

# Notice of Meeting

ribu



Scan here to access the public documents for this meeting

## Western Area Planning Committee Wednesday 6 June 2018 at 6.30pm

in the Council Chamber Council Offices  
Market Street Newbury

The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded.

### Members Interests

Note: If you consider you may have an interest in any Planning Application included on this agenda then please seek early advice from the appropriate officers.

### Further information for members of the public

**Note:** The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded. Those taking part in Public Speaking are reminded that speakers in each representation category are grouped and each group will have a maximum of 5 minutes to present its case.

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Council Chamber, Market Street, Newbury between 5.30pm and 6.30pm on the day of the meeting.

No new information may be produced to Committee on the night (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they must provide such material to planning officers at least 5 clear working days before the meeting (in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).



WestBerkshire  
C O U N C I L

**Agenda - Western Area Planning Committee to be held on Wednesday, 6 June 2018**  
*(continued)*

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact the Planning Team on (01635) 519148  
Email: [planapps@westberks.gov.uk](mailto:planapps@westberks.gov.uk)

Further information, Planning Applications and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)

Any queries relating to the Committee should be directed to Jenny Legge on (01635) 503043 Email: [jenny.legge@westberks.gov.uk](mailto:jenny.legge@westberks.gov.uk)

Date of despatch of Agenda: Tuesday, 29 May 2018

**Agenda - Western Area Planning Committee to be held on Wednesday, 6 June 2018**  
(continued)

- To:** Councillors Jeff Beck, Dennis Benneyworth, Paul Bryant (Vice-Chairman), Hilary Cole, James Cole, Billy Drummond, Adrian Edwards, Paul Hower, Clive Hooker (Chairman), Anthony Pick, Garth Simpson and Virginia von Celsing
- Substitutes:** Councillors Jeremy Bartlett, Jeanette Clifford, Mike Johnston and Gordon Lundie
- 

# Agenda

## Part I

Page No.

1. **Apologies**  
To receive apologies for inability to attend the meeting (if any).
  2. **Minutes** 7 - 24  
To approve as a correct record the Minutes of the meeting of this Committee held on 16 May 2018.
  3. **Declarations of Interest**  
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
  4. **Schedule of Planning Applications**  
*(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications).*
- (1) **Application No. and Parish: 17/03232/FUL, Newbury Manor Hotel, London Road, Newbury** 25 - 50
- Proposal:** Section 73 - Application for variation of Condition (2)  
Approved Plans of Planning Permission 17/01171/FUL
- Location:** Newbury Manor Hotel, London Road, Newbury, West Berkshire
- Applicant:** SCP Newbury Manor Ltd
- Recommendation:** The Head of Development and Planning be authorised to **GRANT** planning permission



**Agenda - Western Area Planning Committee to be held on Wednesday, 6 June 2018**  
(continued)

- (2) **Application No. and Parish: 17/03233/LBC, Newbury Manor Hotel, London Road, Newbury** 51 - 68  
**Proposal:** Section 73 - Application for variation of Condition (2) Approved Plans of Planning Permission 17/01172/LBC  
**Location:** Newbury Manor Hotel, London Road, Newbury, West Berkshire  
**Applicant:** SCP Newbury Manor Ltd  
**Recommendation:** The Head of Development and Planning be authorised to **GRANT** planning permission
- (3) **Application No. and Parish: 17/03223/FUL, Newbury Manor Hotel, London Road, Newbury** 69 - 80  
**Proposal:** Erection of plant room and substation  
**Location:** Newbury Manor Hotel, London Road, Newbury, West Berkshire  
**Applicant:** SCP Newbury Manor Ltd  
**Recommendation:** The Head of Development and Planning be authorised to **GRANT** planning permission
- (4) **Application No. and Parish: 17/03237/COMIND, Mill Waters Cottage at Newbury Manor Hotel, London Road, Newbury** 81 - 114  
**Proposal:** Extension and alteration of existing cottage to create hotel restaurant with outdoor seating terrace, wall-mounted condenser unit and roof-mounted extract  
**Location:** Mill Waters Cottage at Newbury Manor Hotel, London Road, Newbury, West Berkshire  
**Applicant:** SCP Newbury Manor Ltd  
**Recommendation:** The Head of Development and Planning be authorised to **GRANT** planning permission
- (5) **Application No. and Parish: 17/03238/LBC2, Mill Waters Cottage at Newbury Manor Hotel, London Road, Newbury** 115 - 134  
**Proposal:** Extension and alteration of existing cottage to create hotel restaurant with outdoor seating terrace, wall-mounted condenser unit and roof-mounted extract  
**Location:** Mill Waters Cottage at Newbury Manor Hotel, London Road, Newbury, West Berkshire  
**Applicant:** SCP Newbury Manor Ltd  
**Recommendation:** The Head of Development and Planning be authorised to **GRANT** planning permission

**Items for Information**

5. **Appeal Decisions relating to Western Area Planning Committee** 135 - 142  
*Purpose: To inform Members of the results of recent appeal decisions relating to the Western Area Planning Committee.*

**Background Papers**

- (a) The West Berkshire Core Strategy 2006-2026.  
(b) The West Berkshire District Local Plan (Saved Policies September 2007), the

**Agenda - Western Area Planning Committee to be held on Wednesday, 6 June 2018**  
*(continued)*

Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.

- (c) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Andy Day  
Head of Strategic Support

If you require this information in a different format or translation, please contact  
Moira Fraser on telephone (01635) 519045.



This page is intentionally left blank

# Agenda Item 2.

## DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

### WESTERN AREA PLANNING COMMITTEE

#### MINUTES OF THE MEETING HELD ON WEDNESDAY, 16 MAY 2018

**Councillors Present:** Jeff Beck, Paul Bryant (Vice-Chairman), Hilary Cole, James Cole, Billy Drummond, Paul Hewer, Clive Hooker (Chairman), Anthony Pick and Garth Simpson

**Also Present:** Michael Butler (Principal Planning Officer), Derek Carnegie (Team Leader - Development Control), Paul Goddard (Team Leader - Highways Development Control) and Jo Reeves (Principal Policy Officer)

**Apologies for inability to attend the meeting:** Councillor Adrian Edwards and Councillor Virginia von Celsing

**Councillor Absent:** Councillor Dennis Benneyworth

#### PART I

#### 3. Minutes

The Minutes of the meeting held on 25<sup>th</sup> April and 8<sup>th</sup> May 2018 were approved as a true and correct record and signed by the Chairman, subject to the following amendment to the minutes of 25<sup>th</sup> April 2018:

**Page 9, point 26:** replace 'Councillor von Censing' with 'Councillor von Celsing'.

#### 4. Declarations of Interest

Councillors Jeff Beck, Billy Drummond and Anthony Pick declared an interest in Agenda Item 4(1) but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

Councillors Hilary Cole and James Cole declared an interest in Agenda Item 4(2), but reported that, as his/her/their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

#### 5. Schedule of Planning Applications

##### (1) Application No. and Parish: 18/00529/FULEXT, Land West of New Road, North of Pyle Hill, Newbury

*(Councillors Jeff Beck and Anthony Pick declared a personal interest in Agenda Item 4 (1) by virtue of the fact that they were members of Newbury Town Council and its Planning and Highways Committee. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)*

*(Councillor Billy Drummond declared a personal interest in Agenda Item 4 (1) by virtue of the fact that he was a member of Greenham Parish Council and the application had been discussed. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)*

## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/00529/FULEXT in respect of a proposal for the erection of 36 dwellings with associated roads, amenity open space, and access to New Road at Land West of New Road, North of Pyle Hill, Newbury.
2. In accordance with the Council's Constitution, Mr John Hanlon – Glanville, Mr John Baker – BSG Ecology and Ms Laura Cox – Pro Vision, Planning and Design (Winchester), applicant/agent, addressed the Committee on this application.
3. Michael Butler introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. He clarified that the application was almost identical to an application previously approved by the Committee. That application had been found to be invalid so a new application was submitted. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable subject to the completion of a S106 planning obligation. Officers strongly recommended the Committee grant planning permission.
4. Ms Cox in addressing the Committee raised the following points:
  - The application was almost identical to the application approved by the Committee in January with only one vote against. There had been no change in circumstances and fewer objections than the previous application.
  - The application accorded with all the Council's relevant policies.
  - The Council would be reliant on the development of the site to meet its five year housing supply requirements.
  - The proposed development would offer 14 units of affordable housing in a low density development.
  - A footway link to a proposed development site to the north west was included in the new application.
  - Trees and hedges on the site would be maintained, supporting a high quality environment.
  - A S106 contribution would be made in addition to the provision of on-site affordable housing.
5. Councillor Jeff Beck asked why the developer would make a financial contribution to affordable off-site in addition to the 40% affordable units on the proposed site. Ms Cox advised that Council officers had requested an additional contribution.
6. Councillor Paul Bryant noted that the footpath along New Road would at points mean the highway was narrowed and asked for a view in the event that the Committee requested it to be moved. Ms Cox advised that the Council was satisfied with the proposed width of the highway.
7. Councillor Anthony Pick asked who would maintain, and fund the maintenance, of the open space included in the application. Ms Cox advised that the developer would contract a management company, the cost of which would be funded by residents.
8. Councillor Billy Drummond asked why the footpath on New Road was not planned for the other side of the road, given the generous width of grass verges on that side. Ms Cox advised that it had been considered and dismissed due to crossings.



## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

9. Councillor Beck asked whether the housing association or the tenants would be charged the open space maintenance fee. Ms Cox advised that it was yet to be determined but it was likely the housing association would be responsible.
10. Councillor Drummond, speaking as Ward Member, in addressing the Committee raised the following points:
  - It was disappointing that the red line area of the site did not include the field between the site and the site to the north west, to ensure that it remained part of the green infrastructure corridor.
  - Conditioning the proposed path as a public right of way would be preferable to ensure access was protected.
  - There was a grass verge towards Bury's Bank Road and it would be preferable to complete the footpath infrastructure from the site in full to prevent pedestrians needing to cross the road twice if they wished to use a footpath.
  - Repeated applications were a waste of taxpayers money and officer time. No additional fees had been paid.
  - Councillor Drummond quoted "I don't understand why when we destroy something created by man we call it vandalism, but when we destroy something created by nature we call it progress."
11. Councillor Pick stated that the field was a landscape cultivated by man and not natural. Councillor Drummond responded that it was a beautiful field.
12. Councillor Bryant stated that he would prefer the width of the highway to be maintained and a new hedge to be planted if necessary. Paul Goddard advised that the hedge was overgrown and Highway's land started some 2m back from the carriageway. In any event there was a condition proposed to ensure the highway width would not be less than 4.8m at any point. In answer to a further question from Councillor Bryant, Paul Goddard advised there would be no Highways objection should Members insist that the land for the footway be taken from the verge. Michael Butler advised that should Members wish to amend the plans the application might need to be deferred. He would also recommend against Councillor Bryant's suggestion as there would be an impact on the size of the gardens and they would no longer meet best practice guidelines.
13. Councillor Pick enquired which proposed condition would secure active management of ecological mitigation measures. Michael Butler confirmed that it would be secured via condition 15. Councillor Pick further noted that the committee report highlighted that only a small amount of the CIL would be used for ecological mitigation at Greenham Common. Michael Butler advised that the Council had set the CIL rate and this had been found acceptable at a public inquiry. The Ecological Officer had advised that the contribution would be sufficient.
14. Councillor Bryant expressed the view that it would be better to remove the hedgerow in order to construct the footpath on the Highway's land, instead of narrowing the carriageway.
15. Councillor Pick stated that a more robust approach to the management of the open space was required in case the current developer was not able to build out the site. He also stated that he would like a more detailed condition regarding the ecological matters.

## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

16. Councillor Hilary Cole stated that she would not want the application to be deferred due to amendments that were beyond the scope of a conditional approval of planning permission. She also noted that Greenham Parish Council would receive 15% of the CIL and could consider using it to support biodiversity.
17. Councillor James Cole expressed the view that he would prefer that the existing hedgerow be managed rather than replaced as there would be better biodiversity through its retention.
18. Councillor Beck stated that he supported Councillor Bryant's view regarding the footpath.
19. Councillor Bryant expressed the view that as the footpath would be on land owned by the Council, it was within the Council's gift to determine the location of the footpath.
20. Councillor Drummond said that he would prefer the current hedgerow be retained.
21. Councillor Pick asked whether the proposed new footpath to connect to the other site could be made a Public Right of Way (PROW). Michael Butler advised that it could not.
22. Councillor Hilary Cole expressed the view that it would be vandalism to destroy the existing hedgerow which even if replaced would require maintenance.
23. Councillor Paul Hewer agreed with the retention of the hedgerow and expressed concern that the developer might replace it with a fence if not protected.
24. Councillor Bryant accepted the Committee's viewpoints and proposed that officer's recommendations to approve planning permission be approved. Councillor Hilary Cole seconded the proposal.
25. Councillor James Cole sought further clarification regarding the maintenance of the open space. Michael Butler advised that the relevant officer had not objected to the application. Members determined that ongoing management of open space was a policy issue which would be referred to the Council's Planning Advisory Group.
26. The Chairman invited the Committee to vote on the proposal made by Councillor Bryant as seconded by Councillor Hilary Cole to grant planning permission. The vote was put to the Committee and passed by a majority, with one vote against.

**RESOLVED that** the Head of Development and Planning be authorised to grant planning permission subject to the first completion of a s 106 obligation and the following conditions:

### **Conditions**

3 YEARS

Subject to the following conditions (if any):-

### TIME

1. The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.

Reason: To enable the Local Planning Authority to review the desirability of the development against the advice in the DMPO of 2015, should it not be started within a reasonable time.

## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

### MATERIALS

2. No development shall commence until samples of the materials to be used in the proposed development have been submitted to and approved in writing by the Local Planning Authority.

This condition shall apply irrespective of any indications as to the details that may have been submitted with the application, and shall where necessary include the submission of samples of glass, plastic and mortar materials. Thereafter the materials used in the development shall be in accordance with the approved samples.

Reason: In the interests of visual amenity in accordance with HSA4 of the HSADPD of May 2017.

### HOURS OF WORKING

3. The hours of work for all contractors (and sub-contractors) for the duration of the site development shall, unless otherwise agreed in writing by the Local Planning Authority, be limited to; 7.30 am to 6.00 pm on Mondays to Fridays, 7.30 am to 1.00 pm on Saturdays, and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In order to protect the amenities of surrounding residents in accordance with policy OVS6 of the WBDLP 1991 to 2006 [Saved 2007].

### FLOOR LEVELS

4. No development shall commence until details of floor levels in relation to existing and proposed ground floor levels of the dwellings have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed building and the adjacent land in accordance with HSA4 of the HSADPD of 2017.

### FIRE HYDRANTS

5 No development shall commence until full details of additional fire hydrants are agreed on site. The development shall be implemented in strict accord with these approved details.

Reason: To ensure public safety in accord with NPPF advice.

### DUST SUPPRESSION

6 No development shall commence until the applicant has submitted to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of dust during the development construction period. The construction process shall be carried out in accord with that scheme of works, once approved in writing by the Council.

Reason: In the interests of the amenities of neighbouring occupiers. In accord with NPPF advice.

## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

### LAND CONTAMINATION

7. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Condition 4 has been complied with in relation to that contamination.

#### 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,

- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service

lines and pipes,

- adjoining land,

- groundwaters and surface waters,

- ecological systems,

- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

#### 1. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### 2. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning

## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

### 3. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

If required:

### 4. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with LPA, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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. In accord with the advice in the NPPF.

CMS

8. No development shall take place until a Construction Method Statement 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:

- (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

## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

(g) A scheme for recycling/disposing of waste resulting from demolition and construction works

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 (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006- 2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### LAYOUT

9 The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision and the Developer to enter into a S278/S38 Agreement for the adoption of the site. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

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 (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### ACCESS

10. As a first development operation, the vehicular, pedestrian/cycle access and associated engineering operations shall be constructed in accordance with the approved drawing(s). For the avoidance of doubt this shall include the sole vehicle access onto New Road.

Reason: In the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

### VISIBILITY

11. No development shall take place until visibility splays of 2.4 metres by 43 metres have been provided at the access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

### PARKING

12. No dwelling shall be occupied until the 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. In addition, no dwelling shall be occupied until the cycle parking has been provided in accordance with the approved

## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development allows for appropriate car parking on the site, and to reduce reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### PLANTING SCHEME

13. On the first planting season post the first occupation of any dwelling hereby permitted the soft landscaping scheme as identified on the Golby and Luck plan number GL0726 01a dated 17/08/17 will be commenced. This scheme shall then be completed in its entirety to the satisfaction of the Council and maintained for a 5 year period post first occupation.

Reason. To enhance the visual aspects of the scheme in accord with policy HSA4 in the HSADPD of May 2017.

### BADGERS

14. No development works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and / or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include; a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches / excavations or by using planks placed into them at the end of each working day and b) open pipework greater than 150mm outside diameter being blanked off at the end of each working day.

Reason. To conserve this protected species on the site in accord with the advice in the NPPF.

### CEMP

15. 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;

- a) Risk assessment of potentially damaging construction activities
- b) Identification of biodiversity protection zones
- c) Practical measures to avoid and reduce impacts during construction
- d) The location and timing of sensitive works to avoid harm to biodiversity features
- e) The times during construction when specialist ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The role and responsibilities of the ecological clerk of works or similarly competent person
- h) Use of protective fences, exclusion barriers and warning signs"

## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

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.

Reason: To conserve protected species on site in accord with policy CS17 in the WBCS of 2006 to 2026.

---

### LIGHTING STRATEGY

16. Prior to occupation, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall:-

- Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites or resting places or important routes used to access key areas of their territory, for example for foraging; and
- Show how and where external lighting will be installed 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.
- 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.

Reason: To protect light sensitive species on site in accord with policy CS17 in the WBCS 2006 to 2026.

### MINERALS

17 No development shall commence until a statement of mineral exploration and associated development management plan has been submitted to and approved in writing by the Local Planning Authority. This statement shall include:

- i. A method for investigating the extent and viability of the potential construction aggregate mineral resource beneath the application site.
- ii. A methodology that ensures that construction aggregates that can be viably recovered during development operations are recovered and put to beneficial use, with such use to be agreed with the Local Planning Authority.
- iii. A method to record the quantity of recovered mineral (for use on and off site) and the reporting of this quantity to the Local Planning Authority.

Reason: The approval of this information is required at this stage because insufficient information has been submitted with the application. To ensure compliance with Policy GS1 of the Housing Site Allocations DPD (2006-2026), and Policies 1, 2 and 2A of the Replacement Minerals Local Plan for Berkshire as the application does not provide sufficient information in respect of the potential mineral resources located beneath the application site.

### SUDS



## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

18 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. These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- e) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than 1 in 1 year greenfield run-off rates;
- f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- g) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- j) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- k) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
- m) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
- r) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc)
- v) Attenuation storage measures must have a 300mm freeboard above maximum design water level. Surface conveyance features must have a 150mm freeboard above maximum design water level;
- w) Any design calculations should take into account an allowance of an additional 10% increase of paved areas over the lifetime of the development;
- x) Written confirmation is required 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;
- y) Details of catchments and flows discharging into and across the site and how these flows will be managed and routed through the development and where the flows exit the site both pre-development and post-development must be provided.

The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwellings approved are occupied. The drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

### ARCHAEOLOGY

19 No development/site works/development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. In accord with NPPF advice.

### WATER SUPPLY.

20 Development must not commence until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand. In accord with advice in the NPPF.

### TREE PROTECTION

21 No development (including site clearance and any other preparatory works) shall commence on site until an amended scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

### TREE WORKS

22 No development or other operations shall commence on site until an amended detailed schedule of tree works including timing and phasing of operations has been submitted and approved in writing by the Local Planning Authority. In addition no development or other operations shall commence on site until an amended landscape management plan including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority.

## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

The plan shall include any areas of existing landscaping including woodlands and also include any areas of proposed landscaping other than areas of private domestic gardens.

Reason: To ensure the long term management of existing and proposed landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

### AMENDED PLANS

23 The development must be carried out in accord with the amended block plan 2220/p1-01 rev Q as on the file. In addition the development must be carried out in accord with the following plans. All the proposed elevation plans on the electronic file dated the 21st February 2018, the play area plan by Golby and Luck GL0726 02, soft landscaping plan 01H , The housing mix plan number 2220/p1-09, parking plan 2220/p1-06, refuse strategy plan 2220/P1-07, hard and soft surface plan P1-08, fencing plan P1-05, and revised red line plan number P1-00Rev G1 .

Reason—for clarity in accord with the advice in the DMPO of 2015.

1 No development shall take place until details of crossing points across Drayton's View and / or New Road have been submitted to and approved in writing by the Local Planning Authority. The crossing shall consist of dropped kerbs and tactile paving. No dwelling shall be occupied until the crossing(s) have been provided in accordance with the approved scheme and any statutory undertaker's equipment or street furniture located in the position of the footway/cycleway has been re-sited to provide an unobstructed footway/cycleway.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

2 No development shall take place until details of a footway south of the site along New Road have been submitted to and approved in writing by the Local Planning Authority. The footway shall be to a minimum width of 1.5 metres with New Road alongside retained to a minimum width of 4.8 metres. No dwelling shall be occupied until the footway has been provided in accordance with the approved scheme and any statutory undertaker's equipment or street furniture located in the position of the footway/cycleway has been re-sited to provide an unobstructed footway/cycleway.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

### INFORMATIVES

1 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

## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

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](http://www.westberks.gov.uk/cil)

2 This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.

3 This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the xxxx date. You are advised to ensure that you have all the necessary documents before development starts on site.

### **(2) Application No. and Parish: 17/03553/FULD Land east of Curridge Green Riding School**

*(Councillor Hilary Cole declared a personal interest in Agenda Item 4(2) by virtue of the fact that she was a member of Chieveley Parish Council and had been present when the matter was discussed. As her interest was personal and not prejudicial or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.)*

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 17/03553/FULD in respect of a proposal for the erection of a three bedroom rural workers dwelling associated with Curridge Green Riding School at land east of Curridge Green Riding School.
2. In accordance with the Council's Constitution, Mrs Lesley Dick, supporter, and Mrs Sara Dufield, applicant/agent, addressed the Committee on this application.
3. Derek Carnegie introduced the report to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was unacceptable and a conditional approval was not justifiable. Officers clearly recommended the Committee refuse planning permission.
4. Mrs Dick in addressing the Committee raised the following points:
  - She was speaking as one of 39 supporters of the application and had lived in Curridge for 30 years.
  - The applicant, Mrs Dempsted, had agreed to take over the management of the stables.
  - The Riding School was valued by the community and helped to foster a love of the countryside in children.
  - The Council should nurture rural businesses.
  - The situation was a special case.
  - Councillor Garth Simpson asked what the Riding School's customer base was. Mrs Dick advised that she could not give a figure but it was busy particularly in evenings and weekends.
  - Mrs Dufield in addressing the Committee raised the following points:

## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

- The landowner sought to retire and handover management of the business to Mrs Dempster due to his age and deteriorating health.
- The view of Reading Agricultural Consultants (RAC) was that Mrs Dempster could continue to move into the applicant's property while the landowner was on holiday. This was unreasonable and impractical. The current owner could not provide 24 hour cover to the yard.
- The business required investment and the sale of land to the applicant for the proposed dwelling would support capital to be raised and reinvested in the yard.
- It was intended to sell the entire business to Mrs Dempster in the future.
- The size of the proposed dwelling had been criticised in the committee report but had been designed to meet Mrs Dempster's needs.
- Councillor Beck asked how long the house would take to build. Mrs Dufield advised that it would be six months.
- Councillor Pick asked how many people were required to be on site overnight. Mrs Dufield advised that one person was needed overnight and there were usually more during the day.
- Councillor Simpson asked why the sale of land for the dwelling was not connected to the business. Mrs Dufield advised that the current landowner and Mrs Dempster had reached their own arrangement and it was intended to sell the business to Mrs Dempster in the future.
- Councillor Pick asked how the property would be enforced as a rural workers dwelling when its ownership would not be tied to the business. Mrs Dufield advised that planning conditions were separate to ownership and it would be up to the Local Planning Authority to enforce the matter should a complication arise.
- Councillor Hilary Cole, speaking as Ward Member, in addressing the Committee raised the following points:
  - She had been asked to call-in the application by Mr and Mrs Mills, the current landowners, to provide an opportunity for the applicant to present their case.
  - It would have been preferable for the application to have been submitted by the landowner and the dwelling to be retained in their ownership.
  - If the applicant built the property and was then unable to manage the business there may be a further application for a further dwelling for a new manager.
  - The council's policy C5 required the applicant to demonstrate the need for the property and they had not met the test. Therefore the proposal was for a new dwelling in open countryside which there was a presumption against, except in the case of exceptional need.
  - An application for a gypsy and traveller site near to Curridge had been refused and dismissed at appeal due to the impact on the area and poor access to amenities.
  - She asked the Committee to determine the application in line with the Council's policies, albeit reluctantly as she knew the value of the business to the local community.

## WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES

- Councillor Pick asked whether Councillor Hilary Cole's objection was purely on policy grounds. She responded that she expected there were different views and had considered the application in relation to the Council's policies.
- Councillor James Cole stated that he did not agree with the RAC report and it would not be practical to run the business remotely. He agreed with the supporter that the Council should support rural businesses and recognised that it was essential for the Riding School to have 24/7 presence on site. He was however not comfortable that the site could be tied to the business and therefore could not support the application.
- Councillor Paul Bryant stated that he might have more sympathy if two people were required on site overnight but it had been confirmed that only one was needed. He accepted that the current landowner wished to retire and had a right to stay in his home. He proposed that the Committee accept the officer's recommendations and refuse planning permission. The proposal was seconded by Councillor Hilary Cole.
- Councillor Beck recognised that there were dwellings neighbouring the site which had no connection to the business. He expressed the view that all practical reasons should overcome the planning concerns.
- Councillor Pick stated that he agreed with the criticism of the RAC report which in his view had been ill-considered and impractical. He had sympathy with the applicant and understood the landowner's wishes to remain on site. Councillor Pick continued that he agreed with the planning concerns which could not be easily overcome. He would have preferred a better proposal and better advice.
- Derek Carnegie advised that if Members were minded to approve planning permission, the application would be referred to the District Planning Committee as the proposal was outside the Council's development plan.
- Councillor Simpson noted that had the site not been within the AONB officers might have made a different recommendation.
- The Chairman invited the committee to vote on the proposal of Councillor Bryant as seconded by Councillor Hilary Cole to accept officers recommendations and refuse planning permission. At the vote the motion was carried with two votes against. Councillor Beck asked that his vote against be recorded.

**RESOLVED that** the Head of Development and Planning be authorised to refuse planning permission for the following reasons:

1. The application site is located within the open countryside, outside of any defined settlement boundary where there is a presumption against new housing subject to certain exceptions including, amongst others, housing to accommodate rural workers where genuine need can be demonstrated. In these particular circumstances, the applicant has failed to demonstrate essential need for the proposed house. Furthermore, the size of the proposed house, at 220sq.m is considered too large and out of scale with any genuine business need. In the absence of satisfactory justification, the proposal would amount to new housing located outside of any defined settlement boundary within an unsustainable location in conflict with the overall aims and objectives of Core Strategy Policies ADDP1, ADDP5, CS1, CS12, Housing Site Allocations DPD Policies C1, C5 and Paragraph 55 of the National Planning Policy Framework.

*(The meeting commenced at 6.00 pm and closed at 8.05 pm)*

**WESTERN AREA PLANNING COMMITTEE - 16 MAY 2018 - MINUTES**

**CHAIRMAN** .....

**Date of Signature** .....

This page is intentionally left blank



# Agenda Item 4.(1)

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(1)	17/03232/FUL Newbury Town Council	8 <sup>th</sup> June 2018	Newbury Manor Hotel, London Road, Newbury, West Berkshire  Section 73 - Application for variation of Condition (2) Approved Plans of Planning Permission 17/01171/FUL.  SCP Newbury Manor Ltd

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/03232/FUL>

**Ward Member(s):** Councillor J Beck

Councillor D Goff

**Reason for Committee determination:** Councillor Beck has called the application to Committee should the application be approved.

**Committee Site Visit:** 31<sup>st</sup> May 2018.

**Recommendation.** **The Head of Development and Planning be authorised to GRANT planning permission.**

#### Contact Officer Details

**Name:** Mr. Matthew Shepherd  
**Job Title:** Planning Officer  
**Tel No:** (01635) 519111  
**E-mail Address:** [Matthew.Shepherd@westberks.gov.uk](mailto:Matthew.Shepherd@westberks.gov.uk)

## 1. Relevant Site History

- 1.1. 01/2511/FUL. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Withdrawn 17.06.2002
- 1.2. 01/02514/LBC. Proposed bedroom extension and function room. Withdrawn 24.06.2002
- 1.3. 02/02208/FULMAJ. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Plus change of use of additional land to car park. Withdrawn 20.01.2003.
- 1.4. 02/02222/LBC. Proposed extension and alterations to existing hotel to provide additional land to car parking. Withdrawn 20.01.2003
- 1.5. 03/00062/FULLMAJ. Proposed extension and alterations to existing Hotel to provide additional bedrooms and function room and ancillary parking. Approved 05.08.2004
- 1.6. 03/00075/LBC. Proposed bedroom extension and function room. Approved 23.04.2003.
- 1.7. 06/02011/FUL. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.8. 06/02012/LBC2. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.9. 06/02812/FUL. New timber deck and balustrade to riverside bar. Approved 15.02.2007
- 1.10. 06/02813/LBC2. New timber deck and balustrade. Approved 15.02.2007
- 1.11. 10/02937/FUL. Retrospective- Single storey extension to existing function room. Approved 12.04.2011
- 1.12. 10/02938/LBC. Single storey extension to existing function room. Approved 12.04.201
- 1.13. 15/00991/FUL. Removal of single storey 70's flat roofed building attached to the original watermill and blacksmiths. Withdrawn 02.07.2015.
- 1.14. 15/00991FUL. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.15. 15/00992/LBC. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.16. 16/01171/FUL. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016
- 1.17. 16/01172/LBC2. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016.
- 1.18. 16/002902/FUL. Extension of hotel cottage to create hotel restaurant with outdoor seating terrace. Withdrawn 07.03.2017.

- 1.19. 16/002903/LBC2. Extension of hotel cottage to create hotel restaurant with outdoor seating terrace. Withdrawn 07.03.2017.
- 1.20. 17/00865/COND. Approval of details reserved by condition 3: Removal of spoil, 4: Construction Method Statement, 8: Landscape Management plan, 9: Arboricultural watching brief, of planning permission 16/01171/FUL - Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Spilt decision 23.06.2017.
- 1.21. 17/00866/COND. Approval of details reserved by Conditions 3: Schedule of materials and 6: Windows/doors, of planning permission 16/01172/LBC - Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 30.08.2017
- 1.22. Full planning history available on file.

## 2. Publicity of Application

2.1. This application was advertised by way of neighbour notification letters which required responses by the 25<sup>th</sup> December 2017 and by way of Site Notice which expired on 10<sup>th</sup> January 2018.

## 3. Consultations and Representations

### Consultations

<b>Newbury Town Council</b>	<p>Objection. These five applications refer to three cases, for conversion of Mill Waters Cottages to a restaurant, for the modification of a previously approved extension to the hotel to provide 15 additional rooms, and for a plant room and substation for the hotel. We consider that the three cases together raise many issues which should be considered for hotel and restaurant as a whole, and have not been adequately addressed in the five applications:-</p> <ol style="list-style-type: none"> <li>1) access and egress from the site for the expected traffic volume;</li> <li>2) combined parking capacity on the site for the hotel and restaurant;</li> <li>3) the effects of cooking odours, noise from diners, and light pollution from the proposed restaurant on the residents of the closely adjoining Two Rivers Way;</li> <li>4) the effect on wildlife in the River Lambourn and Kennet &amp; Avon Canal, which should be assessed at the appropriate time of year;</li> <li>5) flooding risk arising from the building extensions and tarmacking of the proposed new parking space;</li> <li>6) the noise from deliveries to the proposed restaurant;</li> <li>7) the proposed landscaping, tree removal, and arboricultural measures. We therefore recommend that all the five applications should be called in and considered as a single whole by the Western Area Planning Committee.</li> </ol>
<b>Highways</b>	<p>I would raise no highway objections to 3 additional guest rooms being created, in addition to the 12 approved.</p> <p>Should conditions / informatives be required, please use those requested on 16/01171/FUL.</p>
<b>Sustainable Drainage</b>	<p>Having reviewed the above application, we note that the proposals in</p>

<b>Team</b>	<p>terms of surface water management are broadly in accordance with previous proposals at the site, however, the proposals are to change the existing gravel car park to permeable block pavements. We consider these amended proposals to be acceptable.</p> <p>If LPA is minded to approve the application, we request that the following condition is attached to the application to ensure that flood risk is appropriately managed for the lifetime of the proposed development.</p>
<b>Natural England</b>	No comments
<b>Environmental Health Conservation</b>	No objections to the variation
<b>Archaeology</b>	The changes include various minor amendments to the external elevations which do not impact the significance of the Grade II listed building. For this reason I have no objections. However, any consent should ensure that the development is carried out in accordance with conditions approved under previous condition discharge applications. No objections
<b>Natural England</b>	No objections to the variation
<b>Natural England</b>	No comment
<b>Ministry of Defence</b>	No objections
<b>Environment Agency</b>	No comment
<ul style="list-style-type: none"> <li>- <b>Newbury Society</b></li> <li>- <b>Ecology,</b></li> <li>- <b>Tree Officer</b></li> </ul>	No response received as of 21 <sup>st</sup> May 2018.

#### 4. Representations

4.1. No letters of representation have been received by the council.

#### 5. Planning Policy Considerations

5.1. The statutory development plan comprises:

- West Berkshire Core Strategy (2006-2026)
- Housing Site Allocations DPD
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
- Replacement Minerals Local Plan for Berkshire (2001)
- Waste Local Plan for Berkshire (1998)

5.2. The following policies from the West Berkshire Core Strategy are relevant to this application:

- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 2: Newbury
- CS 5: Infrastructure requirements and delivery
- CS 11: Hierarchy of Centres
- CS 13: Transport
- CS 14: Design Principles
- CS 16: Flooding
- CS 17: Biodiversity and Geodiversity
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

5.3. The West Berkshire Core Strategy replaced a number of Planning Policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following Policies remain in place until they are replaced by development plan documents and should be given due weight according to their degree of consistency with the National Planning Policy Framework:

- TRANS1: Meeting the Transport Needs of New development.
- OVS5: Environmental Nuisance and Pollution Control.
- OVS.6: Noise Pollution

5.4. The following Housing Site Allocations Development Plan document policies carry full weight and are relevant to this application:

- C1: Location of New Housing in the Countryside
- P1: Residential Parking for New Development

5.5. Other material considerations for this application include:

- The National Planning Policy Framework (March 2012) (NPPF)
- Planning Practice Guidance (PPG)
- Quality Design Supplementary Planning Document (SPD)

## **6. Proposal**

6.1. The application seeks to vary a previously approved application referenced 16/01171/FUL under Section 73 of the Town and Country Planning Act 1990. This section allows for permission to be varied to give greater levels of flexibility in planning. This application proposed to vary condition (2) of the previous application, namely to vary the approved plans of the previous application. This application revises drawings so that they show the same footprint for the two storey rear extension but with amendments being internal alterations to the modern part of the hotel to provide 15 net additional rooms. This is instead of the 12 net rooms recently approved.

## **7. Determining issues:**

- The Principle of Development;
- The Impact on the Character and Appearance of the Area;
- The Impact on Neighbouring Amenity;
- The Impact on Highway safety;
- Drainage and flooding;
- The Assessment of Sustainable Development;
- Community Infrastructure Levy; and

## **8. The Principle of Development**

8.1. The National Planning Policy Framework (NPPF) makes clear that the starting point for all decision making is the development plan, and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan for West Berkshire comprises the West Berkshire Core Strategy, the Saved Policies of the West Berkshire District Local Plan and the West Berkshire Housing Site Allocations Development Plan Document.

8.2. The NPPF is a material consideration in the planning process. It places sustainable development at the heart of the planning system and strongly emphasises the need to support sustainable economic growth. The first core planning principle set out in the NPPF

is that planning should be genuinely plan led, providing a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.

- 8.3. The Core Strategy was adopted after the introduction of the NPPF and provides an up to date framework for development planning in West Berkshire which is being consolidated by the preparation of the Housing Site Allocations DPD.
- 8.4. The proposed development at Newbury Manor Hotel, London Road, Newbury, is within the settlement boundary of Newbury, as defined within The West Berkshire Core Strategy (2006-2026) and the West Berkshire Housing Site Allocations DPD (November 2015).
- 8.5. Being within the settlement boundary and within an established commercial Hotel site the principle of the proposed development is acceptable. Although the principle of development is acceptable the permission can only be subject to the proposal otherwise being in accordance with development plan policies on design, impact on the character of the area, and impact on the amenity of neighbouring land uses.

## **9. The Impact on the Character and Appearance of the Area**

- 9.1. Planning Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant to this application. Policy CS14 states that 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. It further states that 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. Proposals are expected to make efficient use of land whilst respecting the density, and character of the area.
- 9.2. Policy CS19 seeks to conserve and enhance the diversity and local distinctiveness of the landscape character of the District by considering the natural, cultural and functional components of its character as a whole. Particular regard will be given to the sensitivity of the area to change and to ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 9.3. The changes include various minor amendments to the external elevations which do not impact the significance of the Grade II listed building. For this reason the Conservation Officer and the Case Officer raise have no objection to the design. It is largely similar to that of the previously approved hotel extension (16/01171/FUL). The design previously was considered acceptable, as it is now. To ensure the design is high quality conditions have been recommended by the Conservation Officer.
- 9.4. In light of the above the case officer does not feel that the proposal would harm the setting of this Grade II listed building or the Conservation area, the Conservation Officer is in agreement with this assessment. Conditions have been recommended should approval be given.
- 9.5. It is considered, subject to conditions, that the proposed development would not adversely affect the character and appearance of the area in accordance with the provisions of Core Strategy policies ADPP1, ADPP2, CS14, CS19 and the NPPF.

## **10. The impact on neighbouring amenity**

- 10.1. Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. SPD Quality Design - West Berkshire outlines considerations to be taken into account with regard to residential amenity, and Policy OVS.6 of the West Berkshire District Local Plan Saved Policies considers the potential noise impact of development.
- 10.2. The proposed dwelling would be located at approx. 40 metres away from the closet neighbouring dwelling. The increase in 3 no. bedrooms without an increase in footprint does not raise issues in regards to the impact on the neighbouring amenity. The assessment made in the original application (16/01171/FUL) determination comments on the overall impact on the neighbouring amenity being acceptable. Environmental Health have been consulted upon this application and raise no objection to the increase in 3 no. bedrooms. No objections have been received from neighbouring dwellings. Similar conditions as those previously recommended shall be placed on any permission.
- 10.3. For these reasons, the proposal subject to conditions, in so far as it relates to protecting residential amenity and creating a high quality living environment, would be in accordance with development plan policies CS14 and OVS.6, as well as guidance in SPD Quality Design and the NPPF.

## **11. Highway safety**

- 11.1. The NPPF states that decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policies CS 13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan, set out highway requirements. Policy P1 of the Housing Site Allocations Development Plan Document sets out the residential car parking levels for the district.
- 11.2. The Local Authorities Highways team raised no objections to the additional 3 no. bedrooms in this application. There is not considered to be an unacceptable increase in traffic movements caused by the proposed development on this large hotel site. Highways have recommended that previously approved conditions be placed on this application.
- 11.3. Therefore the proposal is considered to be acceptable and in accordance with CS13 of the West Berkshire Core Strategy (2006-2026), Saved Local Plan policy Trans1 and the NPPF.

## **12. Drainage and Flooding**

- 12.1. The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Core Strategy Policy CS 16 addresses issues regarding flood risk. The extension footprint is similar to that of the previously approved scheme (16/01171/FUL) to which subject to conditions was considered acceptable. As such the proposed development changing the internal layout with an additional 30 no. rooms does not raise objection from our Sustainable drainage team.
- 12.2. For these reasons, the proposal would be in accordance with policy CS16 of the Core Strategy and advice contained within the NPPF.

## **13. Ecology**

- 13.1. Policy CS 17 of the Core Strategy states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. The NPPF supports the overall aims and objectives of this policy.

13.2. The application site is located adjacent to a SAC and SSSI of the River Lambourn. The extension to the hotel will be located approx. 50 metres from the SAC and SSSI. However the construction of the hotel extension poses risk to the SAC and SSSI. A number of conditions have been recommended to minimise the impact to the Ecology of the site similar to that of the original permission 16/01171/FUL.

13.3. For these reasons, the proposal would be in accordance with the provisions of Core Strategy CS17 and advice within the NPPF.

#### **14. The Assessment of Sustainable Development**

14.1. The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.

14.2. Being a proposed extension to a hotel the scheme has economic considerations by promoting the commercial ability of the site and hotel in addition to the immediate construction period benefits. The Environmental considerations have been assessed in terms of design, amenity and impact on the area. Social considerations overlap those of the environmental in terms of amenity. Having assessed the application in terms of design, impact on the area and impact on neighbouring amenity the development is considered sustainable development

#### **15. Community Infrastructure Levy (CIL)**

15.1. Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations the proposal for the extension to the Hotel incurs no CIL charge under the adopted local charging schedule.

#### **16. Conclusion**

16.1. The application site is an established hotel site which is subject to previous extant permissions and other pending permissions. The various to condition two does not raise concerns in regards to the design, impact on the surrounding neighbouring amenity, highways or ecology of the site. Conditions are recommended as per the previously approved application 16/01171/FUL.

16.2. The proposal considered within this application for the erection of a Plant Room and Substation at Newbury Manor Hotel are considered in accordance with National Planning Policy Framework (March 2012) and policies ADPP1, ADPP2, CS11, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), OVS.5 and OVS.6 of the West Berkshire Local Plan Policies 1991-2006 (Saved 2007). In addition to these the proposal is in line with supplementary planning guidance Quality Design (June 2006).

#### **17. Recommendation**

**The Head of Development and Planning be authorised to GRANT Planning Permission subject to the following conditions:-**



### **1. Commencement date 3 Years from previous approval**

The development hereby permitted shall be begun before the expiration of three years (29<sup>th</sup> April 2019) from the date of the initial permission 16/01171/FUL which was given on the 29<sup>th</sup> April 2016.

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).

### **2. Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved drawings

Drawing title "Proposed Elevations (Sheet 1 of 2)" Drawing number P-03.01 -. Date stamped 27<sup>th</sup> November 2017.

Drawing title "Proposed Elevations (Sheet 2 of 2)". Drawing number P-03.02-. Date stamped 27<sup>th</sup> November 2017.

Drawing title "Ground Floor Plan". Drawing number P-02.01-. Date stamped 27<sup>th</sup> November 2017.

Drawing title "First Floor Plan". Drawing number P-02.02-. Date stamped 27<sup>th</sup> November 2017.

Drawing title "Second Floor Plan". Drawing number P-02.03-. Date stamped 27<sup>th</sup> November 2017.

Drawing title "Roof Plan". Drawing number P-02.04-. Date stamped 27<sup>th</sup> November 2017.

Drawing title "Hotel Extension Surface Water Drainage Strategy". Drawing no. 36034/4001/002 Rev B. Date received 01/09/2016

Drawing title "Proposed Site Plan". Drawing number 01. Date received 16/05/2016

Drawing title "Ground Floor Plan Demolition". Drawing number J-284\_DD\_P2\_A21\_00. Date received 16/05/2016

Drawing title "Sections". Drawing number J-284\_DD\_P2\_A21\_06. Date received 16/05/2016

Reason: For the avoidance of doubt and in the interest of proper planning.

### **3. Details of Spoil use to be submitted to and approved by the Local Planning Authority**

No development shall take place until full 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:

- (a) Show where any spoil to remain on the site will be deposited;
- (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
- (c) Include measures to remove all spoil (not to be deposited) from the site;
- (d) Include timescales for the depositing/removal of spoil.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

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. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS17 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

#### **4. Submission of Construction Ecology Management Plan**

No development shall take place until a Construction Ecology Management Plan has been submitted to and approved in writing by the Local Planning Authority. Natural England shall be consulted upon the details submitted in the interest of the SAC/SSSI. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (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) Measures to ensure no sediment or polluted runoff enters the river when undertaking activities such as wheel washing, refuelling of machinery, storing materials etc.
- (i) Measure to ensure best practice and Environmental standards will be adhered to where practically possible

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety and the safeguarding of the SAC/SSSI. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

#### **5. Parking in accordance with plans**

The development shall not be brought into use until the 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.

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 (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

#### **6. Cycle Parking**

The development hereby permitted shall not be occupied until 10 covered and secure cycle parking spaces have been provided. These cycle parking spaces shall be retained for this purpose at all times.

The development hereby permitted shall not be occupied until 2 motorcycle parking spaces have been provided. These motorcycle parking spaces shall be retained for this purpose at all times.

Reason: To ensure that there is adequate motorcycle parking within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

## **7. Hours of Construction Work**

The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers. In accordance with CS14 of the West Berkshire Core Strategy (2006-2026) and OVS.6 of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

## **8. Landscape Management Plan in accordance with details submitted**

The Landscaping, Landscape Management for a minimum period of 5 years shall be in accordance with the details submitted to the Local Planning Authority under application 17/00865/COND1 to which details in relation to condition 8 were discharge in accordance with the below listed documents;

- Drawing 149/LA/PP/00/01 Rev A. Landscape Planting Plan and
- Document 149 Newbury Manor Landscape Management Plan Rev A.

These documents were submitted on the 15th June 2017 via email from the agent and contain satisfactory details. The development shall be carried out in accordance with this details irrespective of the details provided in this application.

Reason: To ensure the long term management of existing and proposed landscaping in accordance with the objectives of the National Planning Policy Framework (March 2012), Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

## **9. Arboricultural Methods in accordance with details submitted**

The development shall be carried out in accordance with the document titled Arboricultural Method Statement 149/AMS/9.13, containing information in regards to the sites Arboriculture method, tree survey, and tree protection plan produced by Astley Partnership Ltd prescribes the measures relating to tree protection, method of work to minimise the impact on the trees and Arboricultural supervision of the site, submitted to and discharged under application 17/00865/COND1. Confirmation that the Arboricultural Consultants would be used to ensure the Arboricultural Supervision of the site was carried out in line with the details contained within the document 149/AMS/9.13 was received in an email the agent dated 06/06/2017. The development shall be carried out in accordance with this details irrespective of the details provided in this application.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

## **10. Protective Fencing in accordance with details submitted**

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan 1504-01. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

## **11. Sustainable Drainage Methods in accordance with details submitted**

The development hereby permitted shall not be brought into use until the sustainable drainage measures identified in Drawing title "Hotel Extension Surface Water Drainage Strategy". Drawing no. 36034/4001/002 Rev B. Date received 01/09/2016 and drainage note TN001 (Rev A) have been provided in accordance with the approved details. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design - Part 4 Sustainable Design Techniques (June 2006).

DC

**TOWN AND COUNTRY PLANNING ACT 1990**

Walsingham Planning  
Sophie Matthews  
Bourne House  
Corse End Road  
BOURNE END  
SL8 5AR

Applicant:  
SCP Newbury Manor Ltd

**PART I - DETAILS OF APPLICATION**

Date of Application	Application No.
29th April 2016	16/01171/FUL

**THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:**

Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park.

Newbury Manor Hotel, London Road, Newbury, West Berkshire

(1) **PART II - DECISION**

In pursuance of its powers under the Town and Country Planning Act 1990, West Berkshire District Council **GRANTS** planning permission for the development referred to in Part I in accordance with the submitted application form and plans, subject to the following condition(s):-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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).

