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Elliot Smith
23 Vyner Street
London
E2 9DG

By email: esmith@hpduk.com

Development & Regulation

Council Offices
Market Street, Newbury
Berkshire, RG14 5LD

Our Ref: 23/01598/PREOPD
Contact Centre: 01635 519111
Email: planapps@westberks.gov.uk

Dear Mr Smith

Planning pre-application advice

Reference: 23/01598/PREOPD
Site: The Plough Inn, 81 Chapel Street, Thatcham
Proposal: Development of the site to create 6no. residential dwellings and associated infrastructure

Thank you for submitting the above request for pre-application advice. This letter seeks to provide a detailed assessment of the planning merits of the proposal, identifying the main issues that are likely to be raised during the consideration of a planning application. Where possible advice on the likely outcome of any planning application will be given. The annex provides important procedural advice.

Planning policy

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The statutory development plan for West Berkshire comprises a number of documents which together provide a plan for the future development of the district, against which development proposals are to be assessed.

The relevant policies from the development plan documents are set out below. You can download copies of these documents from <https://www.westberks.gov.uk/planning-policy> or by clicking on hyperlinks within the table below.

Document	Relevant Policies
West Berkshire Core Strategy 2006-2026	Spatial Strategy <ul style="list-style-type: none">Area Delivery Plan Policy 1 - Spatial StrategyArea Delivery Plan Policy 3 - Thatcham Core Policies <ul style="list-style-type: none">Policy CS1: Delivering New Homes and Retaining the Housing StockPolicy CS4: Housing Type and MixPolicy CS5: Infrastructure Requirements and DeliveryPolicy CS6: Provision of Affordable HousingPolicy CS13: Transport

	<ul style="list-style-type: none"> • Policy CS14: Design Principles • Policy CS16: Flooding • Policy CS17: Biodiversity and Geodiversity • Policy CS18: Green Infrastructure • Policy CS19: Historic Environment and Landscape Character
Housing Site Allocations DPD 2006-2026	<p>Housing in the Countryside</p> <ul style="list-style-type: none"> • Policy C1 - Location of New Housing in the Countryside <p>Parking Standards for New Residential Development</p> <ul style="list-style-type: none"> • Policy P1 - Residential Parking for New Development
West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)	<p>Chapter 1 Introduction and Overall Strategy</p> <ul style="list-style-type: none"> • Policy OVS5 Environmental Nuisance and Pollution Control • Policy OVS6 Noise Pollution <p>Chapter 6 Transportation</p> <ul style="list-style-type: none"> • Policy TRANS1 Meeting the Transport Needs of New Development

The following documents are material considerations that are of particular relevance to this proposed development:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Local Transport Plan for West Berkshire 2011-2026
- Manual for Streets
- WBC Quality Design Supplementary Planning Document (SPD)
- WBC Planning Obligations Supplementary Planning Document (SPD)
- WBC Public Houses Supplementary Planning Guidance (SPG)
- WBC Cycle and Motorcycle Advice and Standards for New Development

Site location, designations and constraints

The Plough Inn is a public house located on the corner of Bath Road and Stoney Lane. Currently, a large car park is located at the rear of the public house a beer garden to west of the public house. At first floor there is residential accommodation. Since becoming vacant the building has fallen into a state of disrepair and internal damage because of past criminal activity on the site. The relevant constraints are:

- Within the settlement boundary of Thatcham (Urban Area, according to Policy ADPP1)
- Grade II Listed Plough Inn
- Public Right of Way THAT/24/2 Footpath
- Risk of Surface Water Flooding

Principle of development

The most important policies for determining whether the principle of development is acceptable are Policies ADPP1, ADPP3, CS1 and CS4 of the Core Strategy, and Policy C1 of the Housing Site Allocations DPD. The Core Strategy includes a Spatial Strategy (ADPP1 and ADPP3) that provides a broad indication of the overall scale of development in the district, applying the principles of sustainable development, and based on defined spatial areas and a settlement hierarchy. Policies CS1, CS4 and C1 relate specifically to housing.

The WBC Public Houses Supplementary Planning Guidance is also an important material consideration, which includes policies relating to the loss of the existing public house.

