting of Cabinet in September 2019. This recognises the need to take urgent action to reduce both the emissions of the Council's own activities as a service provider but also those of the wider borough. In this respect, the Council is working with consultants at present to identify appropriate actions to achieve the targets that have been set. Beyond the requirements of any conditions that may be applicable to this planning permission and the current planning policy framework, the applicant is encouraged to explore all opportunities for implementing the development in a way that minimises impact on climate change. Where this in itself might require separate permission applicants can contact the council for advice through the following link: <https://www.basingstoke.gov.uk/before-making-a-planning-application>. For information more generally on the Climate Emergency please visit: <https://www.basingstoke.gov.uk/climateemergency>.
5. The development hereby approved results in the 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 Council prior to the commencement of development. Failure to submit the Commencement Notice prior to the commencement of development will result in the loss of any exemptions claimed; the loss of any right to pay by instalments; and additional costs to you in the form of surcharges. You are advised to await acknowledgement of receipt of the Commencement Notice from the Charging Authority before commencing any works. Further details can be viewed at <https://www.basingstoke.gov.uk/community-infrastructure-levy>.
6. If this development will result in new postal addresses or changes in addresses, please contact the council's Street Naming and Numbering team on 01256 845539 or email [shirley.brewer@basingstoke.gov.uk](mailto:shirley.brewer@basingstoke.gov.uk) to commence the process. Details can be found on the council's website.

The officer's report can be viewed on the council's website [www.basingstoke.gov.uk](http://www.basingstoke.gov.uk).



Planning and Development Manager

Date: 13 November 2020

It is important that you read the notes overleaf

## NOTIFICATION - APPEALS TO THE SECRETARY OF STATE

**20/01744/FUL**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

**If you want to appeal against the local planning authority's decision then you must do so within 6 months of the date of this notice.**

**However, if**

- (i) this is a decision on a planning application relating to the same or substantially the same land and development and is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice; or,
- (ii) an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:
  - 28 days of the date of service of the enforcement notice, *or*
  - within 6 months of the date of this notice, whichever period expires earlier; or,
- (iii) this is a decision to refuse planning permission for a minor commercial application you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

[Further details are on GOV.UK.](#)