2. The development hereby permitted shall be carried out in accordance with the approved drawings

- Drawing title "Proposed Ground Floor GA". Drawing no. 5547-SKH-03 Rev B. Date received 09/09/2016
- Drawing title "Proposed First Floor GA". Drawing no. 5547-SKH-04 Rev A. Date received 16/05/2016
- Drawing title "Proposed Second Floor GA". Drawing no. 5547-SKH-05 Rev A. Date received 16/05/2016
- Drawing title "Proposed Roof Plan". Drawing no. 5547-SKH-06 Rev A. Date received 16/05/2016
- Drawing title "Proposed Elevations Sheet 1 or 2". Drawing no. 5547-SKH-07 Rev A. Date received 16/05/2016.
- Drawing title "Proposed Elevations Sheet 2 of 2". Drawing no. 5547-SKH-08 Rev A. Date received 16/05/2016.
- Drawing title "Hotel Extension Surface Water Drainage Strategy". Drawing no. 36034/4001/002 Rev B. Date received 01/09/2016
- Drawing title "Proposed Site Plan". Drawing number 01. Date received 16/05/2016
- Drawing title "Ground Floor Plan Demolition". Drawing number J-284\_DD\_P2\_A21\_00. Date received 16/05/2016
- Drawing title "Sections". Drawing number J-284\_DD\_P2\_A21\_06. Date received 16/05/2016

Reason: For the avoidance of doubt and in the interest of proper planning.

3. No development shall take place until full 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:

- (a) Show where any spoil to remain on the site will be deposited;
- (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
- (c) Include measures to remove all spoil (not to be deposited) from the site;
- (d) Include timescales for the depositing/removal of spoil.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

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. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS17 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

4. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. Natural England shall be consulted upon the details submitted in the interest of the SAC/SSSI. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (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

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety and the safeguarding of the SAC/SSSI. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5. The development shall not be brought into use until the 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.

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 (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

6. The development hereby permitted shall not be occupied until 10 covered and secure cycle parking spaces have been provided. These cycle parking spaces shall be retained for this purpose at all times.

The development hereby permitted shall not be occupied until 2 motorcycle parking spaces have been provided. These motorcycle parking spaces shall be retained for this purpose at all times.

Reason: To ensure that there is adequate motorcycle parking within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

7. The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers. In accordance with CS14 of the West Berkshire Core Strategy (2006-2026) and OVS.6 of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

8. No development or other operations shall commence on site until a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The plan shall include any areas of existing landscaping including woodlands and also include any areas of proposed landscaping within the hotel grounds.

Reason: To ensure the long term management of existing and proposed landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

9. No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

10. Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan 1504-01. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

11. The development hereby permitted shall not be brought into use until the sustainable drainage measures identified in Drawing title "Hotel Extension Surface Water Drainage Strategy". Drawing no. 36034/4001/002 Rev B. Date received 01/09/2016 and drainage note TN001 (Rev A) have been provided in accordance with the approved details. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design - Part 4 Sustainable Design Techniques (June 2006).

The decision to grant This decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, South East Plan Regional Spatial Strategy for the south east of England 2009 West Berkshire District Local Plan 1991-2006 (WBDLP) Saved Policies 2007, the Waste Local Plan for Berkshire, adopted 1998, the Replacement Minerals Local Plan for Berkshire 1991-2006 (incorporating the alterations adopted in December 1997 and May 2001) and to all other relevant material considerations, including Government guidance, supplementary planning guidance notes; and in particular guidance notes and policies:

The reasoning above is only intended as a summary. If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.

#### INFORMATIVE:

1. The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.
2. The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "*Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority*". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met. A fee is required for an application to discharge conditions.
3. 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.
4. The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.
5. The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
6. This Planning Permission should be read in conjunction with associated Listed Building Consent  
\*\*\*\*.

Decision Date :- 7th October 2016



**Gary Lugg**  
Head of Planning & Countryside



## TOWN AND COUNTRY PLANNING ACT 1990

### Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions

#### Appeals to the Secretary of State

- 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.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- 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.

#### Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

# CASE OFFICER'S (MSH) REPORT ON APPLICATION NUMBER 16/01171/FUL



**Site: Newbury Manor Hotel  
London Road  
Newbury  
West Berkshire**

## 1. CONSULTATIONS AND REPRESENTATIONS

1.1. Newbury Town Council - No objection/Comment : We consider that in general this development will be an improvement. A check should be made that the proposed additional 12 parking spaces will be adequate for the expected additional capacity. The present car park does not have marked-out parking spaces, which causes inconvenience and inefficient use of space. The new car park should rectify this by clearly marking its parking locations.

1.2. Conservation - The proposed extensions to the main hotel have been designed to reflect the character, scale and form of the existing building and other modern additions, but will remain subservient to the main building. The proposed extensions and remodelling of the north-east and south-east elevations will help 'tidy up' this area of the hotel, therefore enhancing the setting of the listed building.

A new replacement link extension is proposed on the south-west elevation, which will form the residents' foyer. The proposed glazed link with aluminium profiling is a great improvement over the existing unattractive link.

In terms of internal works to the original building it is proposed to remove part of the original exterior wall, to create a wider opening (please note that the Ground Floor Demolition Plan is incorrect as it does not show the removal of this section of wall). Whilst the Conservation Officer understands the need to improve the connections between these rooms, they are concerned about the loss of such a large section of original wall. The conservation officer recommends that the plans are amended to retain more of this original wall.

Amended Plans were subsequently submitted on the 13/06/2016, to which the Conservation officer had no objection too.

1.3. Highways - This is an established hotel. The proposal will see an increase in the number of bedrooms. Staff numbers will also increase. The level of parking will be increased and formalised.

The highway recommendation is for conditional approval. Should details of cycle and motorcycle parking be provided prior to determination, the conditions relating to this can be altered to 'as per the plans'.

1.4. Sustainable Drainage - SuDs had initial questions regarding the information submitted and later Drainage Notes submitted. These questions were answered in email correspondence which results in a no objections from SuDs.

1.5. Natural England - Natural England (NE) initially objected to the proposal through lack of information regarding the impact on the SSSI the River Lambourn. Further information was required regarding SuDs methods and waste management that would minimise the impact on the river Lambourn.

Additional drainage and ecology information was submitted on the 28/06/2016 and 30/06/2016 respectively. This information was commented upon by NE of which required greater detail than given. Additional SuDs information was provided at a later date and NE's Hydrologist considered this information and upon re-consultation on the 25th August gave no objections and provided suggested conditions.

1.6. Environmental Health - No objection, suggested condition regarding hours of work.

1.7. Public Rights of Way - No response

1.8. Ramblers association - No response

1.9. Archaeological Officer - No objection

1.10. Tree Officer - The proposed plan submitted ref: 1504-01 proposed site plan is accompanied by an arboricultural appraisal and implications assessment by ACS (Trees) Consulting dated 04 April 2016.

The assessment provides details of the recommended supervision of site works for the development of the car park area and the protective measures proposed.

No objection to the application in principle; sufficient information has been submitted indicating that tree protection measures will be instigated and a survey of the trees on site has been submitted, also indicating trees for removal. The arboricultural protection is likely to need carrying out in 2 stages and details should be shown to accommodate this.

However, given the potential removal of some poor specimens in the future, this application also represents an opportunity to significantly enhance the landscaping of the site with the introduction of specimen trees in particular.

No objection, conditions offered.

1.11. Ecology - No response

1.12. Ministry of Defence - No objection

1.13. Newbury Society - No objection

1.14. Canal and Rivers Trust - No objection

1.15. Environment Agency - No response (Consulted twice on separated occasions)

No letters of support or objection received to the proposal.

All full consultation responses are available to view under file reference number.

## 2. DESCRIPTION OF DEVELOPMENT (LOCATION)

2.1. The proposed development to Newbury Manor Hotel, London Road, Newbury is a two storey rear extension to the hotel, following removal of conservatory and outbuildings (12 Net additional rooms. Including

elevation improvements, internal alterations and permeable paving of car park. The proposed development is located within the settlement boundary of Newbury Town, within the Conservation Area of Newbury and adjacent to a Site of Scientific Interest of the River Lambourn. The proposal is also sited within Flood Zone 2.

### 3. RELEVANT POLICIES

The planning system is plan-led, which means that planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The West Berkshire Development Plan comprises:

- The West Berkshire Core Strategy 2006-2026
- The West Berkshire District Local Plan 1991-2006 Saved Policies 2007
- The South East Plan 2009 insofar as Policy NRM6 applies
- The Replacement Minerals Local Plan for Berkshire 2001
- The Waste Local Plan for Berkshire 1998
- Supplementary Planning Documents and Guidance

In this instance, the following policies of the Development Plan are considered relevant to the proposal.

#### 3.1. West Berkshire Core Strategy (2006-2026)

Area Delivery Plan Policy 1 Spatial Strategy  
Area Delivery Plan Policy 2 Newbury  
Policy CS 5 Infrastructure Requirements and Delivery  
Policy CS 11 Hierarchy of Centres  
Policy CS 13 Transport  
Policy CS 14 Design Principles  
Policy CS 16 Flooding  
Policy CS 17 Biodiversity and Geodiversity  
Policy CS 19 Historic Landscape and Environment Character

#### 3.2. The West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)

HSG.1 The identification of settlements for planning purposes  
OVS.5 Environmental Nuisance and Pollution Control  
OVS.6 Noise Pollution

#### 3.3. Supplementary Planning Guidance

Quality Design (June 2006)

#### 3.4. Other Material Considerations

National Planning Policy Framework (March 2012)  
Planning Practice Guidance (March 2014)

### 4. RELEVANT PLANNING HISTORY

4.1. Most recent planning history below, full planning history available on file.

4.2. 15/00991/FUL. Removal of the single storey 70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of new flat roofed Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the Lagoon. Withdrawn 02/07/2015

4.3. 15/00992/LBC2. Removal of the single storey 70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of new flat roofed Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the Lagoon. Withdrawn 02/07/2015

## 5. CONSIDERATION OF APPLICATION

The Principle of the Development

The Design and Impact on the Character and Appearance of the Area

The Impact on Neighbouring Amenity

The Impact on Highways

Other Matters

### 5.1. THE PRINCIPLE OF THE DEVELOPMENT

5.1.1. The proposed development at Newbury Manor Hotel, London Road, Newbury, West Berkshire is within the settlement boundary of Newbury, as defined within policy HSG1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

5.1.2. Being within the settlement boundary the principle of the proposed development is acceptable. This is subject to the proposal otherwise being in accordance with development plan policies on design, impact on the character of the area, and impact on the amenity of neighbouring land uses.

5.1.3. ADDP1 states that most development should be focused within or adjacent to settlement boundaries and well related transport (especially public transport, cycling and walking). Development should relate to the sites current character and surrounds. The development of Newbury Manor Hotel is considered to respect the sites current character and surrounds as explained in terms of design later in this report and in terms of being within settlement boundary as therefore accessible to transport links.

5.1.4. ADDP1 states that Newbury will be the main focus for business development over the plan period. More efficient use of existing sites and premises should be made in order to attract inward investment, respond to modern business requirements, and meet the demand for employment over the plan period.

5.1.5. Paragraph 24 of the NPPF (2012) states that when considering edge of centre and out of centres proposals, preference should be given to accessible sites that are well connect to the town centre. This point is demonstrated by the proposal being with the settlement boundary on a site that is already established.

5.1.6. Therefore the principle of extending Newbury Manor Hotel and the hotel facilities on site are considered in principle acceptable in terms of ADDP 1 and CS11 of the West Berkshire Core Strategy (2006-2026).

### 5.2. THE DESIGN AND IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA

5.2.1. The NPPF is clear that good design is indivisible from good planning; it attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, it is indivisible from good planning, and should contribute positively to making places better for people. It emphasises the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings.

5.2.2. Policy CS14 of the West Berkshire Core Strategy states that development should demonstrate a high quality and sustainable design that respects and enhances the character and appearance of the area. Development must make a positive contribution to the quality of life in West Berkshire, giving regard not just to the immediate area but the wider locality.

5.2.3. The Conservation officer commented that Newbury Manor Hotel is an early C19th Grade II listed former mill house, now a hotel. An extension was added to the west side in the late C19th, this now forms what is now the main front entrance. The original early C19th portion of the building is two storeys with a tiled roof and gable stacks. The former entrance has been replaced with a splayed bay with French windows. The later C19th is two storeys with a hipped roof and dormer windows. A Tuscan style portico has been added to the entrance on the southern elevation, this forms the main entrance.

5.2.4. The proposal is for an extension to the north east corner of the hotel, to provide additional hotel accommodation. The proposal is also for the remodelling of the east elevation, so that it forms a more prominent main entrance.

5.2.5. The Conservation Officer also commented that the proposed extensions to the main hotel have been designed to reflect the character, scale and form of the existing building and other modern additions, but will remain subservient to the main building. The proposed extensions and remodelling of the north-east and south-east elevations will help 'tidy up' this area of the hotel, this will therefore enhance the setting of the listed building.

5.2.6. A new replacement link extension is proposed on the south-west elevation, which will form the residents' foyer. The proposed glazed link with aluminium profiling is a great improvement over the existing unattractive link according to the Conservation Officer.

5.2.7. The Case Officer makes a similar conclusion to the Conservation Officer in terms of design of the proposal. The case officer finds it appropriate to request a sample of materials prior to commencement to ensure that materials will match and compliment the areas that are re modelled and newly built under the Listed Building application.

5.2.8. The proposal is set away from the highway; the proposal will be visible above boundary treatments from London Road however as the Conservation officer has already commented this proposal will "tidy up" this area that may be visible in the street scene. This will result in a more attractive facade from views of the hotel from London Road. The proposal gives high regard to the original property, respecting its setting adjacent to the SSSI.

5.2.9. The proposal is therefore considered acceptable in accordance with Supplementary Planning Guidance 'Quality Design' (June 2006). In addition to the proposal is considered in line with policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) as it constitutes a high quality of design that enhances the area.

### 5.3. THE IMPACT ON NEIGHBOURING AMENITY

5.4. The proposed extension to Newbury Manor Hotel is considered on balance not to impact the Neighbouring amenity to an unacceptable extent. The main area of concern is the east side of the development that neighbours properties of Two Rivers Way. These are the closest residential properties that may be impacted from the proposal.

5.5. The main entrance has not moved location but has been changed and improved. Areas of paving/patio are present in this location near to the residential area at current and in the proposal. The Case Officer perceives the changes not to adversely impact the neighbouring amenity as the increase use will be minimal.

5.6. The new extension has new openings and Juliet balconies facing the nearest residential properties. However these new openings are not perceived to cause an increase in overlooking or overbearing. None of the new windows fall within 21 metres of directly facing neighbouring windows and therefore are acceptable in terms of impact.

5.7. The area of the site adjacent to the Boundary on the east of the site is already in use as a Car Park. The marking out of this area and inclusion of permeable paving, although close to neighbouring amenity is on balance acceptable as the use of this area as car parking is established.

5.8. No letters of objection or support have been received to the proposal.

5.9. The hotel is set in a large curtilage, with the main hotel set away from neighbouring properties. Although an intensification of the use on the site the Case Officer feels on balance, it is an acceptable increase that will not detrimentally harm the neighbouring properties. Accordingly the proposal does not pose an adverse impact on the neighbouring amenity. It is acceptable and in accordance with CS14 of the West Berkshire Core Strategy (2006-2026).

#### 5.10. THE IMPACT ON HIGHWAYS

5.10.1. The highways department raised no objection to the proposal as the existing access will be utilised to facilitate the expansion. The parking that is proposed is considered acceptable, however it is noted that a condition should be placed to seek cycle parking and motor cycle parking.

5.10.2. The additional vehicle movements that will be generated as a result of this proposal are acceptable.

5.10.3. The hotel is well establish and the proposal will see an increase in the number of bedrooms and staff numbers increasing, however the level of parking will be increased as a result of the proposal. Therefore the proposal is recommended for conditional approval by the highways department in accordance with CS13 of the West Berkshire Core Strategy (2006-2026).

#### 5.11. THE IMPACT ON BIODIVERSITY

5.11.1. Policy CS17 of the West Berkshire Core Strategy (2006-2026) protects the Biodiversity and Geodiversity assets across West Berkshire. Development will only be permitted where clear demonstrable social or economic benefits to the region outweigh the need to safeguard the site or species and that adequate compensation and mitigation measures are provided when damage is unavoidable. The river Lambourn runs adjacent to the site and Natural England (NE) were consulted on the application.

5.11.2. NE initially objected to the proposal through lack of information regarding the impact on the SSSI the River Lambourn. Further information was required regarding SuDs methods and waste management that would minimise the impact on the river Lambourn.

5.11.3. Additional drainage and ecology information was submitted on the 28/06/2016 and 30/06/2016 respectively. This information was commented upon by NE of which required greater detail than given. Additional SuDs information was provided at a later date and NE's Hydrologist considered this information and upon re-consultation on the 25th August gave no objections and provided suggested objections. Conditions have been suggested by NE which concern materials and construction techniques to accommodate the SSSI can be accommodated. However the details required in conjunction with the monitoring of the permeable

paving and the management of the permeable paving do not meet the requirements of the PPG's 6 tests and therefore cannot be conditioned. It must be noted that these areas have existing gravelled surfaces.

5.11.4. In accordance with the no objection response and conditions received from Natural England's and the nature of development resulted in the Ecology Officer not wishing to comment the Case Officer assesses the proposal to be in accordance with CS17 of the West Berkshire Core Strategy (2006-2026).

## 5.12. THE IMPACT ON FLOODING

5.12.1. Policy CS16 of the West Berkshire Core Strategy (2006-2026) relates the flooding and the issues that arise from new development in relation to this point. The policy explains how development within areas of flood risk from any source of flooding will only be accepted if it is demonstrated that it is appropriate at that location. The policy goes on to explain how development should be safe and not increase flood risk elsewhere and would not have an adverse impact on the capacity of the area to store floodwater.

5.12.2. Upon examination of the SuDs details submitted in this application the SuDs team had a query as to what was the "attenuation storage" being referred to in the Drainage Technical Note (DTN) TN001. The SuDs team required further calculations to clarify capacity. This was important as the higher ground water levels that may occur will reduce the ability for infiltration which may cause greater overland flow. It was confirmed via email reply by the agent that the "attenuation storage" will be the permeable paving sub-base and the capacity levels. These details were to the satisfaction of the SuDs Team and accordingly in line with CS16 of the West Berkshire Core Strategy (2006-2026).

## 5.13. OTHER MATTERS

5.13.1. Presumption in favour of sustainable development

5.13.2. The National Planning Policy Framework places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal.

5.13.3. Being a proposed Hotel extension including expansion, remodelling and additional parking the case officer finds the economic sustainability of the scheme is beneficial to the surrounding area providing more commerce and jobs to the area. Social considerations overlap those of the environmental in terms of amenity. Having assessed the application in terms of design, impact on the area and impact on neighbouring amenity the development is considered sustainable development. The environmental Sustainability of the proposal in terms of its impact on the River Lambourn have been fully assessed by Natural England and Conditions for the protection of the area have been given.

5.13.4. Paragraph 203 of the NPPF is clear that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. The NPPF goes on to state at paragraph 206 that conditions should only be imposed where they are necessary; relevant to planning and; to the development to be permitted; enforceable; precise and; reasonable in all other respects. It is also clear that whether it is appropriate for the Local Planning Authority to impose a condition on a grant of planning permission will depend on the specifics of the case.

5.13.5. Conditions have been placed in regards to expiration date of permission, the approved design plans, and the materials used. Conditions have also been placed in conjunction to the construction method, landscaping and Arboricultural aspects. Conditions of approved SuDs details to be submitted alongside tree protection details. These conditions are placed in accordance with Planning Practice Guidance (March 2014) in the interest of good planning.



5.13.6. The proposed floor space created is 475 square metres however due to the nature of development being of Hotel use no CIL charge is due.

## 6. CONCLUSION

6.1. The proposal at Newbury Manor Hotel, London Road, Newbury, West Berkshire is in accordance with National Planning Policy Framework (March 2012) and policies ADPP1, ADPP2, CS5, CS11, CS13, CS14, CS16, CS17, and CS19 of the West Berkshire Core Strategy (2006-2026). The West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) OVS.5 Environmental Nuisance and Pollution Control and OVS.6 Noise Pollution. In addition to these the proposal is in line with supplementary planning guidance Quality Design (June 2006). It is therefore recommended for APPROVAL.

Copy for  
Newbury Town Council  
Town Hall  
Market Place  
Newbury  
RG14 5AA

This page is intentionally left blank

# Agenda Item 4.(2)

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(2)	17/03233/LBC Newbury Town Council	8 <sup>th</sup> June 2018	Newbury Manor Hotel, London Road, Newbury, West Berkshire  Section 73 - Application for variation of Condition (2) Approved Plans of Planning Permission 17/01172/LBC.  SCP Newbury Manor Ltd

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/03233/LBC>

**Ward Member(s):** Councillor J Beck

Councillor D Goff

**Reason for Committee determination:** Councillor Beck has called the application to Committee should the application be recommended for approval.

**Committee Site Visit:** 31<sup>st</sup> May 2018.

**Recommendation.** **The Head of Development and Planning be authorised to GRANT planning permission.**

#### Contact Officer Details

**Name:** Mr. Matthew Shepherd  
**Job Title:** Planning Officer  
**Tel No:** (01635) 519111  
**E-mail Address:** [Matthew.Shepherd@westberks.gov.uk](mailto:Matthew.Shepherd@westberks.gov.uk)

## 1. Relevant Site History

- 1.1. 01/2511/FUL. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Withdrawn 17.06.2002
- 1.2. 01/02514/LBC. Proposed bedroom extension and function room. Withdrawn 24.06.2002
- 1.3. 02/02208/FULMAJ. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Plus change of use of additional land to car park. Withdrawn 20.01.2003.
- 1.4. 02/02222/LBC. Proposed extension and alterations to existing hotel to provide additional land to car parking. Withdrawn 20.01.2003
- 1.5. 03/00062/FULLMAJ. Proposed extension and alterations to existing Hotel to provide additional bedrooms and function room and ancillary parking. Approved 05.08.2004
- 1.6. 03/00075/LBC. Proposed bedroom extension and function room. Approved 23.04.2003.
- 1.7. 06/02011/FUL. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.8. 06/02012/LBC2. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.9. 06/02812/FUL. New timber deck and balustrade to riverside bar. Approved 15.02.2007
- 1.10. 06/02813/LBC2. New timber deck and balustrade. Approved 15.02.2007
- 1.11. 10/02937/FUL. Retrospective- Single storey extension to existing function room. Approved 12.04.2011
- 1.12. 10/02938/LBC. Single storey extension to existing function room. Approved 12.04.201
- 1.13. 15/00991/FUL. Removal of single storey 70's flat roofed building attached to the original watermill and blacksmiths. Withdrawn 02.07.2015.
- 1.14. 15/00991FUL. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.15. 15/00992/LBC. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.16. 16/01171/FUL. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016
- 1.17. 16/01172/LBC2. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016.

- 1.18. 16/002902/FUL. Extension of hotel cottage to create hotel restaurant with outdoor seating terrace. Withdrawn 07.03.2017.
- 1.19. 16/002903/LBC2. Extension of hotel cottage to create hotel restaurant with outdoor seating terrace. Withdrawn 07.03.2017.
- 1.20. 17/00865/COND. Approval of details reserved by condition 3: Removal of spoil, 4: Construction Method Statement, 8: Landscape Management plan, 9: Arboricultural watching brief, of planning permission 16/01171/FUL - Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Spilt decision 23.06.2017.
- 1.21. 17/00866/COND. Approval of details reserved by Conditions 3: Schedule of materials and 6: Windows/doors, of planning permission 16/01172/LBC - Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 30.08.2017
- 1.22. Full planning history available on file.

## 2. Publicity of Application

2.1. This application was advertised by way of neighbour notification letters which required responses by the 25<sup>th</sup> December 2017 and by way of Site Notice which expired on 10<sup>th</sup> January 2018.