According to Policy ADPP1, most development will be within or adjacent to the settlements included in the settlement hierarchy. Development will be focused in Urban Areas which includes Thatcham and the majority will take place on previously developed land. Policy ADPP3 states that new housing in Thatcham will take opportunities to maintain and enhance the identity of Thatcham.

Loss of the existing public house:

Both national and local planning policies seek to retain and protect existing public houses. Paragraph 93 in the NPPF seeks planning decisions to guard against the unnecessary loss of valued facilities (including public houses) and services. WBC Public Houses Supplementary Guidance is relevant to the consideration of this proposal. The SPG provides a list of criteria to be used in assessing the loss of a public house. The criteria is as follows:

- (i) Whether it would have an adverse effect on the local character, diversity and amenity of the local area;
- (ii) Whether it can be demonstrated that alternative acceptable public house provision exists (defined in terms of location, size, range of facilities and quality of provision) or can be made available in the local area/community;
- (iii) Evidence exists that the loss of the public house would comprise an unacceptable decline in the standard of community services for locals and visitors;
- (iv) Whether it can be demonstrated that the public house is no longer economically viable and that all reasonable attempts has been made to sell or let the building as a public house at a realistic price for no less than 6 months;

It is noted that the planning statement submitted with the pre-application advises that there have been no real opportunities for a viable business as a public house and that the site has been subject to criminal activity in the past due to lying vacant. It is considered that the need to improve the condition of the site would support the case for residential development. However, it will also be necessary to submit the evidence listed above to provide justification for the loss of the public house. Evidence must include, amongst other documents, estate agent literature evidencing that the site has been marketed unsuccessfully as a public house (the entire site and not part of the site) and a commercial viability study to prove that it is no longer financially viable. Further advice on the information required is available in the SPG. This information would be assessed by an independent evaluator appointed by the local planning authority, the fees for the evaluator will be provided for by the applicant/agent.

Principle of residential development:

According to Policy CS1, new homes will be located in accordance with the Spatial Strategy and Area Delivery Plan Policies. New homes will be primarily located on suitable land within the settlement boundaries, and other land allocated for development within the Local Plan. In this context, Policy C1 of the HSA DPD gives a presumption in favour of development and redevelopment within the settlement boundary of Thatcham.

Policy CS4 expects residential development to contribute to the delivery of an appropriate mix of dwelling types and sized and should have regard to:

- The character of the surrounding area.
- The accessibility of the location and availability of existing and proposed local services, facilities and infrastructure.

- The evidence of housing need and demand from Housing Market Assessments and other relevant evidence and sources.

The proposed 6 flats would be located on suitable previously developed land within the defined settlement boundary of an urban area. It is considered the proposal would therefore be in accordance with Policy ADPP1, ADPP3 and CS1 in the Core Strategy, Policy C1 of the HSA DPD.

However, to comply with Policy CS4 further consideration to the number of flats is required to be given. It is considered that 6 flats would result in an intensification of the plot that would not be in character with the immediate area and not in accordance with the suggested density in Policy CS4. Further consideration is required to the number of flats proposed.

It is not possible to confirm at this stage whether the principle is acceptable. It is advised that further evidence and justification is required for the loss of the existing public house and the number of dwellings are reduced before the principle of development would be acceptable. The proposal is subject to other material and development management policy considerations which are discussed below.

Impact on listed building

The Plough Inn is Grade II listed and therefore consideration is required to be given to the protection to its special architectural and historic interest. Historic England provide the following description for the Plough Inn:

Public House. C17 and C19. Painted and rendered timber frame with old tile roof, hipped to left. End stacks to right and left, with stack in front of ridge off-centre to left. 2 framed bays. 2 storeys. 3 C19.first floor casements, 2 C20 casements to right on ground floor and one to left with segmental head. Doorway between first and second windows from left, with architrave and flat hood.

The Conservation Officer has previously noted that the Plough Inn is located on a corner plot with a good sense of space around it (i.e. its setting). The introduction of blocks of flats within the site of Plough Inn would be harmful to the setting of the public house by losing the 'sense of space'. This is exacerbated by the scale and position of the two flat blocks e.g. the block on Chapel Street sits forward of the Plough Inn. Furthermore, the design does not take cues from the listed building.

Further details would be required of the works to be undertaken both externally and internally to the listed building would be required. For example, details of the internal refurbishment and changes to ceiling height in Flat C would be required. It is necessary to demonstrate that the proposal would not harm the architectural and historic interest of the interior for example beams at ground floor or in the roof space and the features identified in the heritage statement. All works to the listed building should be done in a highly-sensitive and well-designed manner.

A Heritage Impact Assessment would be required to be submitted with both a planning application and listed building consent (paragraph 194 of the NPPF). This report must be a comprehensive assessment which details the works to be carried, an explanation and justification for all these works. Not only should the Heritage Impact Assessment address works to the fabric of the listed building but the impact of the development on the site to the setting of the listed building.

It is noted that this pre-application includes a Heritage Statement. Unfortunately, it has not been possible to seek Conservation Officer advice. However, from review of the statement it

appears that there is a potential to enhance the Grade II listed building by converting the public house to flats. However, further details are necessary to ensure that the remaining historic character is retained and would not be harmed. It is considered likely that the use of UPVC windows would unlikely be acceptable in the listed building. However, at the site meeting it was discussed that timber windows are proposed to be fitted into the public house. It appears from previous advice from the Conservation Officer and the Heritage Statement there appears to be a potential to redevelop the public house to dwellings in terms of heritage impact.

It is considered that the proposed scheme put forward at this pre-application would not respect the listed building setting nor meets the advice provided in the Heritage Statement. Block 3 appears to dominate the existing Grade II listed building due to the physical massing and it does not reflect the design of the Grade II listed building. Whilst Block 2 still remains forward of the Grade II listed building and the bungalow design appears to the fill width between the boundary and the public house which appears not to be of a scale similar to the former blacksmith's workshop.

It was discussed at the site meeting that Officers would prefer only the conversion of the Grade II listed public house (provided it is demonstrated that the principle is acceptable). However, it is understood the additional blocks of accommodation are required to ensure the economic viability of repairing and refurbishing the Plough Inn. It appears the case in which you are seeking to demonstrate is that there is a substantial public benefit to outweigh a substantial harm to a listed building by bringing the site back into use in accordance with paragraph 201 of the NPPF. At this stage there is insufficient to demonstrate this and therefore the advice at present remains that these two elements should be removed. It would be necessary to submit a detailed Heritage Impact Assessment which identifies the harm and the justification for works including financial evidence that additional flats are required to be able to bring the site back into a use. We would take advice from a Conservation Officer at formal application stage as to whether the proposal would result in substantial harm and that it is demonstrated that the public benefit would outweigh the identified harm.

Design, character and appearance

According to Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Good design relates not only to the appearance of a development, but the way in which it functions. Considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place. Policy CS19 states that particular regard will be given to (a) the sensitivity of the area to change, (b) ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character, and (c) the conservation and, where appropriate, enhancement of heritage assets and their settings (including listed buildings and conservation areas).

It has been identified that the current proposals would result in the harm to a listed building and therefore would not comply with Policy CS14 and CS19 of the Core Strategy.

It is identified that Block 2 appears cramped in the location and would appear out of character within the immediate area between the two-storey public house and terraced dwellings. Whilst concerns are raised that Block 3 would compete with the listed building. This combined with the parking and residential paraphernalia required for 6 flats would appear cramped in this location. The layout appears forced trying to meet all the necessary requirements for 6 flats.

The proposed blocks would be visible in both the Stoney Lane and Chapel Street streetscenes and due to the corner plot location will be prominent in both. In Chapel Street the proposed flat block appears cramped and would exacerbate the overdevelopment of this plot. Due to the visibility of the site within the streetscene the harm identified would be exacerbated.

It was discussed on site, that there may be a potential to remove Block 2 entirely from the proposal. This would be supported as it is considered this is particularly harmful in the streetscene and impacting on the spaciousness identified as part of the setting for the listed building. It is noted at present it is intended that a formal application would include Block 3 and on site it was discussed the physical massing and design would need to better reflect that of the Plough Inn rather than the dwellings on Stoney Lane. It was also recommended that consideration was given to layout as there was a large area of parking in the centre of the site which exacerbated the overdeveloped appearance.

It is considered that in terms of character, design, and appearance the proposal would not be supported at a formal planning application.