## 3. Consultations and Representations

### Consultations

<p><b>Newbury Town Council</b></p>	<p>Objection. These five applications refer to three cases, for conversion of Mill Waters Cottages to a restaurant, for the modification of a previously approved extension to the hotel to provide 15 additional rooms, and for a plant room and substation for the hotel. We consider that the three cases together raise many issues which should be considered for hotel and restaurant as a whole, and have not been adequately addressed in the five applications:-</p> <ol style="list-style-type: none"> <li>1) access and egress from the site for the expected traffic volume;</li> <li>2) combined parking capacity on the site for the hotel and restaurant;</li> <li>3) the effects of cooking odours, noise from diners, and light pollution from the proposed restaurant on the residents of the closely adjoining Two Rivers Way; 4) the effect on wildlife in the River Lambourn and Kennet &amp; Avon Canal, which should be assessed at the appropriate time of year;</li> <li>5) flooding risk arising from the building extensions and tarmacking of the proposed new parking space;</li> <li>6) the noise from deliveries to the proposed restaurant;</li> <li>7) the proposed landscaping, tree removal, and arboricultural measures. We therefore recommend that all the five applications should be called in and considered as a single whole by the Western Area Planning Committee.</li> </ol>
<p><b>Conservation</b></p>	<p>The changes include various minor amendments to the external elevations which do not impact the significance of the Grade II listed building. For this reason I have no objections. However, any consent should ensure that the development is carried out in accordance with conditions approved under previous condition discharge applications. No objections subject to conditions.</p>

<p><b>Newbury Society</b></p>	<p>The Newbury Society objects to this application and the four other linked applications for the Newbury Manor Hotel. While we would wish this business to succeed, we have concerns about the current plans which need to be addressed before any approvals can be considered.</p> <p>Consultation</p> <p>We have serious concerns about the quality of consultation with these proposals. For this plan, the summary provided in the short description conveys no meaning to the public. And even when the wording of “condition 2” itself is tracked down, it provides no information at all about what is proposed. The effect is to veil the nature of the application.</p> <p>In addition, the deadline for the 14 days’ consultation announced in the public notice in the <i>Newbury Weekly News</i> was December 28, between Christmas and New Year. Such deadlines undermine the nature of “consultation.” We would suggest that for all future planning applications, the period from Christmas Eve to New Year’s Day should not be taken into account in dealing with the related dates, i.e. the nine days should be added on to all relevant dates. In such consultations it should be made clear that e.g. two weeks from Dec 14 should lead not to Dec 28, but to Jan 6.</p> <p>Urbanisation</p> <p>The planning history shows the piecemeal expansion of buildings on the “Newbury Manor” site since the 1980s, which combine with recent applications to create a substantial increase in the total footprint of the buildings.</p> <p>This is a marked and progressive urbanisation of an area which retains some rural characteristics and helps to provide a break in the continual urbanisation along the A4 from Newbury to Thatcham. The change in character also removes some of this site’s attractions as the setting for a hotel. The current plans for the hotel even include an expansion on extensions already approved, but not yet built. The additional parking required for the cumulative alterations, including the “15 net additional rooms” in this “variation” is another negative factor increasing the urbanisation and detrimental to the character of this area.</p> <p>History/ Archaeology</p> <p>The Newbury Manor Hotel was formerly known as Millwaters, and before that formed part of Ham Mills. There were two sets of mills at Ham Mills: one, on the Lambourn, as part of this site; the other, adjacent, on the Kennet. Part of the hotel was originally the miller’s house (known for a time as ‘The Cedars’). Historically, it was not in Newbury and was not a Manor House.</p> <p>Although we recognise that the main house (the former mill house, listed as “Millwaters”) has already been compromised by previous alterations, we would ask for a record of this listed building (including a photographic record, externally and internally) to be taken before further work begins.</p>
-------------------------------	--

	<p>If the council is minded to approve this application, we would ask for any work which involves cutting into the site to be covered by an archaeological condition: preferably for sample trenches; but at the very least, requiring a watching brief. This is essential because many of the mill sites in the Newbury area are the sites of Domesday mills, and some even go back to the Early Medieval (i.e. Anglo-Saxon) period. As such, they have strong archaeological potential.</p> <p>In addition, in the Tudor period many of the local mills were fulling mills, processing cloth. The two sets of mills on the Ham Mills site, although now in Newbury, have a complex history on the borders of the parishes of Speen and Thatcham. This has meant that they are so far poorly documented. However there are C15th and C16th century references to a fulling mill at the extreme east end of Speen which could refer to this site.</p>
<b>Archaeology</b>	No objections to the variation
<b>Historic England</b>	No comment
<b>National Amenity Societies</b>	No response received as of 21 <sup>st</sup> May 2018.

#### 4. Representations

4.1. No letters of representation have been received by the council.

#### 5. Planning Policy Considerations

5.1. The statutory development plan comprises:

- West Berkshire Core Strategy (2006-2026)
- Housing Site Allocations DPD
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
- Replacement Minerals Local Plan for Berkshire (2001)
- Waste Local Plan for Berkshire (1998)

5.2. The following policies from the West Berkshire Core Strategy are relevant to this application:

- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 2: Newbury
- CS 14: Design Principles
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

5.3. The West Berkshire Core Strategy replaced a number of Planning Policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following Policies remain in place until they are replaced by development plan documents and should be given due weight according to their degree of consistency with the National Planning Policy Framework:

- TRANS1: Meeting the Transport Needs of New development.
- OVS5: Environmental Nuisance and Pollution Control.
- OVS.6: Noise Pollution

- 5.4. The following Housing Site Allocations Development Plan document policies carry full weight and are relevant to this application:
- C1: Location of New Housing in the Countryside
  - P1: Residential Parking for New Development

- 5.5. Other material considerations for this application include:

- The National Planning Policy Framework (March 2012) (NPPF)
- Planning Practice Guidance (PPG)
- Quality Design Supplementary Planning Document (SPD)

## **6. Proposal**

- 6.1. The application seeks to vary a previously approved application referenced 16/01172/LBC under Section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This section allows for permission to be varied to give greater levels of flexibility in planning. This application proposed to vary condition (2) of the previous application, namely to vary the approved plans of the previous application. This application revises drawings so that they show the same footprint for the two storey rear extension but with amendments being internal alterations to the modern part of the hotel to provide 15 net additional rooms. This is instead of the 12 net rooms recently approved.

## **7. Determining issues:**

- The Impact on the Character and Appearance of the Area and Listed Building;
- The Assessment of Sustainable Development;
- Community Infrastructure Levy; and

## **8. The Impact on the Character and Appearance of the Area and Listed Building**

- 8.1. The National Planning Policy Framework states that in determining planning applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to its conservation.
- 8.2. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm or loss of a Grade II listed building should be exceptional.
- 8.3. The National Planning Policy Framework further adds that, local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
- 8.4. Planning Policy CS14 states how developments should conserve and enhance the historic and cultural assets of West Berkshire, CS 19 of the West Berkshire Core Strategy seeks to ensure that development results in the conservation, and where appropriate, enhancement of heritage assets and their settings.
- 8.5. The changes include various minor amendments to the external elevations which do not impact the significance of the Grade II listed building. For this reason the Conservation Officer and the Case Officer raise have no objection to the design. It is largely similar to that of the previously approved hotel extension (16/01171/FUL). The design previously was



considered acceptable, as it is now. To ensure the design is high quality conditions have been recommended by the Conservation Officer.

- 8.6. In light of the above the case officer does not feel that the proposal would harm the setting of this Grade II listed building or the Conservation area, the Conservation Officer is in agreement with this assessment. Conditions have been recommended should approval be given.
- 8.7. Although objection has been received from the Newbury Society this objection was not originally submitted during the course of the initial planning application 17/01172/LBC. The Archaeology Officer has raised no objection to the proposed development and the case officer feels given the minimal incursions into the ground requiring an archaeology condition would be unreasonably and overly onerous. The Conservation Officer and Case Officer has reviewed the variations to the plans and finds that the development does not harm the listed building or the setting of the building. Although the Newbury Society's objection is acknowledged refusal on the grounds objected to are considered untenable due to the permission already granted and the minor variations contained within this application.
- 8.8. It is considered, subject to conditions, that the proposed development would not adversely affect the character and appearance of the area in accordance with the provisions of Core Strategy policies ADPP1, ADPP2, CS14, CS19 and the NPPF.

## **9. The Assessment of Sustainable Development**

- 9.1. The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.
- 9.2. Being a proposed extension to a hotel the scheme has economic considerations by promoting the commercial ability of the site and hotel in addition to the immediate construction period benefits. The Environmental considerations have been assessed in terms of design, amenity and impact on the area. Social considerations overlap those of the environmental in terms of amenity. Having assessed the application in terms of design, impact on the area and impact on neighbouring amenity the development is considered sustainable development

## **10. Community Infrastructure Levy (CIL)**

- 10.1. Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations the proposal for the extension to the Hotel incurs no CIL charge under the adopted local charging schedule.

## **11. Conclusion**

- 11.1. The application site is an established hotel site which is subject to previous extant permissions and other pending permissions. The various to condition two does not raise concerns in regards to the Grade II listed building or its setting.
- 11.2. The proposal considered within this application for the erection of a Plant Room and Substation at Newbury Manor Hotel are considered in accordance with National Planning Policy Framework (March 2012) and policies ADPP1, ADPP2, CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026). In addition to these the proposal is in line with supplementary planning guidance Quality Design (June 2006).

## 12. Recommendation

The Head of Development and Planning be authorised to GRANT Planning Permission subject to the following conditions:

### 1. Commencement date 3 Years from previous approval

The development hereby permitted shall be begun before the expiration of three years (29<sup>th</sup> April 2019) from the date of the initial permission 16/01171/FUL which was given on the 29<sup>th</sup> April 2016.

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).

### 2. Approved Plans

This listed building consent relates only to work described on the drawings/and/or/in the documents identified below:

Drawing title "Proposed Elevations (Sheet 1 of 2)" Drawing number P-03.01 -. Date stamped 27<sup>th</sup> November 2017.

Drawing title "Proposed Elevations (Sheet 2 of 2)". Drawing number P-03.02-. Date stamped 27<sup>th</sup> November 2017.

Drawing title "Ground Floor Plan". Drawing number P-02.01-. Date stamped 27<sup>th</sup> November 2017.

Drawing title "First Floor Plan". Drawing number P-02.02-. Date stamped 27<sup>th</sup> November 2017.

Drawing title "Second Floor Plan". Drawing number P-02.03-. Date stamped 27<sup>th</sup> November 2017.

Drawing title "Roof Plan". Drawing number P-02.04-. Date stamped 27<sup>th</sup> November 2017.

Drawing title "Hotel Extension Surface Water Drainage Strategy". Drawing no. 36034/4001/002 Rev B. Date received 01/09/2016

Drawing title "Proposed Site Plan". Drawing number 01. Date received 16/05/2016

Drawing title "Ground Floor Plan Demolition". Drawing number J-284\_DD\_P2\_A21\_00. Date received 16/05/2016

Drawing title "Sections". Drawing number J-284\_DD\_P2\_A21\_06. Date received 16/05/2016

No work shall be carried out other than in accordance with the above drawings and documents.

Reason: To clarify what has been approved under this consent in order to protect the special architectural or historic interest of the building.

### 3. Materials

Materials to be used externally shall be as approved under application 17/00866/COND1, which were set out in the email from Dennis Smith sent on the 21st August):

Facing Brick  
Manufacturer - Imperial Bricks  
Range - Reclamation Shire Blend.

Roof Tiles  
Manufacturer - Dreadnought

Range - Smooth Red

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

#### **4. Details of windows and Glazing/external doors**

Details of all new windows/areas of glazing/external doors shall be as approved under application 17/00866/COND1 as shown on drawing numbers C.001 A which is an amended plan showing the revised doors on the south-west elevation; it was attached to the email from the applicant dated the 25th July 2017 saved under application 17/00866/COND1. In addition drawing no. C002 (showing the remaining elevations) is as originally submitted and has not been amended.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

#### **5. Making good retained works**

All works of making good and repair to the retained fabric, whether internal or external, shall be finished to match original/adjacent work with regard to the methods used and to materials, colours, textures and profiles.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

#### **6. Rainwater Goods**

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 cast iron, painted to match existing, and any existing metal rainwater goods and accessories shall not be removed or modified without the prior written approval of the Local Planning Authority on an application made for that purpose.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

DC

**PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990**

Walsingham Planning  
Sophie Matthews  
Bourne House  
Corse End Road  
BOURNE END  
SL8 5AR

**Applicant:**  
SCP Newbury Manor Ltd

**PART I - DETAILS OF APPLICATION**

<b>Date of Application</b>	<b>Application No.</b>
29th April 2016	<b>16/01172/LBC</b>

**THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:**

Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park.

Newbury Manor Hotel, London Road, Newbury, West Berkshire

**PART II - DECISION**

**In pursuance of its powers under the Planning (Listed Building and Conservation Areas) Act 1990, West Berkshire District Council GRANTS listed building consent for the development referred to in Part I in accordance with the submitted application form and plans, subject to the following condition(s):-**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 This listed building consent relates only to work described on the drawings/and/or/in the documents identified below:

- Drawing title "Proposed Ground Floor GA". Drawing no. 5547-SKH-03 Rev B. Date received 09/09/2016
- Drawing title "Proposed First Floor GA". Drawing no. 5547-SKH-04 Rev A. Date received 16/05/2016
- Drawing title "Proposed Second Floor GA". Drawing no. 5547-SKH-05 Rev A. Date received 16/05/2016
- Drawing title "Proposed Roof Plan". Drawing no. 5547-SKH-06 Rev A. Date received 16/05/2016
- Drawing title "Proposed Elevations Sheet 1 or 2". Drawing no. 5547-SKH-07 Rev A. Date received 16/05/2016.
- Drawing title "Proposed Elevations Sheet 2 of 2". Drawing no. 5547-SKH-08 Rev A. Date received 16/05/2016.

- Drawing title "Hotel Extension Surface Water Drainage Strategy". Drawing no. 36034/4001/002 Rev B. Date received 01/09/2016
- Drawing title "Proposed Site Plan". Drawing number 01. Date received 16/05/2016
- Drawing title "Ground Floor Plan Demolition". Drawing number J-284\_DD\_P2\_A21\_00. Date received 16/05/2016
- Drawing title "Sections". Drawing number J-284\_DD\_P2\_A21\_06. Date received 16/05/2016

No work shall be carried out other than in accordance with the above drawings and documents.

Reason: To clarify what has been approved under this consent in order to protect the special architectural or historic interest of the building.

- 3 No development shall take place until samples and an accompanying schedule of all materials and finishes visible external to the building have been submitted to and approved in writing by the Local Planning Authority. All materials incorporated in the work shall match the approved samples.

Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

- 4 All works of making good and repair to the retained fabric, whether internal or external, shall be finished to match original/adjacent work with regard to the methods used and to materials, colours, textures and profiles.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

- 5 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 cast iron, painted to match existing, and any existing metal rainwater goods and accessories shall not be removed or modified without the prior written approval of the Local Planning Authority on an application made for that purpose.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

- 6 No development shall take place until details of all new windows/areas of glazing/external doors, including materials and finishes, at a minimum scale of 1:20 and 1:2, have been submitted to and approved in writing by the Local Planning Authority. The windows/areas of glazing/external doors shall be installed in accordance with the approved details.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

This decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, West Berkshire District Local Plan 1991-2006 (WBDLP) Saved Policies 2007, and to all other relevant material considerations, including Government guidance, supplementary planning guidance notes; and in particular guidance notes and policies:

The reasoning above is only intended as a summary. If you require further information on the decision please contact the Council via the **Customer Call Centre on 01635 519111**.

**INFORMATIVE:**

1. The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being investigated.
2. The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "*Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority*". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met.
3. 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.
4. The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.
5. The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
6. This Listed Building Consent should be read in conjunction with associated planning permission \*\*\*\*.

Decision Date :- 7th October 2016



1. Gary Lugg
2. Head of Planning & Countryside

## TOWN AND COUNTRY PLANNING ACT 1990

### Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions

#### Appeals to the Secretary of State

- 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.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pes](http://www.planningportal.gov.uk/pes).
- 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.

#### Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

# CASE OFFICER'S (MSH) REPORT ON APPLICATION NUMBER 16/01172/LBC



**Site: Newbury Manor Hotel  
London Road  
Newbury  
West Berkshire**

## 1. CONSULTATIONS AND REPRESENTATIONS

1.1. Newbury Town Council - No response on file

1.2. Conservation - The proposed extensions to the main hotel have been designed to reflect the character, scale and form of the existing building and other modern additions, but will remain subservient the main building. The proposed extensions and remodelling of the north-east and south-east elevations will help 'tidy up' this area of the hotel, therefore enhancing the setting of the listed building.

A new replacement link extension is proposed on the south-west elevation, which will form the residents' foyer. The proposed glazed link with aluminium profiling is a great improvement over the existing unattractive link.

In terms of internal works to the original building it is proposed to remove part of the original exterior wall, to create a wider opening (please note that the Ground Floor Demolition Plan is incorrect as it does not show the removal of this section of wall). Whilst the Conservation Officer understands the need to improve the connections between these rooms, they are concerned about the loss of such a large section of original wall. The conservation officer recommends that the plans are amended to retain more of this original wall.

Amended Plans were sub sequentially submitted on the 13/06/2016, to which the Conservation officer had no objection too.

1.3. 20th Century Society - No response

1.4. Society for the Protection of Ancient Building - No response

1.5. Ancient Monuments Society - No response

1.6. Victorian Society - No response

1.7. The Council for British Archaeology - No response

1.8. Historic England - The application should be determined in accordance with national local policy guidance, and on the basis of your expert conservation advice.

No letters of support or objection received to the proposal.



## 2. DESCRIPTION OF DEVELOPMENT (LOCATION)

2.1. The proposed development to Newbury Manor Hotel, London Road, Newbury, West Berkshire is a two storey rear extension to the hotel, following removal of conservatory and outbuildings (12 Net additional rooms). Including elevational improvements, internal alterations and permeable paving of car park. The proposed development is located with the settlement boundary of Newbury Town, within the Conservation Area of Newbury and adjacent to a site of Scientific Interest of the River Lambourn. The proposal is also sited within Flood Zone 2.

## 3. RELEVANT POLICIES

The planning system is plan-led, which means that planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The West Berkshire Development Plan comprises:

- The West Berkshire Core Strategy 2006-2026
- The West Berkshire District Local Plan 1991-2006 Saved Policies 2007
- The South East Plan 2009 insofar as Policy NRM6 applies
- The Replacement Minerals Local Plan for Berkshire 2001
- The Waste Local Plan for Berkshire 1998
- Supplementary Planning Documents and Guidance

In this instance, the following policies of the Development Plan are considered relevant to the proposal.

### 3.1. West Berkshire Core Strategy (2006-2026)

Area Delivery Plan Policy 1 Spatial Strategy  
Area Delivery Plan Policy 2 Newbury  
Policy CS14 Design Principles  
Policy CS19 Historic Landscape and Environment Character

### 3.2. The West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)

HSG.1 The identification of settlements for planning purposes

### 3.3. Supplementary Planning Guidance

Quality Design (June 2006)

### 3.4. Other Material Considerations

National Planning Policy Framework (March 2012)  
Planning Practice Guidance (March 2014)

## 4. RELEVANT PLANNING HISTORY

4.1. Most recent planning history below, full planning history available on file.

4.2. 15/00991/FUL. Removal of the single storey 70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of new flat roofed Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the Lagoon. Withdrawn 02/07/2015

4.3. 15/00992/LBC2. Removal of the single storey 70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of new flat roofed Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the Lagoon. Withdrawn 02/07/2015

## 5. CONSIDERATION OF APPLICATION

5.1. The National Planning Policy Framework states that in determining planning applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to its conservation.

5.2. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm or loss of a Grade II listed building should be exceptional.

5.3. The National Planning Policy Framework further adds that, local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

5.4. Planning Policy CS14 states how developments should conserve and enhance the historic and cultural assets of West Berkshire, CS 19 of the West Berkshire Core Strategy seeks to ensure that development results in the conservation, and where appropriate, enhancement of heritage assets and their settings.

5.5. The Conservation officer commented that Newbury Manor Hotel is an early C19th Grade II listed former mill house, now a hotel. An extension was added to the west side in the late C19th, this now forms what is now the main front entrance. The original early C19th portion of the building is two storeys with a tiled roof and gable stacks. The former entrance has been replaced with a splayed bay with French windows. The later C19th is two storeys with a hipped roof and dormer windows. A Tuscan style portico has been added to the entrance on the southern elevation, this forms the main entrance.

5.6. The proposal is for an extension to the north east corner of the hotel, to provide additional hotel accommodation. The proposal is also for the remodelling of the east elevation, so that it forms a more prominent main entrance.

5.7. The proposed extensions to the main hotel have been designed to reflect the character, scale and form of the existing building and other modern additions, but will remain subservient to the main building. The proposed extensions and remodelling of the north-east and south-east elevations will help 'tidy up' this area of the hotel, this will therefore enhancing the setting of the listed building.

5.8. A new replacement link extension is proposed on the south-west elevation, which will form the residents' foyer. The proposed glazed link with aluminium profiling is a great improvement over the existing unattractive link.

5.9. The case officer finds similar conclusion to the design of the proposal as the conservation officer. The case officer finds it appropriate to request a sample of materials prior to commencement to ensure that materials will match and compliment the areas that are re modelled and newly built.

5.10. The proposal is set away from the highway; the proposal will be visible above boundary treatments from London Road however as the Conservation officer has already commented this proposal will “tidy up” this area that may be visible in the street scene. This will result in a more attractive facade from views of the hotel from London Road. The proposal gives high regard to the original property, respecting its setting adjacent to the SSSI.

5.11. The proposed is therefore considered in accordance with Supplementary Planning Guidance ‘Quality Design’ (June 2006). In addition to the proposal is considered in line with policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) as it constitutes a high quality of design that enhances the area.

## 6. CONCLUSION

6.1. The application is in compliance with policy CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and the provisions for the preservation of listed buildings detailed in The National Planning Policy Framework (March 2012). The works proposed for the reasons above preserve the building in its setting and special architectural features and is therefore recommended for APPROVAL.

Copy for  
Newbury Town Council  
Town Hall  
Market Place  
Newbury  
RG14 5AA

This page is intentionally left blank

# Agenda Item 4.(3)

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(3)	17/03223/FUL Newbury Town Council	8 <sup>th</sup> June 2018	Newbury Manor Hotel, London Road, Newbury, West Berkshire  Erection of plant room and substation.  SCP Newbury Manor Ltd

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/03223/FUL>

**Ward Member(s):** Councillor J Beck

Councillor D Goff

**Reason for Committee determination:** Councillor Beck has called the application to Committee should the application be approved.

**Committee Site Visit:** 31<sup>st</sup> May 2018.

**Recommendation.** **The Head of Development and Planning be authorised to GRANT planning permission.**

#### Contact Officer Details

**Name:** Mr. Matthew Shepherd  
**Job Title:** Planning Officer  
**Tel No:** (01635) 519111  
**E-mail Address:** [Matthew.Shepherd@westberks.gov.uk](mailto:Matthew.Shepherd@westberks.gov.uk)

## 1. Relevant Site History

- 1.1. 01/2511/FUL. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Withdrawn 17.06.2002
- 1.2. 01/02514/LBC. Proposed bedroom extension and function room. Withdrawn 24.06.2002
- 1.3. 02/02208/FULMAJ. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Plus change of use of additional land to car park. Withdrawn 20.01.2003.
- 1.4. 02/02222/LBC. Proposed extension and alterations to existing hotel to provide additional land to car parking. Withdrawn 20.01.2003
- 1.5. 03/00062/FULLMAJ. Proposed extension and alterations to existing Hotel to provide additional bedrooms and function room and ancillary parking. Approved 05.08.2004
- 1.6. 03/00075/LBC. Proposed bedroom extension and function room. Approved 23.04.2003.
- 1.7. 06/02011/FUL. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.8. 06/02012/LBC2. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.9. 06/02812/FUL. New timber deck and balustrade to riverside bar. Approved 15.02.2007
- 1.10. 06/02813/LBC2. New timber deck and balustrade. Approved 15.02.2007
- 1.11. 10/02937/FUL. Retrospective- Single storey extension to existing function room. Approved 12.04.2011
- 1.12. 10/02938/LBC. Single storey extension to existing function room. Approved 12.04.201
- 1.13. 15/00991/FUL. Removal of single storey 70's flat roofed building attached to the original watermill and blacksmiths. Withdrawn 02.07.2015.
- 1.14. 15/00991FUL. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.15. 15/00992/LBC. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.16. 16/01171/FUL. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016
- 1.17. 16/01172/LBC2. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016.