Neighbouring amenity

According to Policy CS14, new development must demonstrate high quality and sustainable design that makes a positive contribution to the quality of life in West Berkshire. Paragraph 130 of the NPPF states planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. Consequently, all development should be designed in a way to avoid any unacceptable harm to neighbouring living conditions. Applications will typically be assessed in terms of any significant loss of light, overlooking of neighbouring buildings or land, and whether the proposal would result in any undue sense of enclosure, overbearing impact, or harmful loss of outlook to neighbouring properties.

The comments are split into the amenity for the proposed flats and the amenity of the surrounding neighbours as a result of the proposed change of use and blocks of flats.

Proposed flats:

It appears from the information provided that it would be likely that the proposals would provide accommodation in accordance with the Technical housing standards- nationally described space standards. However, we would require section drawings to demonstrate that an acceptable floor to ceiling height would be achieved (in particular for Flat C).

The proposal allocates a mixture of communal open space and individual amenity spaces. The SPD recognises that outdoor space for flats can provide in a variety approaches rather than communal space. The proposals would provide sufficient outdoor amenity space for each flat in accordance with the standards. However, it may appear more in character with the area if the garden space for Block 3 are merged to one to create a communal garden area.

Due to the location adjacent to the A4 which is a busy road it is recommended a Noise Impact Assessment is carried out to ensure that there would be no harm (or any harm could be mitigated) to the living conditions of the proposed occupiers of the flats from the road. It may be necessary to provide mitigation measures to protect from external noise.

Impact on surrounding neighbours:

Block 3 is positioned between 35 Stoney Lane and 1 The Hideaway which would reduce the impact to the dwellings directly. It is also noted that due to site levels both of these dwellings sit higher than the application site. It is recommended a site section is submitted with an application to demonstrate the relationship between Block 3 and the two neighbours in particular that the proposal would not result in overshadowing, overbearing or privacy impact to these dwellings. There are concerns that Block 3 could negatively impact on the private amenity space for both of these dwellings due to their position.

It is considered that Block 2 would not appear to not result in a harmful impact to 79 Chapel Street due to the single storey design.

To summarise, it is considered that the current proposal would have a harmful impact on the amenity of the surrounding neighbouring properties and there are concerns that the proposals would not secure a good standard of amenity for occupiers of the proposed flats. Therefore, the proposal would be unlikely to gain Officer support.

Highways

The Highway Authority would be consulted on any planning application. Without prejudice to their considered comments, the following considerations for this proposal have been identified at planning officer level.

Issue	Remarks
Access	Whether safe and suitable access can be achieved for the intended uses. This will need to be considered even where the access is existing because the proposal could result in the intensification of the access. The proposed application should be accompanied with drawings of visibility splays at the access.
Parking	<p>Sufficient parking levels will need to be provided for all existing and proposed units. Residential parking standards are provided by Policy P1 of the HSA DPD. In this location (Zone 2), the following standards apply:</p> <ul style="list-style-type: none"> • 1 bed house: 1.25 spaces • 2 bed house: 1.5 spaces • 3 bed house: 2 spaces • Plus 1 additional space per flats for visitors <p>Garages will not be counted as a parking space for the purposes of meeting the required levels of parking set out in this policy. Well-designed car ports will be accepted as a parking space. External parking spaces should typically measure 2.4 x 4.8 metres unless subject to specific constraints. Parking spaces and turning areas should be indicated on the submitted plans.</p> <p>It appears that 11 spaces are provided in accordance with the parking standards. However, it would need to be demonstrated how vehicles would be able to get in and out of those spaces particularly the tandem parking spaces.</p>
Transport options	To encourage the uptake of sustainable modes of travel, the provision of parking/storage for cycles, and the provision of electric vehicle charging points would be required under Policy P1.

Biodiversity

It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before any planning permission can be granted, otherwise all relevant material considerations may not have been addressed in making the decision. In this instance it is considered that there is a reasonable likelihood of protected species being present and affected by the development. As such, a phase 1 preliminary ecological assessment should be undertaken before a planning application is made, together with any phase 2 detailed surveys that are deemed necessary by the phase 1 assessment. Any planning application should be accompanied at the outset by all surveys/assessments which are required.

It is considered that the building has the potential to have likely habitats for protected species identified in the Planning Practice Guidance. Therefore, it is recommended that surveys identified above should be undertaken.