- 1.18. 16/002902/FUL. Extension of hotel cottage to create hotel restaurant with outdoor seating terrace. Withdrawn 07.03.2017.
- 1.19. 16/002903/LBC2. Extension of hotel cottage to create hotel restaurant with outdoor seating terrace. Withdrawn 07.03.2017.
- 1.20. 17/00865/COND. Approval of details reserved by condition 3: Removal of spoil, 4: Construction Method Statement, 8: Landscape Management plan, 9: Arboricultural watching brief, of planning permission 16/01171/FUL - Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Spilt decision 23.06.2017.
- 1.21. 17/00866/COND. Approval of details reserved by Conditions 3: Schedule of materials and 6: Windows/doors, of planning permission 16/01172/LBC - Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 30.08.2017
- 1.22. Full planning history available on file.

## 2. Publicity of Application

- 2.1. This application was advertised by way of neighbour notification letters which required responses by the 9<sup>th</sup> January 2018 and by way of Site Notice which expired on 10<sup>th</sup> January 2018.
- 2.2. A Noise Impact assessment was submitted during the course of the application to which objectors were re-consulted upon which required response by 16<sup>th</sup> February 2018.

## 3. Consultations and Representations

### Consultations

<b>Newbury Town Council</b>	<p>Objection. These five applications refer to three cases, for conversion of Mill Waters Cottages to a restaurant, for the modification of a previously approved extension to the hotel to provide 15 additional rooms, and for a plant room and substation for the hotel. We consider that the three cases together raise many issues which should be considered for hotel and restaurant as a whole, and have not been adequately addressed in the five applications:-</p> <ol style="list-style-type: none"> <li>1) access and egress from the site for the expected traffic volume;</li> <li>2) combined parking capacity on the site for the hotel and restaurant;</li> <li>3) the effects of cooking odours, noise from diners, and light pollution from the proposed restaurant on the residents of the closely adjoining Two Rivers Way;</li> <li>4) the effect on wildlife in the River Lambourn and Kennet &amp; Avon Canal, which should be assessed at the appropriate time of year;</li> <li>5) flooding risk arising from the building extensions and tarmacking of the proposed new parking space;</li> <li>6) the noise from deliveries to the proposed restaurant;</li> <li>7) the proposed landscaping, tree removal, and arboricultural measures. We therefore recommend that all the five applications should be called in and considered as a single whole by the Western Area Planning Committee.</li> </ol>
<b>Highways</b>	No objections
<b>Conservation</b>	The proposed plant room is to be located on the site of the existing storage buildings (but on a north/south orientation – gable end facing

	<p>south) to the north of the site.</p> <p>The existing buildings are constructed of timber with shallow metal corrugated roofs. They are of no historic or architectural interest. The proposed building will cover a similar area but will have a steeper pitched roof, resulting in a higher eaves and ridge height.</p> <p>The proposed structure will comprise a block work construction clad in oak feather edge boarding, with clay roof tiles to match the main building. Whilst the structure is taller than the existing building, its traditional form and materials offers a visual improvement over the existing. The building will be tucked away to the north of the site, and whilst it will be visible from the main approach to the hotel, views of it will be broken by the existing mature trees that cover the front lawn.</p> <p>For the reasons given above I do not feel that the proposal would harm the setting of this Grade II listed building.</p>
<b>Archaeology</b>	<p>These structures are not large but can you give me more information on the subterranean utilities running to / from them. There is archaeological potential in this area if the land is undisturbed.</p> <p>Elements of subterranean utilities plan was submitted to the Archaeology Officer whose response is as follows:-</p> <p>I have reviewed the application using the approach set down in the National Planning Policy Framework and have checked the proposed development against the information we currently hold regarding the heritage assets and historic land uses in this area. Evidence suggests that previous construction will have disturbed any features of archaeological significance.</p> <p>I do not, therefore, believe that any archaeological assessment or programme of investigation and recording will be necessary in relation to the current proposal.</p>
<b>Environmental Health</b>	<p>Whilst back ground noise in the area (close to the A4) is likely to be relatively high I think it would be helpful if the applicant could supply information to demonstrate noise from the substation and plant room will not cause excessive noise to neighbours nearby, the nearest dwelling is approximately 50m from the substation and 60m from the plant room.</p> <p>A Noise Impact Assessment was submitted in response to the initial Environmental Health Consultation response. Environmental Health's response is as follows for this.</p> <p>I have reviewed the noise assessment and am satisfied that noise from the substation and plant room will not cause a detriment to the amenity of neighbouring residents. I would recommend the following should planning permission be granted.</p>
<b>Natural England</b>	No comment
<b>Canal and Rivers Trust</b>	The Canal & River Trust is a statutory consultee under the Town and Country Planning (Development Management Procedure) (England) Order 2015. The current notified area applicable to consultations with us, in our capacity as a Statutory Consultee was issued to Local



	<p>Planning Authorities in 2011 under the organisations former name, British Waterways. The 2011 issue introduced a notified area for household and minor scale development and a notified area for EIA and major scale development.</p> <p>This application falls outside the notified area for its application scale. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.</p>
<b>Southern Electric PLC</b>	<p>We have sent you the plans of our Network Records within the area requested. You will shortly receive separate emails for each of the following: any High Voltage Mains cables, Low Voltage Mains cables and any Gas if applicable.</p> <p>This response was given to the agents of the application to deal with in regards to providing utilities to the site. No objections were raised by SSE within the consultation.</p>
<b>Tree Officer</b>	<p>There are significant trees protected by the Conservation Area that may be adversely affected by the proposals. Insufficient information has been submitted for the purpose of determining this application and the potential impact on trees. Before I am able to fully support an application on this site, I will need to see information showing how these trees will be affected by the proposals and the methods that will be used to ensure that any retained trees are protected.</p> <p>A tree survey is required to identify all the trees onsite and those on adjacent land that may be affected. In addition to this, an Arboricultural Impact Assessment and Method Statement will be required which should discuss the viability of the scheme in relation to trees, and demonstrate sufficient protection during any development and post occupancy.</p> <p>It is expected that these documents are in accordance with BS5837:2012 Trees in relation to design, demolition and construction or any subsequent revisions and incorporate the requirements</p> <p>I have no objections in principle subject to the following conditions being attached to any planning consent.</p>
<ul style="list-style-type: none"> <li>- <b>Sustainable Drainage Team Newbury Society</b></li> <li>- <b>Ecology,</b></li> <li>- <b>Kennet and Avon Canal Trust</b></li> </ul>	<p>No response received as of 21<sup>st</sup> May 2018.</p>

#### 4. Representations

4.1 A total of one representation has been received, comprising one letter of objection. No letters of support have been received.

*The letter of objection indicate (summarised by officers):*

- The generation of noise pollution from Plant room

- The building will look out of character in a historically significant Conservation Area
- The building will be visible from the A4
- The need for the building is not explained
- The need for a greater level of security of this building due to its important contents and close proximity to surrounding uses.

It is noted the letter of objection objected to several of the sites application. It is clear in the letter that the points raised in Objection 7 and some in the Conclusion relate to this specific application. This points have been considered in relation to this application for a Plant room and substation.

## **5. Planning Policy Considerations**

5.1. The statutory development plan comprises:

- West Berkshire Core Strategy (2006-2026)
- Housing Site Allocations DPD
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
- Replacement Minerals Local Plan for Berkshire (2001)
- Waste Local Plan for Berkshire (1998)

5.2. The following policies from the West Berkshire Core Strategy are relevant to this application:

- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 2: Newbury
- CS 5: Infrastructure requirements and delivery
- CS 11: Hierarchy of Centres
- CS 13: Transport
- CS 14: Design Principles
- CS 16: Flooding
- CS 17: Biodiversity and Geodiversity
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

5.3. The West Berkshire Core Strategy replaced a number of Planning Policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following Policies remain in place until they are replaced by development plan documents and should be given due weight according to their degree of consistency with the National Planning Policy Framework:

- TRANS1: Meeting the Transport Needs of New development.
- OVS5: Environmental Nuisance and Pollution Control.
- OVS.6: Noise Pollution

5.4. The following Housing Site Allocations Development Plan document policies carry full weight and are relevant to this application:

- C1: Location of New Housing in the Countryside
- P1: Residential Parking for New Development

5.5. Other material considerations for this application include:

- The National Planning Policy Framework (March 2012) (NPPF)
- Planning Practice Guidance (PPG)
- Quality Design Supplementary Planning Document (SPD)

## **6. Proposal**

- 6.1. The application seeks full planning permission for the development of a plant room and substation. The development is located within the grounds of Newbury Manor Hotel which is a grade II listed building. The substation is located adjacent to the boundary of the hotel to the north of the site close to the A4. It measures 2.8 metres wide by 2,8 metres long and 1.9 metres approx. tall. The plant room is located adjacent to the hotel further into the site and will measure 5.9 metres in width, 7.9 metres in length and 5.5 metres in height (all measurements approx.).

## **7. Determining issues:**

- The Principle of Development;
- The Impact on the Character and Appearance of the Area;
- The Impact on Neighbouring Amenity;
- The Impact on Highway safety;
- Drainage and flooding;
- Ecology;
- The Assessment of Sustainable Development;
- Community Infrastructure Levy; and

## **8. The Principle of Development**

- 8.1. The National Planning Policy Framework (NPPF) makes clear that the starting point for all decision making is the development plan, and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan for West Berkshire comprises the West Berkshire Core Strategy, the Saved Policies of the West Berkshire District Local Plan and the West Berkshire Housing Site Allocations Development Plan Document.
- 8.2. The NPPF is a material consideration in the planning process. It places sustainable development at the heart of the planning system and strongly emphasises the need to support sustainable economic growth. The first core planning principle set out in the NPPF is that planning should be genuinely plan led, providing a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.
- 8.3. The Core Strategy was adopted after the introduction of the NPPF and provides an up to date framework for development planning in West Berkshire which is being consolidated by the preparation of the Housing Site Allocations DPD.
- 8.4. The proposed development at Newbury Manor Hotel, London Road, Newbury, is within the settlement boundary of Newbury, as defined within The West Berkshire Core Strategy (2006-2026) and the West Berkshire Housing Site Allocations DPD (November 2015).
- 8.5. Being within the settlement boundary and within an established commercial Hotel site the principle of the proposed development is acceptable. It is considered that such a use is required to facilitate the commercial use of the site and is an expected feature. Although the principle of development is acceptable the permission can only be subject to the proposal otherwise being in accordance with development plan policies on design, impact on the character of the area, and impact on the amenity of neighbouring land uses.

## **9. The Impact on the Character and Appearance of the Area**

- 9.1. Planning Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant to this application. Policy CS14 states that 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. It further states that 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. Proposals are expected to make efficient use of land whilst respecting the density, and character of the area.
- 9.2. Policy CS19 seeks to conserve and enhance the diversity and local distinctiveness of the landscape character of the District by considering the natural, cultural and functional components of its character as a whole. Particular regard will be given to the sensitivity of the area to change and to ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 9.3. The proposed plant room is to be located on the site of the existing storage buildings (but on a north/south orientation – gable end facing south) to the north of the site.
- 9.4. The existing buildings are constructed of timber with shallow metal corrugated roofs and they are of no historic or architectural interest according to the Conservation Officer. The case officer agrees with this assessment from his site visit on the 20<sup>th</sup> December 2017. The proposed building will cover a similar area but will have a steeper pitched roof, resulting in a higher eaves and ridge height.
- 9.5. The proposed structure will comprise a block work construction clad in oak feather edge boarding, with clay roof tiles to match the main building. Whilst the structure is taller than the existing building, its traditional form and materials offers a visual improvement over the existing. The building will be tucked away to the north of the site, and whilst it will be visible from the main approach to the hotel, views of it will be broken by the existing mature trees that cover the front lawn.
- 9.6. The proposed substation is located to the north of the site and is of utilitarian design. The case officer raises no objection to the design of this piece of infrastructure
- 9.7. Therefore the case officer does not feel that the proposal would harm the setting of this Grade II listed building, the Conservation Officer is in agreement with this assessment. Conditions have been recommended should approval be given.
- 9.8. It is considered, subject to conditions, that the proposed development would not adversely affect the character and appearance of the area in accordance with the provisions of Core Strategy policies ADPP1, ADPP2, CS14, CS19 and the NPPF.

## **10. The impact on neighbouring amenity**

- 10.1. Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. SPD Quality Design - West Berkshire outlines considerations to be taken into account with regard to residential amenity, and Policy OVS.6 of the West Berkshire District Local Plan Saved Policies considers the potential noise impact of development.
- 10.2. The proposed dwelling would be located at least 65 metres from the closest neighbouring dwelling. The Environmental Health team have reviewed the submitted noise impact assessment and agree with the assessment given within this document. Subject to a

suitable worded condition limiting the noise levels 3m (4.1.2 of the report) will not cause a detrimental impact to the amenity of neighbouring residents.

- 10.3. For these reasons, the proposal subject to conditions, in so far as it relates to protecting residential amenity and creating a high quality living environment, would be in accordance with development plan policies CS14 and OVS.6, as well as guidance in SPD Quality Design and the NPPF.

## **11. Highway safety**

- 11.1. The NPPF states that decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policies CS 13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan, set out highway requirements. Policy P1 of the Housing Site Allocations Development Plan Document sets out the residential car parking levels for the district.
- 11.2. The Local Authorities Highways team raised no objections to the application. There is not considered to be a unacceptable increase in traffic movements caused by the Plant room and substation.
- 11.3. Therefore the proposal is considered to be acceptable and in accordance with CS13 of the West Berkshire Core Strategy (2006-2026), Saved Local Plan policy Trans1 and the NPPF.

## **12. Drainage and Flooding**

- 12.1. The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Core Strategy Policy CS 16 addresses issues regarding flood risk. Although some of the site falls within established flood zones the substation and plant room do not and therefore do not need to accompany by a flood risk assessment.
- 12.2. For these reasons, the proposal would be in accordance with policy CS16 of the Core Strategy and advice contained within the NPPF.

## **13. Ecology**

- 13.1. Policy CS 17 of the Core Strategy states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. The NPPF supports the overall aims and objectives of this policy.
- 13.2. The application site is located adjacent to a SAC and SSSI of the River Lambourn. However the substation and plant room is located approx. 80 metres away from these areas of Ecological value. It is not considered these small developments will have an impact on the Ecology of the site.
- 13.3. For these reasons, the proposal would be in accordance with the provisions of Core Strategy CS17 and advice within the NPPF.

## **14. The Assessment of Sustainable Development**

- 14.1. The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.
- 14.2. Being a proposed substation and plant room the scheme has economic considerations by enabling the extension and efficient utilities supplies to the hotel on site in addition to the

immediate construction period benefits. The Environmental considerations have been assessed in terms of design, amenity and impact on the area. Social considerations overlap those of the environmental in terms of amenity. Having assessed the application in terms of design, impact on the area and impact on neighbouring amenity the development is considered sustainable development

## **15. Community Infrastructure Levy (CIL)**

15.1. Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations the proposal for the substation is considered Sui Generis in use and is likely to not incur a CIL fee. The Plant room may be considered a C1 use as it serves the Hotel on site. However given the size of the development it does not meet the 100 sqm threshold of development and therefore could not be CIL liable. The above information is given subject to review by the CIL Local charging body

## **16. Conclusion**

16.1. The application site is an established hotel site which is subject to previous extant permissions and other pending permissions. The substation and plant room are considered in accordance with the character of the site in use and design. They also do not have a detrimental impact on the neighbouring amenity subject to conditions. The developments are considered far enough away from, and smaller enough not to have a detrimental impact on the ecology of the adjoining SAC and SSSI site.

16.2. The proposal considered within this application for the erection of a Plant Room and Substation at Newbury Manor Hotel are considered in accordance with National Planning Policy Framework (March 2012) and policies ADPP1, ADPP2, CS11, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), OVS.5 and OVS.6 of the West Berkshire Local Plan Policies 1991-2006 (Saved 2007). In addition to these the proposal is in line with supplementary planning guidance Quality Design (June 2006).

## **17. Recommendation**

**The Head of Development and Planning be authorised to GRANT Planning Permission subject to the following conditions:**

### **1. Full planning permission time limit**

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

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).

### **2. Standard approved plans**

The development hereby permitted shall be carried out in accordance with the approved drawings

- Drawing title "Proposed Plant Room+ Sub-Station Block Plan.". Drawing number PB.01 A. Date stamped 11<sup>th</sup> December 2017.
- Drawing title "Proposed Plant Room+ Sub-Station Site Plan". Drawing number PP.01 A. Date stamped 11<sup>th</sup> December 2017.
- Drawing title "Proposed Plant Room+ Sub- Station Location Plan". Drawing number PL.01 B. Date stamped 11<sup>th</sup> December 2017.

- Drawing title "Plant Room- Plans Elevations & Sections". Drawing number PP.01 -. Date stamped 11<sup>th</sup> December 2017.
- Drawing title Substation Technical Storage (No drawing title present). Drawing number ESM.0000.A3.0055.DWG Rev A. Date stamped 11<sup>th</sup> December 2017.

Reason: For the avoidance of doubt and in the interest of proper planning.

### **3. Materials to be submitted**

No development shall take place until a schedule of all materials and finishes visible to the external of the building have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **4. Tree protection scheme**

No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working day's notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework (March 2012) and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

### **5. Arboricultural Method Statement**

No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.

Reason; to ensure the protection of trees identified for retention at the site in accordance with the objectives of the National Planning Policy (March 2012) and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

### **6. BS4142 Requirement Noise Restriction**

Noise resulting from the use of this plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality)

when measured according to British Standard BS4142, at a point one metre external to the nearest noise sensitive premises.

Reason: In the interests of the amenities of people living in the area in accordance with the objectives of the National Planning Policy (March 2012) and Policies CS14 of the West Berkshire Core Strategy 2006-2026 and OVS.5 and OVS.6 of the West Berkshire Local Plan (1991-2006) (Saved 2007).

DC



# Agenda Item 4.(4)

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(4)	17/03237/COMIND Newbury Town Council	8 <sup>th</sup> June 2018	Mill Waters Cottage at Newbury Manor Hotel London Road Newbury Berkshire RG14 2BY  Extension and alteration of existing cottage to create hotel restaurant with outdoor seating terrace, wall-mounted condenser unit and roof-mounted extract.  SCP Newbury Manor Ltd

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/03237/COMIND>

**Ward Member(s):** Councillor J Beck  
Councillor D Goff

**Reason for Committee determination:** Councillor Beck has called the application to Committee should the application be recommended for approved.

**Committee Site Visit:** 31<sup>st</sup> May 2018.

**Recommendation.** **The Head of Development and Planning be authorised to GRANT planning permission.**

## Contact Officer Details

**Name:** Mr. Matthew Shepherd  
**Job Title:** Planning Officer  
**Tel No:** (01635) 519111  
**E-mail Address:** [Matthew.Shepherd@westberks.gov.uk](mailto:Matthew.Shepherd@westberks.gov.uk)

## 1. Relevant Site History

- 1.1. 01/2511/FUL. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Withdrawn 17.06.2002
- 1.2. 01/02514/LBC. Proposed bedroom extension and function room. Withdrawn 24.06.2002
- 1.3. 02/02208/FULMAJ. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Plus change of use of additional land to car park. Withdrawn 20.01.2003.
- 1.4. 02/02222/LBC. Proposed extension and alterations to existing hotel to provide additional land to car parking. Withdrawn 20.01.2003
- 1.5. 03/00062/FULLMAJ. Proposed extension and alterations to existing Hotel to provide additional bedrooms and function room and ancillary parking. Approved 05.08.2004
- 1.6. 03/00075/LBC. Proposed bedroom extension and function room. Approved 23.04.2003.
- 1.7. 06/02011/FUL. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.8. 06/02012/LBC2. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.9. 06/02812/FUL. New timber deck and balustrade to riverside bar. Approved 15.02.2007
- 1.10. 06/02813/LBC2. New timber deck and balustrade. Approved 15.02.2007
- 1.11. 10/02937/FUL. Retrospective- Single storey extension to existing function room. Approved 12.04.2011
- 1.12. 10/02938/LBC. Single storey extension to existing function room. Approved 12.04.201
- 1.13. 15/00991/FUL. Removal of single storey 70's flat roofed building attached to the original watermill and blacksmiths. Withdrawn 02.07.2015.
- 1.14. 15/00991FUL. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.15. 15/00992/LBC. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.16. 16/01171/FUL. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016
- 1.17. 16/01172/LBC2. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016.

- 1.18. 16/002902/FUL. Extension of hotel cottage to create hotel restaurant with outdoor seating terrace. Withdrawn 07.03.2017.
- 1.19. 16/002903/LBC2. Extension of hotel cottage to create hotel restaurant with outdoor seating terrace. Withdrawn 07.03.2017.
- 1.20. 17/00865/COND. Approval of details reserved by condition 3: Removal of spoil, 4: Construction Method Statement, 8: Landscape Management plan, 9: Arboricultural watching brief, of planning permission 16/01171/FUL - Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Spilt decision 23.06.2017.
- 1.21. 17/00866/COND. Approval of details reserved by Conditions 3: Schedule of materials and 6: Windows/doors, of planning permission 16/01172/LBC - Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 30.08.2017
- 1.22. Full planning history available on file.

## 2. Publicity of Application

2.1. This application was advertised by way of neighbour notification letters which required responses by the 28<sup>th</sup> December 2017 and by way of Site Notice which expired on 10<sup>th</sup> January 2018.

2.2. Notifications were sent to neighbours on the 2<sup>nd</sup> February 2018 and 3<sup>rd</sup> May 2018 on amended documents.

## 3. Consultations and Representations

### Consultations

<p><b>Newbury Town Council</b></p>	<p>Objection. These five applications refer to three cases, for conversion of Mill Waters Cottages to a restaurant, for the modification of a previously approved extension to the hotel to provide 15 additional rooms, and for a plant room and substation for the hotel. We consider that the three cases together raise many issues which should be considered for hotel and restaurant as a whole, and have not been adequately addressed in the five applications:-</p> <p>1) access and egress from the site for the expected traffic volume;  2) combined parking capacity on the site for the hotel and restaurant;  3) the effects of cooking odours, noise from diners, and light pollution from the proposed restaurant on the residents of the closely adjoining Two Rivers Way; 4) the effect on wildlife in the River Lambourn and Kennet &amp; Avon Canal, which should be assessed at the appropriate time of year;  5) flooding risk arising from the building extensions and tarmacking of the proposed new parking space;  6) the noise from deliveries to the proposed restaurant;  7) the proposed landscaping, tree removal, and arboricultural measures. We therefore recommend that all the five applications should be called in and considered as a single whole by the Western Area Planning Committee.</p>
<p><b>Highways</b></p>	<p><b>1. Proposal</b></p>

According to the information submitted, the following is proposed.

- 141 sqm C1 (hotel) use removed
- 487 sqm A3 use proposed (restaurant and café)
- Total floor area of the restaurant to be 518.3 sqm
- 10 full time and 15 part time staff are proposed
- Maximum of 20 restaurant staff at busiest period – Saturday evening
- Previously the restaurant employed 15 staff
- Increase in car parking from 50 originally, or 75 with previous consents, to 129 spaces
- Includes 4 disabled parking spaces
- 4 motorcycle spaces
- 10 new cycle stands
- 34 bedrooms within the existing hotel
- Additional 15 bedrooms (subject of planning applications)
- Census data 2011 for this area identifies that 65% of staff travel is by private vehicle

This application follows planning application 16/02902/FUL on which highways raised concerns regarding the level of car parking – 87 spaces were proposed. This new application proposes an increase in car parking to 129 formal car parking spaces. Is all this land within the ownership of the applicant? Paragraph 5.7.23 of the Transport Statement refers to “..a lease of land to the north east of the site boundary”.

It is proposed that the existing access onto the A4 will be utilised which is acceptable.

This site was previously provided with 50 car parking spaces. Planning application 16/01171/FUL for an extension to the hotel increased this to 75. This current application now proposes 129 car parking spaces. This is an increase of 54 car parking spaces.

The hotel and events are already provided/permitted. There is also a small bar area within the hotel. This proposal is for the proposed restaurant and additional car parking.

According to the floor plans the following number of diners could be accommodated:

- 110 covers internally;
- 40 covers externally;
- There is also a private dining area seating 12.

For a total of 162 covers (internal and external) and 54 new car parking spaces, this would equate to 3 covers per vehicle if all diners travelled by private vehicle, which is unlikely to be the case. In reality the spaces would be shared across the site.

A maximum of 49 car parking spaces could be required for hotel guests at 100% occupancy and if all guests travelled by car. This is likely to be a rare occurrence if at all.

There could be up to 20 restaurant staff at peak times – Saturday evenings. It was established on the 2016 application that at this time

there could be around 5 hotel staff. Assuming 65% of staff would travel by private car, as per the 2011 Census data, this could create a demand for around 16 staff vehicles.

Therefore with 49 spaces for hotel guests, 16 vehicles for staff, this would leave around 67 spaces for diners at the restaurant or for (existing) events. This is an additional 42 spaces on the previous application which saw 25 spaces remaining.

The Transport Statement includes data gathered from TRICS and surveys undertaken within Newbury.

According to the data obtained from TRICS, Table 5.4 and paragraph 5.7.15 identify that the restaurant would require 23 car parking spaces on weekdays at busiest periods, and 28 car parking spaces at weekend peak times (Table 5.6 and paragraph 5.7.20).

It is noted at paragraph 5.7.21 that the TRICS data is derived from restaurant only sites rather than hotel and restaurants where parking could be shared between the two.

Table 7.2 on page 20 suggests that 52 spaces are required for the hotel on non-event days at weekends, with 75 required for event days at weekends, this would leave 54 spaces for the restaurant.

This current application includes a survey of parking spaces at other hotels within Newbury that also contain a restaurant. It was established that the average number of parking spaces per bedroom across the 5 surveyed hotels is 1.58 (Table 5.9 on page 17 of the Transport Statement – TS) with the average number of parking spaces per bedroom at the Newbury Manor Hotel being 2.8.

On the previous application (16/02902/FUL) Highways requested such sites were surveyed at peak times e.g. Saturday evenings, to establish whether the car parks were operating at or near capacity. This does not appear to have been undertaken.

#### Summary of car parking

The hotel is already operating from this site. Recent/current applications could see the number of bedrooms increase to 49 (if approved). Events are currently permitted from this site and there is small bar within the hotel building. This application proposes a new restaurant with 54 additional car parking spaces which equates to 1 space per 3 diners, and 42 more spaces than were proposed on 16/02902/FUL.

West Berkshire Council does not have current car parking standards for A3 use and so applications such as this are assessed on their own merits.

Given all of the above and the information accompanying this application, it is the view of the highway authority that, with the increased car parking now proposed, it would be difficult to now object to this application on these grounds.

I am satisfied with the levels proposed Motor Cycle Parking and Cycle

	<p>Storage</p> <p>This proposal will see an increase in vehicle movements. It is noted that during the AM peak there should be no increase. In the PM peak period there could be an increase of around 27 two-way movements (paragraph 8.1.1). However, given this site is accessed directly onto the A4 this is a negligible increase.</p> <p><b>Recommendation</b></p> <p>The increase in car parking for this site is much welcomed. I would request clarification on what the “lease of land” actually means and whether this can be relied upon – is this a permanent arrangement?</p> <p>Subject to confirmation of this, the highway recommendation is likely to be for approval as set out below.</p> <p>It was confirmed that the correct notice had been served upon the land owner and that a planning condition could be appropriately placed. Should the lease expire or not be renewed enforcement action against the non-compliance with conditions would likely be actioned.</p>
<p><b>Sustainable Drainage Team</b></p>	<p>Having reviewed the above application, we note that the proposals in terms of surface water management are broadly in accordance with previous proposals at the site, however, the proposals are to change the existing gravel car park to permeable block pavements. We consider these amended proposals to be acceptable.</p> <p>If LPA is minded to approve the application, we request that a condition is attached to the application to ensure that flood risk is appropriately managed for the lifetime of the proposed development.</p>
<p><b>Environment Agency</b></p>	<p>The proposed development will be acceptable if a planning condition is included requiring a scheme to be agreed to ensure that the landscape within the site is managed in such a way as to protect and enhance the ecological value of the site including the River Lambourn Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC)</p> <p>This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.</p> <p>This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.</p>
<p><b>Archaeology</b></p>	<p>Mill Waters Cottage was apparently created in the 1930s out of part of a historic courtyard building at the former Newbury Mill (also Ham</p>

	<p>Saw Mills). Although the cottage contains some historic fabric, and is also quite attractive as an early 20th century conversion, it has been altered on more than one occasion. The proposals will retain the existing cottage although alter it further.</p> <p>The proposed restaurant is also within an area of 'high' to 'highest' potential for Mesolithic archaeology or palaeo-environmental evidence, but our previous advice was that the site would have been disturbed by the construction of buildings during the late 19th and early 20th century. Evidence suggests that there will be no major impact on any features of archaeological significance.</p> <p>I do not, therefore, believe that any archaeological assessment or programme of investigation and recording will be necessary in relation to the current proposal.</p>
<b>Conservation</b>	<p>Mill Waters Cottage was constructed in the first half of the C20th within the curtilage of the Grade II listed Newbury Manor Hotel. It has undergone a number of alterations and extensions in the C20th and C21st.</p> <p>Given the fact that it pre-dates 1948 and that there was a functional and physical relationship between the principal listed building and the cottage at the time of listing, the building is considered to be curtilage listed.</p> <p>The application is almost identical in form and design to the recently withdrawn applications (16/02903/LBC2 &amp; 16/02902/FUL). The only difference appears to be the inclusion of an extract vent on the roof. However, given its location on the roof it will not be visible from ground level so will have no impact on the character of the building.</p> <p>My comments on the previous application therefore still apply:</p> <p><i>The application proposes to extend Mill Waters Cottage and convert it into a restaurant for the hotel. The extension is located to the rear and will combine a traditional brick and tiled gabled structure to mirror the existing cottage, as well as an extensive contemporary glazed section. The glazed structure will form a low profile link between the existing and proposed brick elements.</i></p> <p><i>The extension has been designed in a contemporary idiom with a lightweight profile, made possible by the use of fully glazed elevations and a shallow pitched glass roof. Whilst the proposed extension covers quite an extensive footprint, it does not dominate the main house, instead it allows the original cottage to remain the focal point.</i></p> <p><i>The application also proposes removing the existing C21st lean to porch, which spans across two thirds of the front elevation with a smaller, more traditional porch. I consider that this is a positive alteration that will enhance the principal elevation of the cottage.</i></p> <p><i>The design of the proposal is well considered and I do not feel that it would cause any harm to the character of this curtilage listed building or the setting of the principal Grade II listed hotel building.</i></p>
<b>Newbury Society</b>	The Newbury Society objects to this application and the four other

linked applications for the Newbury Manor Hotel. While we would wish this business to succeed, we have serious concerns about the current plans which needs to be addressed before any approvals can be considered.

#### Consultation

We have serious concerns about the quality of consultation with these proposals. The consultation period ran into Christmas. For this application, (17/03237/COMIND), the deadline for consultation announced in the *Newbury Weekly News* was December 28, between Christmas and New Year. Such deadlines undermine the nature of "consultation." We would suggest that for all future planning applications, the period from Christmas Eve to New Year's Day should not be taken into account in dealing with the related dates, i.e. the nine days should be added on to all relevant dates. In such consultations it should be made clear that e.g. two weeks from Dec 14 should lead not to Dec 28, but to Jan 6.

#### Urbanisation

The planning history shows the piecemeal expansion of buildings on the "Newbury Manor" site since the 1980s, which combine with recent applications to create a substantial increase in the total footprint of the buildings.

This is a marked and progressive urbanisation of an area which retains some rural characteristics, and helps to provide a break in the continual urbanisation along the A4 from Newbury to Thatcham. The change in character removes some of this site's attractions as the setting for a hotel. The current plans for the hotel even include an extension on extensions already approved, but not yet built. The additional parking proposed is another negative factor increasing the urbanisation and affecting the character of this area.

Many previous applications for additions and extensions have been approved but this application for a large restaurant (17/03237/COMIND and 17/03238/LBC2) is one too many.

#### Disturbance to neighbours

As with the previous application for the restaurant (withdrawn), the Newbury Society also supports the objections of the neighbours. The new restaurant is substantial, although I cannot find formal figures for its capacity among the paperwork ( - its footprint is several times that of the cottage it is extending). It will extend almost to the site boundary, which has residential neighbours on the other side who will be affected by the noise, lights and increased traffic. The consequence seems certain to be significant disturbance.

#### Trees

Existing trees contribute significantly to the character of the site. If the council is minded to grant permission, we would ask for a comprehensive arboricultural monitoring programme. This monitoring is essential, must be regular and include key elements in the whole construction process. Visits and findings should be recorded and the



	<p>council informed (as BS5837:2012 “Trees in relation to design, demolition and construction”).</p> <p>History/ Archaeology</p> <p>The Newbury Manor Hotel was formerly known as Millwaters, and before that formed part of Ham Mills. There were two sets of mills at Ham Mills: one, on the Lambourn, as part of this site; the other, adjacent, on the Kennet. Part of the hotel was originally the miller’s house (known for a time as ‘The Cedars’). Historically, it was not in Newbury and was not a Manor House.</p> <p>If the council is minded to approve this application, we would ask for any work which involves cutting into the site to be covered by an archaeological condition: preferably for sample trenches; but at the very least, requiring a watching brief. This is essential because many of the mill sites in the Newbury area are the sites of Domesday mills, and some even go back to the Early Medieval (i.e. Anglo-Saxon) period. As such, they have strong archaeological potential.</p> <p>In addition, in the Tudor period many of the local mills were fulling mills, processing cloth. The two sets of mills on the Ham Mills site, although now in Newbury, have a complex history on the borders of the parishes of Speen and Thatcham. This has meant that they are so far poorly documented. However there are C15th and C16th century references to a fulling mill at the extreme east end of Speen which could refer to this site.</p>
<p><b>Environmental Health</b></p>	<p><u>Noise</u></p> <p>I have reviewed the submitted noise impact assessments:  Cole Jarman Noise Impact Assessment Report Ref 16/0017/RO1//Revision 05 dated 25<sup>th</sup> Jan 18.  Cole Jarman Plant Noise Assessment Report 16/0017/R2 Revision 0 dated 10 Nov 2017</p> <p><u>Plant Noise</u></p> <p>Mechanical extraction plant is to be installed within and on the roof. The intake fan is to be in a sealed room within the building with an inlet louvre at roof level. The extract unit is to be on the roof which should provide some acoustic screening. A condensing unit is to be installed on the east facing wall (facing residential receptors) but exact location is not clear. The extraction plant is to operate during restaurant opening hours and the condensing plant will operate for 24 hours. Presumably switching on and off during that time.</p> <p>An assessment of baseline noise was carried out in January 2017 to assist in the calculation of target levels at the nearest sensitive receptors (i.e. dwellings in Two Rivers Way). The report concludes that the ‘representative’ background sound level during the day time is 43dB and during the night is 42dB. The difference between the day time and night time measured background sound levels is minimal (1dB) which, in my opinion is unusual where there is influence from traffic. I carried out some monitoring on the 6<sup>th</sup> Feb 2018 in the garden of a property in Two Rivers Way which showed that background sound levels (LA90) during the day time were similar to those recorded in 2017 but fell to 39dB at 2300. Unfortunately the monitoring equipment stopped operating after 2300 and no night time levels were recorded. It is reasonable to assume however that the</p>

background sound level could possibly have fallen and that more work is required to establish the 'worst case scenario' (i.e., lowest night background noise level). This could possibly effect the target noise levels established in the noise impact assessment (T5 pg. 10).

The noise levels generated by the proposed development have been assessed at positions representative of the nearest residential facades (para 7.2.1). In my opinion the potential impact of noise in garden areas should also be assessed particularly during the 'day time' period. 0700 – 2300.

Notwithstanding the above it is technically possible to provide noise mitigation measures to mechanical plant to ensure that there is no impact on residential amenity. I would therefore recommend that a condition is imposed to ensure that further base line assessment is carried out and that appropriate noise mitigation measures are installed and maintained.

I would also recommend a condition to ensure that extraction ventilation equipment is regularly maintained and is switched off when the restaurant is not operating.

#### Noise from Restaurant and External Seating Area

An assessment of noise break out from the restaurant has been carried out. The source levels (T6) have been derived from database noise data for 'kitchen noise' and 'bar noise levels with no music.'

The impact at residential properties has been derived by comparing measured levels (LAeq) with predicted levels (LAeq) at receptors. It is not clear whether music will be played in the restaurant area and it is not clear whether the impact within neighbouring *gardens* has been assessed.

Noise from the external seating area has also been assessed using data from BS ISO 9921-1:1996. The calculations assume one person talking at each table at a normal level and that it would be unusual for people to talk over each other. I do not agree with this assumption.

The layout of the external seating area differs from one drawing to another. In one drawing (Site Plan 03/2/17 RP01) a fence is shown at the eastern end of the terrace closest to residential receptors. On another drawing 03/2/17 RP02 this fence is shown as a 2m high close boarded fence which, if it were acoustically sealed, (i.e. no gaps) could provide additional protection to local residents.

I recommend that the decision on this application is deferred until further assessment of noise from the restaurant and external seating area is carried out including:

- an assessment of noise affecting neighbouring gardens;
- an assessment of noise from amplified music, if it is to be played;
- an assessment of potential noise mitigation (insertion loss) provided by proposed 2m high close-boarded fence at the end of the terrace.

#### Noise from Deliveries

Deliveries will be made to a door on the eastern façade of the proposed restaurant via a ramp that runs close to the boundary with

neighbouring properties. The noise impact assessment (para 8.5) states that deliveries to the new restaurant building are not expected to be significant in number over the course of a typical week and that the open doors of delivery vehicles should face away from residences to the east. No assessment has been made of noise from vehicle movements, reversing alarms, refrigeration units on vehicles or unloading activity

I recommend that the decision on this application is deferred until an assessment of noise from deliveries is carried out and submitted.

#### Refuse Disposal

I note that there is an enclosed 'refuse' area (room) on the eastern façade of the proposed building. The day to day use of this area is not likely to be significant unless it is used for the disposal of empty bottles at inappropriate times. Noise from the delivery and collection of waste skips has the potential to cause significant disturbance particularly if it happens early in the morning, which is quite often the case in such locations

I recommend that the decision on this application is deferred until an assessment of noise from the refuse area is carried out.

#### Noise from the Car Park

I understand that the capacity of the existing car park is to be increased. Paragraph 8.1.1 of the noise impact assessment points out that vehicles currently park close to the boundary of the site close to residential properties and that in fact there will be an increase in the average distance to residences when the car park is more formally laid out. Given that there is likely to be an intensification of the use of the car park and an increase in the number of customers using the site as a result of this application I consider it reasonable to request an assessment of noise from the car park.

I recommend that the decision on this application is deferred until an assessment of noise from the car park is carried out to include:

- assessment of noise from the arrival departure of vehicles
- assessment of noise from customers arriving and departing including the closing of car doors
- any possible noise mitigation measures perhaps in the form of acoustic fencing along the eastern boundary of the site (for example)

#### Commercial Odour

Odour from the commercial kitchen could have an impact on residential amenity if not adequately controlled. Drawings showing the layout of the extraction equipment have been provided but there appears to be no information on odour control, filtration etc. . I recommend therefore that a condition is imposed as follows:

*Before development commences the applicant shall submit to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of odour and noise from the preparation of food associated with the development. Development shall not commence until written approval has been given by the Local Planning Authority to any such scheme of works.*

Reason: In the interests of the amenities of neighbouring occupiers

I recommend that the further information is requested as detailed

above before determination

***An updated version of the Noise Impact Assessment (Cole Jarman report 16/0017/R01)//Revision 06) was submitted to the LPA and re-consulted upon with objectors.***

The following additional information has been provided:

1) Noise from the restaurant and external seating area

The noise from people using the terrace was previously based on one person speaking at a time. We considered that this was not a realistic scenario and asked for this to be reassessed. The current assessment is based on every person at each table talking at the same time. Whilst this is also not realistic it does ensure that a worst case assessment has been carried out and is therefore acceptable.

Paragraph 7.3.3 states that “*the closest dwellings are screened from people within the external areas and the open façade by the building itself*”. Drawing ref RP.01 A (Proposed Restaurant Site Plan in Appendix) shows a fence at the eastern end of the terrace but this does not appear on other drawings (RP.02, RP.06).

It is not clear, however, whether the assessment takes into account any acoustic benefit from this fence. Given that nearby residents are likely to benefit from a close boarded fence at this location I recommend that this is installed as part of this development. You may wish to seek further clarification on this.

2) Noise from deliveries/ collections

Previous assessments did not provide a comprehensive assessment of noise from deliveries/collections. Section 8 of the revised report assesses noise from deliveries and collections and concludes that the calculated noise levels are lower than the existing ambient noise levels so are suitably controlled. The assessment states that waste collections and F&B deliveries will be limited to between 0900 and 1800 each day. I therefore recommend that a condition is imposed to restrict delivery and collections times to between 0900 and 1800 each day.

I was concerned about potential noise from the disposal of bottles and other glass waste. The noise assessment states that a ‘Glassbuster’ machine will be used in the bar area and glass waste will be stored in plastic containers. This will significantly reduce the noise form disposal of glass waste and is acceptable. It is not clear, however whether this should / could be secured by condition.

3) Noise from Car Park

A full assessment of noise from the refurbished car park has been included in section 9 of the revised assessment. Data from various car park noise databases have been used to calculate the potential noise impact and the assessment is based on methods detailed in the DoT calculation of Road traffic Noise (CRTN). It concludes that the noise impact from

	<p>the car park will be suitably controlled and that no mitigation is required. Whilst it is not possible to model every scenario, including occasional excessive noise from people using the car park, I think that the assessment is reasonable and is therefore acceptable. Licensing conditions could be used to limit people noise should the need arise.</p> <p>4) <u>Noise from external plant (Air conditioning and refrigeration).</u>  I recommend that the standard condition for controlling noise from externally mounted plant and equipment is applied.  <i>Noise resulting from the use of this plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-2014, at a point one metre external to the nearest noise sensitive premises.</i>  <i>Reason: in the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area</i></p> <p>It was confirmed in an email dated 3<sup>rd</sup> May 2018 that Environmental Health had no objections subject to conditions.</p>
<b>Canal and Rivers Trust</b>	No comments received.
<b>Ecology</b>	<p>I note that the ecology information is dated December 2015.</p> <p>Standing advice from Natural England is that surveys should not be over 2 – 3 years old for medium to high impact schemes. (Natural England – Standing Advice for Protected Species)</p> <p>However, since this site is adjacent to a SAC and SSSI and has the potential to impact on a number of species it is worth having a refresh done especially as the land has been vacant for several breeding seasons and new species might have migrated in.</p> <p>I note that the Water Vole survey was updated in 2016 and again in 2017 and therefore does not need to be done again.</p> <p>Updated ecology reports were submitted to the LPA, to which were reviewed by the LPA's ecologist. Thank you for consulting Ecology with this updated information. If you are minded to approve please apply conditions.</p>
<b>Natural England</b>	<p>Following receipt of further information on 16/05/2018, Natural England is satisfied that the specific issues we have raised in previous correspondence relating to this development have been resolved. We therefore consider that the identified impacts on the River Lambourn SSSI/ SAC can be appropriately mitigated with measures secured via planning conditions as advised and withdraw our objection.</p> <p>The planning conditions are as follows:</p> <p>- That the site is connected to the public foul drainage system as mentioned in the letter dated 9th May 2018 and that foul water will not be dealt with through a package treatment plant or septic tank.</p>

	<p>- That the construction activities will be undertaken in a way which will avoid any detrimental impact on the adjacent SSSI/SAC e.g. from dust, spillages, polluted runoff etc. Measures will be put in place to ensure no sediment or polluted runoff enters the river when undertaking activities such as wheel washing, refuelling of machinery, storing materials etc. Best practice and Environmental standards will be adhered to and specific details regarding where certain activities will take place on site, such as the storage of materials etc, will be included in the final CEMP.</p> <p>- That a long term SUDs maintenance plan will be provided. The information provided in the technical note document is not detailed enough to reassure our concerns. Natural England would like to see a SUDs maintenance plan as requested in our letter dated 17th November 2016. This should include timescales of regular checks and details of the maintenance specific to the types of SUDs that will be used onsite. If the SUDs are not properly maintained and therefore fail, the River Lambourn SSSI/SAC is likely to be affected.</p> <p>- That a buffer zone between the river bank and the construction footprint of at least 8m will be retained and clearly marked by both a visual and physical barrier thus preventing materials, machinery or work from encroaching onto the SSSI/SAC either before, during or after demolition or construction as mentioned in the draft CEMP. The buffer zone will be maintained as an undisturbed riparian corridor. This point is linked to our request in our letter dated 17th November 2016 about considering how the development will be undertaken that ensures no altered hydrogeology will occur.</p>
<b>Tree Officer</b>	<p>There are a number of significant mature trees that may be adversely affected by the proposals, they are all protected under the Conservation Area. The submitted arboricultural information prepared by Ian Murat of A C S Consulting dated October 2017 and subsequent Overlay and mark up of Landscape planting plans of the approved hotel plan and current restaurant plan dated 27.03.18 is considered to be adequate for the purpose of determining this application as far as tree and landscape implications are concerned and with the protection measures specified along with close arboricultural supervision should be sufficient to minimise the impact of the development on retained trees.</p> <p><b>Recommendation:</b></p> <p>I raise no objection to this development subject to the following conditions</p>
<b>Ministry Of Defence</b>	No objections
<b>Transport Policy</b>	<p>I have now looked at the January 2018 ETP that has been produced for the restaurant. The ETP shares the wider primary aim to reduce single occupancy car travel by staff travelling to and from Newbury Hotel. A number of revisions were requested to increase the accuracy of the Employment Transport Plan</p> <p>In terms of my other point regarding the electric vehicle charge point, we would probably require a single charge point with two sockets to enable two vehicles to be charged at any one time. This can be secured via a condition.</p> <p>No objections subject to conditions</p>

<b>BBOWT Thames Water Utility Minerals Policy Team Kennet and Avon Canal Trust</b>	No response received as at 22/05/2018.
--	--

## 2. Representations

- 4.1. The Local Planning Authority received 17 representations all of which were objections to the application. A number of objectors sent multiple representations letters. In line with the Council's Constitution they only count as the one objection, but all of the matters raised have been considered.
- 4.2. The matters raised in the letters of objection (summarised by officers) are:
- The impact on neighbouring amenity from noise pollution from users of both hotel, restaurant and parking areas, also the lack of parking provided.
  - The siting of the restaurant close to neighbouring dwellings but away from the hotel
  - The impact on neighbouring dwellings garden amenity
  - The open plan nature of the application lends itself to be used as a function room rather restaurant
  - The increase in likely numbers of vermin attracted to the increase in waste proposed on the site.
  - The customers of the proposed development parking in the surrounding streets causing conflict with regard to road safety and neighbouring amenity.
  - Impact on the local ecology of the River Lambourn which is SSSI and a SAC.
  - The outdated ecology reports raise concern that this has not been considered closely enough
  - The running of the condenser unit for 24 hours a day will have a detrimental impact on neighbours
  - Impact from the restaurant being used for the wedding market
  - Impact from the increased likelihood of firework displays
  - Impact from outside diners on the external seating area
  - Concerns raised in regards to food smells being emitted from the restaurant
  - Light pollution from the glazed roof of the restaurant and car lights in the car park
  - Noise from the development being used as a wedding venue increasing the use of DJs and bands
  - The increase in capacity of car park causing disruption to neighbours
  - Replacing an extensive area of scrubland/grass etc with hard surfacing will prevent it from absorbing any of the run-off from the river when the level is high, or when excessive rainwater runs down the hill and through that area as it has done before.
  - The submission of applications in the pre-Christmas period making consultation responses an issue
  - Increased traffic using the A road adjoining the site
  - The increase in traffic movements having a negative impact on the ecology of the site.
  - The bi-fold doors will provide an option for the indoor area to provide a larger cumulative impact from noise.
  - The change to the surfacing of the land will alter the natural drainage of the car park which will increase risk of flood in the area
  - The original Noise Impact Assessment lacks pragmatic consideration of additional sources of noise such as live or background music, deliveries and taxis.
  - Increasing use of restaurant causing anti-social behaviour in the surrounding areas
  - The development is proposed too close to residential buildings
  - Existing issues with Hotel Guests and noise complaints is likely to increase

- Objections to all the applications being considered separately and should have been submitted as one.
- Misleading Planning Statement, where it states previously withdrawn applications were considered acceptable, despite no decision being made.
- The reliance on previously submitted documents to justify this proposal leads to inaccuracies.
- Ecology surveys not being carried out at appropriate times in accordance with best practice.
- The potential nuisance and pollution adverse impact is compounded as all of the noisiest and polluting operational activities are planned to be within 5 metres of residences. These being: the refuse store, bottle store, 3 closed plant areas and kitchen.
- Objection is raised to the findings of the Ecology reports whereas the Hotels website states that the river is full of fish, and other wild life can be found in the grounds.
- Objectors state that a number of protected species are seen regularly throughout the year on the site.
- Objection raised to staff taking smoking breaks near service areas
- Objection to the use of the areas adjacent for spill out activities such as bbqs and igloos to increase the use of the site. Additionally uses such as outdoor cinemas.
- Lack of information on future plans for the site, specifically the existing riverside building which is current unused.
- Discrepancy in flood space calculations
- The under provision for disabled access to the restaurant and parking spaces.
- The travel plan omits key trips in its considerations
- The noise impact does not take into account the cumulative impact of the development.
- Contradictions in regards to the choice of Plant equipment choice between documents

## **5. Planning Policy Considerations**

5.1. The statutory development plan comprises:

- West Berkshire Core Strategy (2006-2026)
- Housing Site Allocations DPD
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
- Replacement Minerals Local Plan for Berkshire (2001)
- Waste Local Plan for Berkshire (1998)

5.2. The following policies from the West Berkshire Core Strategy carry full weight and are relevant to this application:

- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 2: Newbury
- CS 5: Infrastructure requirements and delivery
- CS 11: Hierarchy of Centres
- CS 13: Transport
- CS 14: Design Principles
- CS 16: Flooding
- CS 17: Biodiversity and Geodiversity
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

5.3. The West Berkshire Core Strategy replaced a number of Planning Polices in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following Policies remain in place until they are replaced by future development plan documents and should be given due weight according to their degree of consistency with the National Planning Policy Framework:

- TRANS1: Meeting the Transport Needs of New development.