Trees protection

It has been identified that existing trees and hedges on the western boundary may be affected by the development, therefore the following information should therefore be provided to support any formal application:

- Tree survey in accordance with BS5837:2012
- Tree constraints plan
- Arboricultural implications assessment
- Details of proposed tree protective fencing, including type, layout (on a plan), informed by the above assessments
- Indicative landscaping proposals

Flooding and Drainage

The site is located within Flood Zone 1, which indicates a low risk of fluvial (river) flooding. It is also not within any critical drainage area identified by the Strategic Flood Risk Assessment for the district. However, our mapping indicates the site is in area of surface water flooding risk. It is identified in Policy CS16 of the Core Strategy that proposals in areas with historic records of groundwater and/or surface water flooding would require a Flood Risk Assessment.

In addition, Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS) in accordance with best practice and the proposed national standards and to provide attenuation to greenfield run-off rates and volumes, for all new development and re-development and provide other benefits where possible such as water quality, biodiversity and amenity. The Council has adopted a Sustainable Drainage SPD which supports this policy, and provides examples of measures that can be incorporated into even minor developments. Any planning application should be accompanied by a proposed drainage strategy to demonstrate how the proposal would comply with the policy in this respect.

Land Contamination

Saved Policy OVS5 of WBDLP does not permit development which would give rise to an unacceptable pollution of the environment. Given the history of the use of the site, there may be potential for land contamination. It may be a requirement that a desktop survey is undertaken, to ensure that there is no contamination within the site, and setting out remediation measures should any contamination be found on the land, or measures that would be undertaken in the event of unforeseen contamination.

Affordable Housing

At formal application stage, the Housing Officer will be consulted. However, without prejudice to their considered comments, the following is required to be addressed:

Policy CS6 of the Core Strategy requires the following affordable housing provision on development sites of less than 15 dwellings:

- 30% provision on site of 10-14 dwellings; and
- 20% provision on sites of 5-9 dwellings.

The pre-application proposal seeks to provide 6 flats and therefore 20% affordable housing is required to be provided. If the applicant intends not to provide the levels of affordable housing required by the policy they will need to justify this by providing clear evidence set out in a viability assessment (using an agreed toolkit).

Further advice on affordable housing provisions are found in Policy CS6 of the Core Strategy and WBC Planning Obligations Supplementary Planning Document (SPD).

Public Right of Way THAT/24/2 footpath

THAT/24/2 is adjacent to the application site, and it noted that the proposals would not have a direct impact. However, it further demonstrates the prominent location of the site with views from the public footpath from the west. It would need to be demonstrated that construction would not impact on the footpath. It is also recommended that advice is sought from the Public Rights of Way Team with regard to adding pedestrian accesses onto the footpath for the flats.

Conclusion on planning merits

From the policy and material considerations discussed above it is considered the proposal for 6 flats would be unlikely to receive Officer's support. There is a potential that with additional information demonstrating that the Plough Inn was not economically viable to be used as a public house and details of the conversion in terms of listed building impact Officer's could be supportive of bringing a listed building that has fallen into a state of disrepair back into use. However, there are concerns with the other two blocks proposed and whether these could be found acceptable in terms of site constraints and heritage impact. It is recommended that these are removed from a proposed scheme. However, if it is considered the additional flats are required to bring the listed building back into use this would need to be justified and evidenced with a Heritage Impact Assessment and financial viability evidence. As discussed on site, the next steps would be to carry out the viability exercise on this application site to calculate costs of works to the listed building and how many dwellings would be required to fund the repair works. This would inform the next steps for the proposal, site layout and design for a formal application (or further pre-application advice).

Disclaimer and scope of response

Whilst our pre-application advice is made in good faith and every effort is made to ensure it is accurate, please note that these preliminary comments are made at officer level only, based on the professional judgement of officers and the information that has been provided at this stage. These comments are made without prejudice to any future comments, discussions, submissions or decisions, as there is no way that we can prejudge the final outcome of any application that may be submitted. The comments on these issues have been made without consideration of any representations of interested parties that may be

received during the consideration of any forthcoming application. Elected members of the planning committee are also not necessarily bound to follow the advice of planning officers, particularly where matters of planning judgement are to be exercised. These comments are made in light of the current planning policy position. Please be aware that there may be subsequent changes to relevant policies, regulatory controls or guidance, which would need to be taken into account if they occur before a formal decision is made.