- OVS5: Environmental Nuisance and Pollution Control.
- OVS.6: Noise Pollution

5.4. The following Housing Site Allocations Development Plan document policies carry full weight and are relevant to this application:

- C1: Location of New Housing in the Countryside
- P1: Residential Parking for New Development

5.5. Other material considerations for this application include:

- The National Planning Policy Framework (March 2012) (NPPF)
- Planning Practice Guidance (PPG)
- Quality Design Supplementary Planning Document (SPD)

## **6. Proposal**

6.1. The application proposes the single storey extension and alteration of an existing cottage to create a hotel restaurant with outdoor seating terrace, wall mounted-condenser unit and roof-mounted extract. The proposed development is to extend the existing dwelling in the grounds of the Hotel, to the east by around 16 metres and to the south by 17 metres approx. in amongst other smaller extensions. An external seating area is proposed to the south adjoining the river Lambourn.

6.2. The site is located adjacent to the River Lambourn which is a site of Significant Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The dwelling itself is not listed but is listed by virtue of being within the curtilage of the Grade II listed building of Newbury Manor Hotel. The proposed development also falls within a Conservation Area and within the defined settlement boundary of Newbury Town.

## **7. Determining issues:**

- The Principle of Development;
- The Impact on the Character and Appearance of the Area;
- The Impact on Neighbouring Amenity;
- The Impact on Highway safety;
- Drainage and flooding;
- Ecology of the Site;
- Archaeology of the Site;
- Community Infrastructure Levy.

## **8. The Principle of Development**

8.1. The National Planning Policy Framework (NPPF) makes clear that the starting point for all decision making is the development plan, and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan for West Berkshire comprises the West Berkshire Core Strategy, the Saved Policies of the West Berkshire District Local Plan and the West Berkshire Housing Site Allocations Development Plan Document.

8.2. The NPPF is a material consideration in the planning process. It places sustainable development at the heart of the planning system including the need to support sustainable economic growth. The first core planning principle set out in the NPPF is that planning should be genuinely plan led.

- 8.3. The proposed development at Mill Waters Cottage, Newbury Manor Hotel, London Road, Newbury, is within the settlement boundary of Newbury, as defined within The West Berkshire Core Strategy (2006-2026) and the West Berkshire Housing Site Allocations DPD (November 2017).
- 8.4. Being within the settlement boundary and within an established commercial hotel site the principle of the proposed development is considered acceptable. The dwelling to be converted has been used by the hotel for staff accommodation and various 'back room' uses according to the Design and Access Statement (DAS). The proposed development being within the settlement boundary as directed by ADPP1 and ADPP2 is also situated on previously developed land. The proposed use would accord with the existing nature of the site and there are other commercial mixed use of the A4 London Road which contains a number of different restaurants and uses such as The Swan Pub and the 'Toby Carvery' which share a similar relationship to the surrounding uses as this development.
- 8.5. The proposed development would create 10 full time jobs and 15 part times jobs according to the application form. The development would therefore create jobs in a sustainable location with good transports links within West Berkshire.
- 8.6. Although the principle of development is acceptable the permission can only be granted subject to the proposal otherwise being in accordance with development plan policies on design, impact on the character of the area, and impact on the amenity of neighbouring land uses and other key issues.

## **9. The Character and Appearance of the Area**

- 9.1. Planning Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant to this application. Policy CS14 states that 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. It further states that 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. Proposals are expected to make efficient use of land whilst respecting the density, and character of the area.
- 9.2. Policy CS19 seeks to conserve and enhance the diversity and local distinctiveness of the landscape character of the District by considering the natural, cultural and functional components of its character as a whole. Particular regard will be given to the sensitivity of the area to change and to ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 9.3. Mill Waters Cottage was constructed in the first half of the C20th within the curtilage of the Grade II listed Newbury Manor Hotel. It has undergone a number of alterations and extensions in the C20th and C21st. Given the fact that it pre-dates 1948 and that there was a functional and physical relationship between the principal listed building and the cottage at the time of listing, the building is considered to be curtilage listed.
- 9.4. The extension has been designed in a contemporary idiom with a lightweight profile, made possible by the use of fully glazed elevations and a shallow pitched glass roof. Whilst the proposed extension covers quite an extensive footprint, it does not dominate the main house, instead it allows the original cottage to remain the focal point.
- 9.5. The application proposes to extend Mill Waters Cottage and convert it into a restaurant for the hotel. The extension is located to the rear and will combine a traditional brick and tiled gabled structure to mirror the existing cottage, as well as an extensive contemporary glazed

section. The glazed structure will form a low profile link between the existing and proposed brick elements

- 9.6. The application also proposes removing the existing C21st lean to porch, which spans across two thirds of the front elevation with a smaller, more traditional porch. The Conservation Officer consider that this is a positive alteration that will enhance the principal elevation of the cottage.
- 9.7. Given the location of the extraction units on the roof it will not be visible from ground level so will have limited impact on the character of the building or the character of the area.
- 9.8. The design of the proposal is well considered and overall the Conservation Officer and Planning Officer do not feel it would cause any harm to the character of this curtilage listed building or the setting of the principal Grade II listed hotel building.
- 9.9. In light of the above the case officer does not feel that the proposal would harm the setting of this Grade II listed building or the Conservation area, the Conservation Officer is in agreement with this assessment. Conditions have been recommended should approval be given.
- 9.10. It is considered the proposed development would not adversely affect the character and appearance of the area in accordance with the provisions of Core Strategy policies ADPP1, ADPP2, CS14, CS19 and the NPPF.

## **10. The Neighbouring Amenity**

- 10.1. Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. SPD Quality Design - West Berkshire outlines considerations to be taken into account with regard to residential amenity, and Policy OVS.6 of the West Berkshire District Local Plan Saved Policies considers the potential noise impact of development. This policy requires appropriate measures to be taken in the location, design, layout and operation of development to minimise any adverse impact as a result of noise generated from the proposal.
- 10.2. The impact on the neighbouring amenity has been an area of strong objection within representation letters. A number of objection areas have been submitted to the LPA, these relate in the majority to noise emitted from the restaurant, the external seating areas, deliveries and the noise from the associated car parking in amongst other matters.
- 10.3. Noise from the restaurant has been considered in the Cole Jarmen Noise Impact Assessment (NIA) Report 16/0017/RO1// Revision 1. Initial objection was raised in regards to some of the assumptions made in earlier NIA's however this document was reviewed. The assessment contained within revision 6 makes the assumption of all people at a 4 person table would speak at the same time, allowing for the worst case scenario to be presented. The figures presented in this report with this assumption, show a 'not significant' increase in noise at the site. This does not present an adverse impact from noise generated by the restaurant and external seating area and therefore Environmental Health officers were content with the impact. The internal noise levels have been generated without music (T6 Page 11 of the NIA report version 6). Therefore a restricting condition on music being played in the premises is warranted until further details have been submitted. The external seating area noise levels took into account the acoustic fence to the east of the seating area which was demonstrated to reduce the noise impact on neighbouring amenity.
- 10.4. The development has sought to orientate the external seating areas, and the bi-fold doors away from neighbouring properties to reduce the noise impact on neighbouring amenity. It

is considered the design has been carefully considered and the NIA shows 'Not Significant' increase in noise levels from the restaurant on neighbouring dwellings. This evidence in combination with planning conditions, EH legislation and licensing will protect and provide the development will have an appropriate level of impact on the neighbouring amenity from the existing commercial site.

- 10.5. Noise from deliveries is an area of impact on neighbouring amenity. The revised NIA in section 8 addresses this area of impact. It concludes that the existing ambient levels next to the A4 on an established commercial site are such that the deliveries to the restaurant will not give a significant increase in noise impact over the existing situation. The EH team agree with this assessment, but do note that the deliveries and waste collections will be limited to times between 0900 and 1800, which can be secured by condition.
- 10.6. A very specific area of objection was the disposal of glass bottles and the adverse impact this can have on amenity from a particularly disruptive operation of the restaurant. It has been proposed that a 'glass buster' be used which breaks the bottles in smaller pieces in the restaurant area and deposits these into plastic tubs, to be stored until waste is collected. This would be considered an appropriate mitigation method to the noise and a condition requiring more specific details of this operation and machinery have been recommended.
- 10.7. Noise generated from the use of the car park was considered another area of potential unacceptable impact on neighbouring amenity. This was covered in section 9 of the NIA revision 6. The number of spaces will increase in the areas surrounding the hotel, however, the majority of the site is already a car park and the laying of additional parking has been previously approved under application 16/01171/FUL further north of the site. Despite this the NIA uses various car park noise databases to calculate the potential noise impact and the assessment is based on methods detailed in the Road Traffic Noise. The method of calculation and assessment is reasonable to the LPA's Environmental Health team as it would not be possible or reasonable to model every scenario. It has also been mentioned by the EH team, that licensing conditions could be used to limit the noise should the need arise. The Impact is considered acceptable and can be controlled. It should also be noted that the majority of the areas are existing parking areas, and therefore the increase in impact is considered minimal.
- 10.8. Objections letters have stated the issue that the NIA only takes into account week day trip generations. This was put to the agent who has provided a separate tables for the weekend trip generation to which shows similar levels of impact. The impact is shown to be within an acceptable level.
- 10.9. Noise from plant works have been subject to a noise impact assessment 16/0017/R2 conducted by Cole Jarman. This documents outlines that suitable plant equipment can be installed to acceptable levels of noise. It has been noted that the subsequent revision 6 of the NIA states that choice of plant equipment has not been made yet despite what the Plant NIA states. It is considered that an appropriately worded condition that stipulates a maximum noise level for plant equipment to comply with gives the commercial business greater flexibility in choice of manufacture but also retains control of the noise levels.
- 10.10. The extensions to create the restaurant are all single storey, therefore it is not considered any impact on neighbouring amenity will occur through overlooking or perceived overlooking.
- 10.11. Conditions restricting external light until details have been submitted are recommended to reduce the impact on light spill to neighbouring dwellings. These are also justified in regards to protecting the ecology of the site.

- 10.12. There have been a number of objections submitted to the council in regards to the impact on the neighbouring amenity from the proposed development. This impact can be controlled through conditions. The Planning Practice Guidance states that cumulative impacts must be assessed from developments. The established levels of noise of the both existing and proposed have been considered and the levels of noise impact have been considered acceptable subject to conditions.
- 10.13. For these reasons, the proposal subject to conditions, in so far as it relates to protecting residential amenity, the development would be, on balance, in accordance with development plan policies CS14 and OVS.6, as well as guidance in SPD Quality Design and the NPPF.

## **11. Highway safety**

- 11.1. The NPPF states that decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policies CS 13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan, set out highway requirements. Policy P1 of the Housing Site Allocations Development Plan Document sets out the residential car parking levels for the district.
- 11.2. The LPA's highways department assessed the site as a whole, considering the previously approved hotel extension and the parking demands generated from this to draw a 'worst case' scenario in regards to the parking on the site for all the uses. No current car parking standards for A3 uses are adopted by the LPA and therefore each site and application is treated on its merits.
- 11.3. A full list of parking provision is given in highways responses in the consultation section of this report but a total 129 parking spaces have been provided for within this application. The existing parking area accommodates 50 cars approx. it is not formally laid out at present. The previously approved hotel extension formally proposed to layout the car park to accommodate 75 spaces. With additional parking to the north and east of the site this application proposed a total of 129 spaces on the site. This would provide an increase in 54 parking spaces upon previous consents.
- 11.4. The LPA's highways department has worked through a number of situation as follows
- *According to the floor plans the following number of diners could be accommodated:*
    - o 110 covers internally;
    - o 40 covers externally;
    - o There is also a private dining area seating 12.
  - *For a total of 162 covers (internal and external) and 54 new car parking spaces, this would equate to 3 covers per vehicle if all diners travelled by private vehicle, which is unlikely to be the case. In reality the spaces would be shared across the site.*
  - *A maximum of 49 car parking spaces could be required for hotel guests at 100% occupancy and if all guests travelled by car. This is likely to be a rare occurrence if at all.*
  - *There could be up to 20 restaurant staff at peak times – Saturday evenings. It was established on the 2016 application that at this time there could be around 5 hotel staff. Assuming 65% of staff would travel by private car, as per the 2011 Census data, this could create a demand for around 16 staff vehicles.*
  - *Therefore with 49 spaces for hotel guests, 16 vehicles for staff, this would leave around 67 spaces for diners at the restaurant or for (existing) events. This is an additional 42 spaces on the previous application which saw 25 spaces remaining.*

- 11.5. Highways also looked into the Transport Statement showing data of trip generation for restaurants and for the hotel to show that the appropriate level of parking has been provided. The case officer summarises that this application proposes a new restaurant with 54 additional car parking spaces, equates to 1 space per 3 diners, and 42 more spaces than were proposed in previously withdrawn applications.
- 11.6. The hotel is already operating from the site. Recent/current applications would see the number of bedrooms increase to 49 (if approved) and events are currently permitted from this site and there is small bar within the hotel building. West Berkshire Council does not have current car parking standards for A3 use and so applications such as this are assessed on their own merits.
- 11.7. Given all of the above and the information accompanying this application, it is the view of the highway authority that, with the increased car parking now proposed, it would be difficult to now object to this application on these grounds. An electric car charging point with two sockets has been requested by the Transport Policy team to cater for the increasing use of electric vehicles and promote the sustainable elements of the development.
- 11.8. Therefore the proposal is considered to be , on balance, acceptable and in accordance with CS13 of the West Berkshire Core Strategy (2006-2026), Saved Local Plan policy TRANS1 and the NPPF (March 2012) subject to conditions.

## **12. Drainage and Flooding**

- 12.1. The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Core Strategy Policy CS 16 addresses issues regarding flood risk. This policy stipulates that sites require a flood risk assessment if they fall within Flood Zone 2 or 3, a flood risk assessment has been submitted created by Peterbrett. This document was consulted upon with the LPA's drainage team who noted that the proposed development would largely be similar in impact to that previously approved under application 16/01171/FUL. No objections were raised in response to the flood risk assessment that alter the parking areas within the hotels grounds. The proposal will change the existing gravelled car park to an area of block pavements with suitable sustainable drainage measures.
- 12.2. The sustainable drainage team raised no objections to the details contained with the flood risk assessment and recommended a condition be applied for more specific details of the sustainable drainage methods. An objection was submitted by Natural England who raised concerns in regards to the sustainable drainage methods and the possibility that they may discharge in the River Lambourn (SSSI and SAC) which may compromise the ecology. They recommended subject to conditions, that the impact could be avoided and mitigated.
- 12.3. A number of objectors have raised concerns over the increase likelihood of flooding should the application be approved. The flood risk assessment has shown that through appropriate measures the impact from the proposed development can be mitigated and will not increase flooding in this area. The LPA's sustainable drainage team agrees with this assessment and for these reasons, the proposal would be in accordance with policy CS16 of the Core Strategy and advice contained within the NPPF subject to conditions

## **13. Ecology and Tress**

- 13.1. Policy CS 17 of the Core Strategy states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. The NPPF supports the overall aims and objectives of this policy. The application site is located adjacent to a SAC and SSSI of the River Lambourn it also contains a number of significant trees protected under the Conservation area.

- 13.2. There are a number of significant mature trees that may be adversely affected by the proposals, they are all protected under the Conservation Area. The submitted arboricultural information prepared by Ian Murat of A C S Consulting dated October 2017 and subsequent Overlay and mark up of Landscape planting plans of the approved hotel plan (17/01171/FUL) and current restaurant plan dated 27.03.18 is considered to be adequate for the purpose of determining this application as far as tree and landscape implications are concerned. The Tree Officer accepts that with the protection measures specified along with close arboricultural supervision should be sufficient to minimise the impact of the development on retained trees.
- 13.3. Due to the sensitive nature of the site and the adjoining SSSI and SAC site of the River Lambourn a number of objections have been raised in regards to the impact on the ecology of the site. This has been closely considered by the councils Ecology, Natural England, and the Environments Agency.
- 13.4. The council's ecologist initially requested the submitted ecology reports be revisited due to the standing advice from Natural England stating that surveys should not be over 2-3 years old for medium to high impact schemes. As the initial ecology information dated back to December 2015 this was considered justified. The Water Vole report was updated in 2016 and again in 2017 and therefore did not need to be reviewed. The revised Ecology report submitted in January 2018 conducted by Windrush Ecology.com was reviewed by the council's ecologist who recommended a number of conditions to provide mitigation of the proposed development upon the ecology of the site. This was considered justified and in line with CS17 of the Core Strategy and no objections were raised.
- 13.5. The Environments Agency were of the opinion that the proposed development will be acceptable if a planning condition is included requiring a scheme to be agreed to ensure that the landscape within the site is managed in such a way as to protect and enhance the ecological value of the site including the River Lambourn Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC)
- 13.6. This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.
- 13.7. This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109 which aims to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. In addition in line with Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.
- 13.8. Natural England required further information in regards to how the proposal will not adversely impact the River Lambourn SAC. They wanted to see information in relation to a Construction Environment Management Plan (CEMP) and further information in regards to the long term maintenance of the SUDs system and details of the onsite waste management system.
- 13.9. Further documentation was submitted to Natural England to which withdrew their objection subject to a number of planning conditions including information regarding
- *That the site is connected to the public foul drainage system as mentioned in the letter dated 9<sup>th</sup> May 2018 and that foul water will not be dealt with through a package treatment plant or septic tank.*
  - *That the construction activities will be undertaken in a way which will avoid any detrimental impact on the adjacent SSSI/SAC e.g. from dust, spillages, polluted runoff etc. Measures will be put in place to ensure no sediment or polluted runoff enters the river when undertaking activities such as wheel washing, refuelling of machinery, storing materials etc.*

*Best practice and Environmental standards will be adhered to and specific details regarding where certain activities will take place on site, such as the storage of materials etc, will be included in the final CEMP.*

- *That a long term SUDs maintenance plan will be provided.*
- *That a buffer zone between the river bank and the construction footprint of at least 8m will be retained and clearly marked by both a visual and physical barrier thus preventing materials, machinery or work from encroaching onto the SSSI/SAC either before, during or after demolition or construction as mentioned in the draft CEMP. The buffer zone will be maintained as an undisturbed riparian corridor.*

13.10. These requests were considered appropriate to be conditioned, they were agreed by the applicant and related to many of the conditions already requested by the LPA's ecologist and the Environments Agency. It is considered, on balance, that the development will comply with CS17 of the Core Strategy and provide mitigation and protection to the Ecology of the site and will not have a detrimental impact in accordance in accordance with the provisions of Core Strategy CS17 and advice within the NPPF.

#### **14. Archaeology of the Site**

14.1. The Newbury Society has recommended that given the long history of the site and its previous uses if the LPA is minded to approve the application appropriate conditions should be applied in regards to archaeology reviews and a watching brief. The Council's Archaeologist has reviewed the application similarly but comment that the proposed restaurant is also within an area of 'high' to 'highest' potential for Mesolithic archaeology or palaeo-environmental evidence, but previous advice was that the site would have been disturbed by the construction of buildings during the late 19th and early 20th century. Evidence suggests that there will be no major impact on any features of archaeological significance.

14.2. It is therefore considered conditions are unreasonable and no investigation programme is required. The proposed development is therefore considered in line with CS19 of the Core Strategy and Advice within the NPPF.

#### **15. Community Infrastructure Levy (CIL)**

15.1. Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations the proposal for the extension to the existing building for an A3 use would incur a CIL contribution. The net additional floor space is 346 sqm according to the CIL PAAIR form and has been reviewed by the case officer whose figure was 348 sqm. These figures are subject to review by the Local Charging Authority.

#### **16. The Planning Balance and Assessment of Sustainable Development**

16.1. The NPPF states there is a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.

16.2. The proposed development would bring economic development to Newbury through the creation of a Restaurant (A3) use that will provide 10 full time jobs and 15 part time jobs in a sustainable location that is well connect to transport links. The environmental considerations have been assessed in terms of the impact on the listed building, the impact on the Conservation area, and the impact on the River Lambourn (SSSI and SAC). It is considered that through appropriate conditions the impact of the development can be mitigated and enhanced in line with policy and that harm no harm to the trees and ecology



of the site will occur from the proposed development. The Conservation Officer is content with the design and the impact from the development on the hotels grade II listed status.

- 16.3. The social implications for sustainable development have caused the most objection to this development. The noise emitted from the restaurant is considered to be of a level that will not cause significant impact, appropriate conditions can be recommended to control the noise emitted. There is also concern that the proposed development will cause an increase in flood risk, but sustainable drainage methods can be employed and the LPA's drainage team consider the level of impact acceptable subject to conditions.
- 16.4. The site has number of constraints that interlink with each other and the mitigation methods and conditions suggested will all interlink to produce a development that benefits Newbury commercially. Balanced against the commercial benefit are the issues of Conservation and protection of the ecology and trees of the site. However the LPA's officers all agree that the development will, subject to conditions, not have an adverse impact upon these. A number of objections have been raised in regards to noise and there will be a noise impact from the development. The evidence that has been submitted and reviewed the LPA's Environmental Health officers in dictates that the level of noise is acceptable subject to conditions and that there are alternative licensing and EH legislation that can protect neighbouring amenity alongside the planning conditions recommended.
- 16.5. When weighing the proposed development in the planning balance, each constraint can be mitigated by condition. The case officer in weighing the negative impact on the neighbouring amenity against the commercial and employment benefits considers that the negative impact can be mitigated by conditions.
- 16.6. The application is therefore recommended for APPROVAL.
- 16.7. The proposal for the extension and alteration of an existing cottage to create a hotel restaurant with outdoor seating terrace, wall-mounted condenser unit and roof-mounted extract at Mill Waters, Newbury Manor Hotel is considered in accordance with National Planning Policy Framework (March 2012), policies ADPP1, ADPP2, CS11, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and OVS.5 and OVS.6 of the West Berkshire Local Plan Policies 1991-2006 (Saved 2007). In addition to these the proposal is in line with supplementary planning guidance Quality Design (June 2006).

## **17. Recommendation**

**The Head of Development and Planning be authorised to Grant Planning Permission subject to the following conditions:**

### **1. Full planning permission time limit**

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

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).