This response is based on the following submissions:

- OS Location Map
- JS/SP/1546/1/01 (Topographical Survey)
- JS/SP/1546/1/02 (Existing and Proposed Ground Floor Plans)
- JS/SP/1546/1/03 (Existing and Proposed First Floor Plans)
- JS/SP/1546/1/04 (Existing and Proposed Roof Plans)
- JS/SP/1546/1/05 (Existing and Proposed Front Elevations Block 1)
- JS/SP/1546/1/07 (Existing and Proposed Rear (South) Elevations Block 1)
- JS/SP/1546/1/08 (Existing and Proposed Side (West) Elevations Block 1)
- JS/SP/1546/1/09 (Proposed Site Plan)
- JS/SP/1546/1/10 (Proposed Floor & Roof Plans- Block 2 (New Block))
- JS/SP/1546/1/11 (Proposed Elevations- Block 2 (New Block))
- JS/SP/1546/1/12 (Proposed Floor Plans- Block 3 (New Block))
- JS/SP/1546/1/13 (Proposed Roof Plan- Block 3 (New Block))
- JS/SP/1546/1/14 (Proposed Elevations- Block 3 (New Block))
- 4x Street Visualisations
- Hybrid Planning & Development- Covering Letter/Planning Statement
- Handforth Heritage: Heritage Statement

Making an application

You have requested planning pre-application advice, which is an optional and informal service offered by the Council to identify the main issues which are likely to be raised in a formal submission. This letter does not constitute a formal decision of the Council. If you wish to proceed with the development, you will need to make a formal application. You can apply online at www.planningportal.gov.uk. Alternatively, all application forms are available to download from the Council's website (www.westberks.gov.uk/planning). The application forms are accompanied by guidance notes which explain what information is required to be submitted. Please also refer to the published Local List for details of possible submission requirements. In addition to the general requirements of plans and documents, at this stage it appears that a formal application for the proposed development would also need to be accompanied by a submission of the following supporting documents:

- A case that the public house is no longer economically viable (including reasonable attempts to sell or let building);
- Heritage Impact Assessment (including economic justification for any additional flat blocks if proposed);
- Site levels, site sections and FFLs of new blocks;
- Noise Impact Assessment;
- Highways: Visibility splays at access, parking and turning areas, cycle storage and electric vehicle charging points;
- Phase 1 Preliminary Ecological Appraisal (Phase 2 Surveys if required);
- Tree Protection details;
- Flood Risk Assessment and Drainage Strategy;
- Desk based contamination assessment;
- Affordable housing provision (20% for 5-9 dwellings) or viability assessment following agreed toolkit;

Following our pre-application meeting, this letter now concludes the Council's pre-application advice on this proposal. I trust that you find the above information helpful in deciding how to proceed.

Yours sincerely

GEMMA KIRK
SENIOR PLANNING OFFICER
Direct Dial: 01635 519495
Email: Gemma.Kirk@westberks.gov.uk

ANNEX – PROCEDURAL ADVICE

This annex provides procedural advice which may be of assistance should you proceed to submit a formal application. It is given without prejudice to the pre-application advice on the merits of the proposal.

Community engagement

The Framework strongly encourages applicants to engage with the local community before submitting their applications. Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably. It is therefore advisable to discuss the proposals with any neighbours, or other parties, which may be affected by the development.

Plans and drawings

As a minimum, applicants will need to submit a 'location plan' that shows the application site in relation to the surrounding area. Additional plans and drawings will in most cases be necessary to describe the proposed development, as required by the legislation (see [article 7\(1\)\(c\)\(ii\) of the Town and Country Planning \(Development Management Procedure \(England\) \(Order\) 2015](#)). These may be requested by the local planning authority through their local list of information requirements, where it is reasonable to do so. The Council's local list is available from this webpage: <http://info.westberks.gov.uk/planningforms>

Any plans or drawings must be drawn to an identified scale, and in the case of plans, must show the direction of north. Although not a requirement of legislation, the inclusion of a linear scale bar is also useful, particularly in the case of electronic submissions. **Please note that any “do not scale” or similar disclaimers will not be accepted and may delay validating your application.**

A location plan should be based on an up-to-date map. The scale should typically be 1:1250 or 1:2500, but wherever possible the plan should be scaled to fit onto A4 or A3 size paper. A location plan should identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear.

The application site should be edged clearly with a red line on the location plan. It should include all land necessary to carry out the proposed development (for example, land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings). A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.

Ownership and validation

A certificate which applicants must complete that provides certain details about the ownership of the application site and confirms that an appropriate notice has been served on any other owners (and agricultural tenants). The forms of notice are in [Schedule 2 to the Town and Country Planning \(Development Management Procedure \(England\) \(Order\) 2015](#). The ownership certificates are at the end of all application forms.

An application is not valid, and therefore cannot be determined by the local planning authority, unless the relevant certificate has been completed. It is an offence to complete a false or misleading certificate, either knowingly or recklessly, with a maximum fine of up to £5,000.

The ownership certificates ensure that the owners of land, tenants with at least 7 years to run on their tenancies, and all agricultural tenants are informed that a planning application is being made. In order to validate an application for planning permission, local authorities have to be in possession of one of the following:

- Certificate A: signed by or on behalf of the applicant stating that up to 21 days prior to the submission of the application the applicant was the owner of the land.
- Certificate B: signed by or on behalf of the applicant indicating that notice has been served on the owner of the land. The certificate should include; (i) the names of the persons, (ii) the addresses at which notice of the application was given to them respectively, and (iii) the date of the service of the notice.
- Certificate C: stating that not all owners' names and addresses are known to an applicant after a process of attempting to identify them including the publishing of the notice in a local newspaper.
- Certificate D: stating that an applicant, after taking all reasonable steps to identify the owner of the land, has been unable to ascertain any owner's names.

It should be noted that the legislation is explicit that informing the owner of land about an application by means of electronic communications does not constitute giving "requisite notice". Copies of the standard notice can be downloaded from the Council's website: <http://info.westberks.gov.uk/planningforms>

Please note that all owners of land within the application site (outlined in red) must be notified of the application in the prescribed manner before submission, unless the applicant is the sole land owner. This could include serving notice on personal/business partners, and/or businesses owned by the applicant that are not named as applicants.

If the site incorporates any land under the ownership of the local highways authority, requisite notice should be served on the Head of Highways & Transport, West Berkshire Council, Market Street, Newbury, RG14 5LD. If the site incorporates any unregistered land, then all reasonable steps to identify the owner of the land must have been carried out, and Certificate D completed accordingly.

This advice is given because many planning applications are found to be invalid, often late in the application process, because the applicant has failed to serve the correct notice on any other land owners. In such an instance the application would be rendered invalid as the certification requirements were not complied with, and therefore the application would be returned with no further action to be taken by the authority. A fresh, valid application, and certification, would then need to be submitted. It is therefore strongly recommended that any notification requirements and the ownership certificates are carefully completed before submitting the application. It may be advisable in some cases to undertake a Land Registry search of the application site to ensure that the correct notice and certification is undertaken before making an application.

Delegated authority

Most applications are determined by planning officers under 'delegated authority' from the Council. However, in some instances applications will be referred to the area planning committee for a decision (e.g. level of objection, call-in by local councillor). The planning committee consists of elected local councillors. In the event that your application must be

determined by the area planning committee, you will be notified and given full details of the arrangements, including an opportunity to make representations direct to the committee.

Community Infrastructure Levy

Community Infrastructure Levy (CIL) is a levy charged on most new development within the local authority area. The money is used to pay for new infrastructure required as a result of the new development. This infrastructure can be wide-ranging, including schools, road schemes, health facilities and sports and leisure facilities.

The rates for West Berkshire are set out in the CIL Charging Schedule, and will be charged on residential (C3 and C4) and retail (A1 - A5) development. The following types of development may be liable for CIL:

- Any new dwellings (including replacement dwellings), regardless of their size
- New building (such as extensions) where the gross new build floor area comes to more than 100 square metres
- A change of use from non-residential use, when the building in question has not been occupied in its lawful use for a continuous period of six months in the previous three years (the end point of the three years is taken from the date on which Planning Permission is granted)

The Council's [Local List of Documents](#) sets out the documents required to be submitted for certain application types. It details the additional information that must be provided for developments that may be liable for CIL. If your application is, or may be, liable for CIL please complete and submit the appropriate [CIL forms](#) in accordance with the Local List of Documents. Failure to submit all the required information will render the application invalid and may cause delays.

More information of the Council's CIL is available online: www.westberks.gov.uk/cil.