### **2. Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved drawings

- Drawing title "Proposed Restaurant Elevations- Sheet 1". Drawing number RP.05. Date stamped 28<sup>th</sup> November 2017

- Drawing title "Proposed Restaurant Elevations- Sheet 2". Drawing number RP.06. Date stamped 2<sup>nd</sup> May 2018
- Drawing title "Proposed Restaurant Sections". Drawing number RP.07. Date stamped 28<sup>th</sup> November 2017
- Drawing title "Proposed Restaurant Ground Floor Plan". Drawing number RP.02 A. Date stamped 2<sup>nd</sup> May 2018
- Drawing title "Proposed Restaurant First Floor Plan". Drawing number RP.03. Date stamped 28<sup>th</sup> November 2017.
- Drawing title "Proposed Restaurant Roof Plan". Drawing number RP.04. Date stamped 28<sup>th</sup> November 2017.
- Landscaping plan: Overlay and mark up of Landscape planting plans of the approved hotel plan and current restaurant plan dated 27.03.18
- Drawing title "Proposed Restaurant Site Plan". Drawing number RP.01 C. Date stamped 16<sup>th</sup> March 2018
- Drawing title "Proposed Restaurant Block Plan". Drawing number RB.01 A. Date stamped 28<sup>th</sup> November 2017.
- Drawing title "Proposed Restaurant Location Plan". Drawing number RL.01 A. Date stamped 28<sup>th</sup> November 2017
- Drawing title "Kitchen Ventilation". Drawing number CCN-01. Date stamped 28<sup>th</sup> November 2018.
- Drawing title "Kitchen Ventilation". Drawing number CCN-02. Date stamped 28<sup>th</sup> November 2018.

Reason: For the avoidance of doubt and in the interest of proper planning.

### **3. HIGH12 - Parking/turning in accord with plans (YHA24)**

The development shall not be brought into use until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan

- Drawing title "Proposed Restaurant Site Plan". Drawing number RP.01 C. Date stamped 16<sup>th</sup> March 2018

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.

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 (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **4. HIGH19 – Motor Cycle and Cycle parking (YHA35) - variation**

The development shall not be brought into use until the motor cycle and cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of motor cycles and cycles at all times.

Reason: To ensure the development reduces assists with the parking, storage and security of cycles and motor cycles. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **5. HIGH19 – Electric Car Charging Point**

The development shall not be brought into use until a parking space is installed with at least a single charging point with a minimum of two sockets to enable two vehicles to be charged at any one time with electricity.

Reason: To promote the use of sustainable travel methods The provision of charging points is supported by paragraph 35 of the NPPF, which states that developments should be '*designed where practical to incorporate facilities for charging and plug-in and other ultra-low emission vehicles*'. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

## **6. Details of Spoil use to be submitted to and approved by the Local Planning Authority**

No development shall take place until full 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:

- (a) Show where any spoil to remain on the site will be deposited;
- (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
- (c) Include measures to remove all spoil (not to be deposited) from the site;
- (d) Include timescales for the depositing/removal of spoil.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

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. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS17 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

## **7. Submission of Construction Ecology Management Plan**

No development shall take place until a Construction Ecology Management Plan has been submitted to and approved in writing by the Local Planning Authority. Natural England shall be consulted upon the details submitted in the interest of the SAC/SSSI. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (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) Measures to ensure no sediment or polluted runoff enters the river when undertaking activities such as wheel washing, refuelling of machinery, storing materials etc.
- (i) Measure to ensure best practice and Environmental standards will be adhered to where practically possible
- (J) 8m buffer zone from the river Lambourn prior to work by both visual and physical means to prevent any inadvertent impact on water voles. The buffer zone will be maintained as an undisturbed riparian corridor

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety and the safeguarding of the SAC/SSSI. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

## **8. Public Foul Drainage System**

The development shall not be brought into use until it has been connected to the public foul drainage system and that foul water will not be dealt with through a package treatment plant or septic tank.

Reasons: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy. This condition is placed in accordance with National Planning Policy Framework (NPPF), paragraph 109 and 118 and in line with CS 17 of the West Berkshire Core Strategy (2006-2026).

## **9. Hours of Construction Work**

The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers. In accordance with CS14 of the West Berkshire Core Strategy (2006-2026) and OVS.6 of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

## **10. Condition Environments Agency**

No development shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

- Details of how the existing river corridor will be protected during the construction period. The river corridor and associated habitats should be clearly identified and marked out. Access by construction vehicles and storage of materials shall not be permitted in this area.
- The existing river habitat and that of the large pool area adjacent to the old restaurant on site are currently has very poor marginal habitat with limited growth of marginal plants and much of the bank is made up with hard revetment such as
- End 2 wooden sleepers. The management plan should include the improvement of these marginal habitats including the replacement of hard revetment with a more natural option. The suitable management of these habitats should be agreed, including leaving significant 'un-mown' areas adjacent to the river.
- The ecological management should include provision for the sensitive management of the fish passes which allow movement of fish from the River Kennet and into the River Lambourn SAC can become much less efficient without proper management

Reasons: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy. This condition is placed in accordance with National Planning Policy

Framework (NPPF), paragraph 109 and 118 and in line with CS 17 of the West Berkshire Core Strategy (2006-2026).

## **11. SuDS Pre condition**

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.

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include details of how the existing flood plain will be sustained or mitigated (any measures for loss of flood plain shall not increase flood risk elsewhere);
- e) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- f) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- g) Include elevated floors with voids underneath for flood storage to minimise the loss of flood storage capacity. Arches shall be fitted with grills to prevent access under the building by children or animals, or for storage of materials which would remove flood storage volume;
- j) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- k) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
- n) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
- o) This will also include specific measures to ensure the protection of the River Lambourn SSSI and SAC from the SuDs system.

The above sustainable drainage measures shall be implemented in accordance with the approved details before the building(s) hereby permitted is occupied. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

## **12. Ecology lighting strategy**

No external lighting shall be installed on the development hereby permitted until a detailed Lighting Strategy has been submitted to and approved in writing by the Local Planning Authority. The Lighting Strategy shall ensure that any lighting limits the impact on bats and avoid light spillage

along the River Lambourn to avoid potential impact on otters. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure the protection of Bat and Otter species among other species, which are subject to statutory protection under European Legislation. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS17 of the West Berkshire Core Strategy (2006-2026).

### **13. Mitigation (implement)**

Prior to the commencement of the use of the building Two Ibstock Swift Box, Schwegler Swift Box Type 25 or the Schwegler Swift Box Type 16 are provided on the exterior of the new building AND shall thereafter be retained and maintained.

Reason: To ensure the protection of Bats, Otters and other species, which are subject to statutory protection under European Legislation. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS17 of the West Berkshire Core Strategy (2006-2026).

### **14. Tree Protection (scheme submitted)**

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan Arboricultural Plan ref no: ARB/3519/Y/500. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

### **15. Arboricultural supervision condition**

No development shall take place (including site clearance and any other preparatory works) until the applicant has secured with the implementation of an arboricultural watching brief in accordance with written scheme of site monitoring within the Arboricultural Report, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

### **16. Tree retention (plan)**

No trees, shrubs or hedges shown as being retained on landscaping plan: Overlay and mark up of Landscape planting plans of the approved hotel plan and current restaurant plan dated 27.03.18 shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that dies, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

## **17. Landscaping implementation**

The approved landscaping plan : Overlay and mark up of Landscape planting plans of the approved hotel plan and current restaurant plan dated 27.03.18 shall be implemented within the first planting season following completion of development or in accordance with a programme submitted to and approved in writing by the Local Planning Authority. Any trees, shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

## **18. Noise levels of machinery**

Noise resulting from the use of this plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-2014, at a point one metre external to the nearest noise sensitive premises.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

## **19. Regular Maintenance and switch off**

All extraction plant, machinery and/or equipment installed externally on the development shall be regularly maintained and switched off when the restaurant is not operating.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

## **20. Acoustic Fencing**

Prior to the use of the external seating area an acoustically sealed fence shall be installed in accordance with drawing "Proposed Restaurant Elevations-Sheet 2 Drawing number RP.06 A" next to the area adjoining the external seat area to the east and retained and maintained thereafter.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

## **21. Boundary Treatments**

No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the use hereby permitted restaurant use commences. The approved boundary treatments shall thereafter be retained and maintained.

Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. To also reduce the impact on the Neighbouring amenity of gardens from Car Headlights and associate noise. This condition is imposed in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

## **22. Prior to development works to minimise odour and noise from food prep**

Before development commences the applicant shall submit to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of odour and noise from the preparation of food associated with the development on neighbouring amenity. Development shall not commence until written approval has been given by the Local Planning Authority to any such scheme of works.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

## **23. Prior to development works to minimise Waste and Bottle Disposal**

Before development commences the applicant shall submit to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of Waste and bottle disposal associated with the development on neighbouring amenity. This will included information regarding the 'glass buster' referred to in Cole Jarman Noise Impact Assessment Report 16/0017/RO1// Revision 06. Development shall not commence until written approval has been given by the Local Planning Authority to any such scheme of works.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

## **24. Hours of deliveries and Waste Collections**

No deliveries or collection of Waste shall be taken at or despatched from the site outside the following hours:

9:00 to 18:00 Mondays to Saturdays;  
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of surrounding occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

## **25. Hours of use (restaurants etc.)**

The use hereby permitted shall not be open to customers outside the following hours:

07:00:00 to 23:00:00 Mondays to Fridays;  
07:00:00 to 23:00:00 Saturdays;  
07:30:00 to 22:00:00 Sundays and Bank Holidays.



Reason: To safeguard the amenities of surrounding occupiers. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

## **26. No music until details agreed**

No amplified or other music shall be played in the premises until a Noise Impact assessment and appropriate mitigation measures have been submitted to and approved by the Local Planning Authority. Thereafter any amplified or other music played shall be in accordance with the approved details.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. The submitted Noise Impact Assessment Cole Jarman Noise Impact Assessment Report 16/0017/RO1// Revision 06 does not include music levels in its assessment. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

DC

### **Informatives**

The River Lambourn, designated a SSSI and SAC, is a sensitive environmental receptor. We advise the applicant that they refer to the current guidance on pollution prevention to protect this site. Please see: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

### **HI 3 Damage to footways, cycleways and verges**

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

### **HI 4 Damage to the carriageway**

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

### **HI 8 Excavation in close proximity to the highway**

In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority.



# Agenda Item 4.(5)

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(5)	17/03238/LBC2 Newbury Town Council	8 <sup>th</sup> June 2018	Mill Waters Cottage at Newbury Manor Hotel London Road Newbury Berkshire RG14 2BY  Extension and alteration of existing cottage to create hotel restaurant with outdoor seating terrace, wall-mounted condenser unit and roof-mounted extract.  SCP Newbury Manor Ltd

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/03238/LBC2>

**Ward Member(s):**

Councillor J Beck

Councillor D Goff

**Reason for Committee determination:**

Councillor Beck has called the application to Committee should the application be recommended for approval.

**Committee Site Visit:**

31<sup>st</sup> May 2018.

**Recommendation.**

**The Head of Development and Planning be authorised to GRANT planning permission.**

**Contact Officer Details**

**Name:**

Mr. Matthew Shepherd

**Job Title:**

Planning Officer

**Tel No:**

(01635) 519111

**E-mail Address:**

[Matthew.Shepherd@westberks.gov.uk](mailto:Matthew.Shepherd@westberks.gov.uk)

## 1. Relevant Site History

- 1.1. 01/2511/FUL. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Withdrawn 17.06.2002
- 1.2. 01/02514/LBC. Proposed bedroom extension and function room. Withdrawn 24.06.2002
- 1.3. 02/02208/FULMAJ. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Plus change of use of additional land to car park. Withdrawn 20.01.2003.
- 1.4. 02/02222/LBC. Proposed extension and alterations to existing hotel to provide additional land to car parking. Withdrawn 20.01.2003
- 1.5. 03/00062/FULLMAJ. Proposed extension and alterations to existing Hotel to provide additional bedrooms and function room and ancillary parking. Approved 05.08.2004
- 1.6. 03/00075/LBC. Proposed bedroom extension and function room. Approved 23.04.2003.
- 1.7. 06/02011/FUL. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.8. 06/02012/LBC2. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.9. 06/02812/FUL. New timber deck and balustrade to riverside bar. Approved 15.02.2007
- 1.10. 06/02813/LBC2. New timber deck and balustrade. Approved 15.02.2007
- 1.11. 10/02937/FUL. Retrospective- Single storey extension to existing function room. Approved 12.04.2011
- 1.12. 10/02938/LBC. Single storey extension to existing function room. Approved 12.04.201
- 1.13. 15/00991/FUL. Removal of single storey 70's flat roofed building attached to the original watermill and blacksmiths. Withdrawn 02.07.2015.
- 1.14. 15/00991FUL. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.15. 15/00992/LBC. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.16. 16/01171/FUL. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016
- 1.17. 16/01172/LBC2. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016.
- 1.18. 16/002902/FUL. Extension of hotel cottage to create hotel restaurant with outdoor seating terrace. Withdrawn 07.03.2017.

- 1.19. 16/002903/LBC2. Extension of hotel cottage to create hotel restaurant with outdoor seating terrace. Withdrawn 07.03.2017.
- 1.20. 17/00865/COND. Approval of details reserved by condition 3: Removal of spoil, 4: Construction Method Statement, 8: Landscape Management plan, 9: Arboricultural watching brief, of planning permission 16/01171/FUL - Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Spilt decision 23.06.2017.
- 1.21. 17/00866/COND. Approval of details reserved by Conditions 3: Schedule of materials and 6: Windows/doors, of planning permission 16/01172/LBC - Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 30.08.2017
- 1.22. Full planning history available on file.

## 2. Publicity of Application

2.1. This application was advertised by way of neighbour notification letters which required responses by the 28<sup>th</sup> December 2017 and by way of Site Notice which expired on 10<sup>th</sup> January 2018.

## 3. Consultations and Representations

### Consultations

<p><b>Newbury Town Council</b></p>	<p>Objection. These five applications refer to three cases, for conversion of Mill Waters Cottages to a restaurant, for the modification of a previously approved extension to the hotel to provide 15 additional rooms, and for a plant room and substation for the hotel. We consider that the three cases together raise many issues which should be considered for hotel and restaurant as a whole, and have not been adequately addressed in the five applications:-</p> <ol style="list-style-type: none"> <li>1) access and egress from the site for the expected traffic volume;</li> <li>2) combined parking capacity on the site for the hotel and restaurant;</li> <li>3) the effects of cooking odours, noise from diners, and light pollution from the proposed restaurant on the residents of the closely adjoining Two Rivers Way;</li> <li>4) the effect on wildlife in the River Lambourn and Kennet &amp; Avon Canal, which should be assessed at the appropriate time of year;</li> <li>5) flooding risk arising from the building extensions and tarmacking of the proposed new parking space;</li> <li>6) the noise from deliveries to the proposed restaurant;</li> <li>7) the proposed landscaping, tree removal, and arboricultural measures.</li> </ol> <p>We therefore recommend that all the five applications should be called in and considered as a single whole by the Western Area Planning Committee.</p>
<p><b>Conservation</b></p>	<p>Mill Waters Cottage was constructed in the first half of the C20th within the curtilage of the Grade II listed Newbury Manor Hotel. It has undergone a number of alterations and extensions in the C20th and C21st. Given the fact that it pre-dates 1948 and that there was a functional and physical relationship between the principal listed building and the cottage at the time of listing, the building is considered to be curtilage listed.</p>

	<p>The application is almost identical in form and design to the recently withdrawn applications (16/02903/LBC2 &amp; 16/02902/FUL). The only difference appears to be the inclusion of an extract vent on the roof. However, given its location on the roof it will not be visible from ground level so will have no impact on the character of the building.</p> <p>My comments on the previous application therefore still apply:</p> <p><i>The application proposes to extend Mill Waters Cottage and convert it into a restaurant for the hotel. The extension is located to the rear and will combine a traditional brick and tiled gabled structure to mirror the existing cottage, as well as an extensive contemporary glazed section. The glazed structure will form a low profile link between the existing and proposed brick elements.</i></p> <p><i>The extension has been designed in a contemporary idiom with a lightweight profile, made possible by the use of fully glazed elevations and a shallow pitched glass roof. Whilst the proposed extension covers quite an extensive footprint, it does not dominate the main house, instead it allows the original cottage to remain the focal point.</i></p> <p><i>The application also proposes removing the existing C21st lean to porch, which spans across two thirds of the front elevation with a smaller, more traditional porch. I consider that this is a positive alteration that will enhance the principal elevation of the cottage.</i></p> <p><i>The design of the proposal is well considered and I do not feel that it would cause any harm to the character of this curtilage listed building or the setting of the principal Grade II listed hotel building.</i></p>
<p><b>Newbury Society</b></p>	<p>The Newbury Society objects to this application and the four other linked applications for the Newbury Manor Hotel. While we would wish this business to succeed, we have concerns about the current plans which need to be addressed before any approvals can be considered.</p> <p>Consultation</p> <p>We have serious concerns about the quality of consultation with these proposals. For this plan, the summary provided in the short description conveys no meaning to the public. And even when the wording of “condition 2” itself is tracked down, it provides no information at all about what is proposed. The effect is to veil the nature of the application.</p> <p>In addition, the deadline for the 14 days’ consultation announced in the public notice in the <i>Newbury Weekly News</i> was December 28, between Christmas and New Year. Such deadlines undermine the nature of “consultation.” We would suggest that for all future planning applications, the period from Christmas Eve to New Year’s Day should not be taken into account in dealing with the related dates, i.e. the nine days should be added on to all relevant dates. In such consultations it should be made clear that e.g. two weeks from Dec 14 should lead not to Dec 28, but to Jan 6.</p>

	<p><b>Urbanisation</b></p> <p>The planning history shows the piecemeal expansion of buildings on the “Newbury Manor” site since the 1980s, which combine with recent applications to create a substantial increase in the total footprint of the buildings.</p> <p>This is a marked and progressive urbanisation of an area which retains some rural characteristics and helps to provide a break in the continual urbanisation along the A4 from Newbury to Thatcham. The change in character also removes some of this site’s attractions as the setting for a hotel. The current plans for the hotel even include an expansion on extensions already approved, but not yet built. The additional parking required for the cumulative alterations, including the “15 net additional rooms” in this “variation” is another negative factor increasing the urbanisation and detrimental to the character of this area.</p> <p><b>History / Archaeology</b></p> <p>The Newbury Manor Hotel was formerly known as Millwaters, and before that formed part of Ham Mills. There were two sets of mills at Ham Mills: one, on the Lambourn, as part of this site; the other, adjacent, on the Kennet. Part of the hotel was originally the miller’s house (known for a time as ‘The Cedars’). Historically, it was not in Newbury and was not a Manor House.</p> <p>Although we recognise that the main house (the former mill house, listed as “Millwaters”) has already been compromised by previous alterations, we would ask for a record of this listed building (including a photographic record, externally and internally) to be taken before further work begins.</p> <p>If the council is minded to approve this application, we would ask for any work which involves cutting into the site to be covered by an archaeological condition: preferably for sample trenches; but at the very least, requiring a watching brief. This is essential because many of the mill sites in the Newbury area are the sites of Domesday mills, and some even go back to the Early Medieval (i.e. Anglo-Saxon) period. As such, they have strong archaeological potential.</p> <p>In addition, in the Tudor period many of the local mills were fulling mills, processing cloth. The two sets of mills on the Ham Mills site, although now in Newbury, have a complex history on the borders of the parishes of Speen and Thatcham. This has meant that they are so far poorly documented. However there are C15th and C16th century references to a fulling mill at the extreme east end of Speen which could refer to this site.</p>
<p><b>Archaeology</b></p>	<p>I have reviewed the application using the approach set down in the National Planning Policy Framework and have checked the proposed development against the information we currently hold regarding the heritage assets and historic land uses in this area. Mill Waters Cottage was apparently created in the 1930s out of part of a historic courtyard building at the former Newbury Mill (also Ham Saw Mills). Although the cottage contains some historic fabric, and is also quite attractive as an early 20th century conversion, it has been altered on</p>

	<p>more than one occasion. The proposals will retain the existing cottage although alter it further.</p> <p>The proposed restaurant is also within an area of ‘high’ to ‘highest’ potential for Mesolithic archaeology or palaeo-environmental evidence, but our previous advice was that the site would have been disturbed by the construction of buildings during the late 19th and early 20th century. Evidence suggests that there will be no major impact on any features of archaeological significance.</p> <p>I do not, therefore, believe that any archaeological assessment or programme of investigation and recording will be necessary in relation to the current proposal.</p>
<p><b>Environmental Health</b></p>	<p><u>Noise</u></p> <p>I have reviewed the submitted noise impact assessments:  Cole Jarman Noise Impact Assessment Report Ref 16/0017/RO1//Revision 05 dated 25<sup>th</sup> Jan 18.  Cole Jarman Plant Noise Assessment Report 16/0017/R2 Revision 0 dated 10 Nov 2017</p> <p><u>Plant Noise</u></p> <p>Mechanical extraction plant is to be installed within and on the roof. The intake fan is to be in a sealed room within the building with an inlet louvre at roof level. The extract unit is to be on the roof which should provide some acoustic screening. A condensing unit is to be installed on the east facing wall (facing residential receptors) but exact location is not clear. The extraction plant is to operate during restaurant opening hours and the condensing plant will operate for 24 hours. Presumably switching on and off during that time.</p> <p>An assessment of baseline noise was carried out in January 2017 to assist in the calculation of target levels at the nearest sensitive receptors (i.e. dwellings in Two Rivers Way). The report concludes that the ‘representative’ background sound level during the day time is 43dB and during the night is 42dB. The difference between the day time and night time measured background sound levels is minimal (1dB) which, in my opinion is unusual where there is influence from traffic. I carried out some monitoring on the 6<sup>th</sup> Feb 2018 in the garden of a property in Two Rivers Way which showed that background sound levels (LA90) during the day time were similar to those recorded in 2017 but fell to 39dB at 2300. Unfortunately the monitoring equipment stopped operating after 2300 and no night time levels were recorded. It is reasonable to assume however that the background sound level could possibly have fallen and that more work is required to establish the ‘worst case scenario’ (i.e., lowest night background noise level). This could possibly effect the target noise levels established in the noise impact assessment (T5 pg. 10).</p> <p>The noise levels generated by the proposed development have been assessed at positions representative of the nearest residential facades (para 7.2.1). In my opinion the potential impact of noise in garden areas should also be assessed particularly during the ‘day time’ period. 0700 – 2300.</p> <p>Notwithstanding the above it is technically possible to provide noise mitigation measures to mechanical plant to ensure that there is no</p>



impact on residential amenity. I would therefore recommend that a condition is imposed to ensure that further base line assessment is carried out and that appropriate noise mitigation measures are installed and maintained.

I would also recommend a condition to ensure that extraction ventilation equipment is regularly maintained and is switched off when the restaurant is not operating.

#### Noise from Restaurant and External Seating Area

An assessment of noise break out from the restaurant has been carried out. The source levels (T6) have been derived from database noise data for 'kitchen noise' and 'bar noise levels with no music.

The impact at residential properties has been derived by comparing measured levels (LAeq) with predicted levels (LAeq) at receptors. It is not clear whether music will be played in the restaurant area and it is not clear whether the impact within neighbouring *gardens* has been assessed.

Noise from the external seating area has also been assessed using data from BS ISO 9921-1:1996. The calculations assume one person talking at each table at a normal level and that it would be unusual for people to talk over each other. I do not agree with this assumption.

The layout of the external seating area differs from one drawing to another. In one drawing (Site Plan 03/2/17 RP01) a fence is shown at the eastern end of the terrace closest to residential receptors. On another drawing 03/2/17 RP02 this fence is shown as a 2m high close boarded fence which, if it were acoustically sealed, (i.e. no gaps) could provide additional protection to local residents.

I recommend that the decision on this application is deferred until further assessment of noise from the restaurant and external seating area is carried out including:

- an assessment of noise affecting neighbouring gardens;
- an assessment of noise from amplified music, if it is to be played;
- an assessment of potential noise mitigation (insertion loss) provided by proposed 2m high close-boarded fence at the end of the terrace.

#### Noise from Deliveries

Deliveries will be made to a door on the eastern façade of the proposed restaurant via a ramp that runs close to the boundary with neighbouring properties. The noise impact assessment (para 8.5) states that deliveries to the new restaurant building are not expected to be significant in number over the course of a typical week and that the open doors of delivery vehicles should face away from residences to the east. No assessment has been made of noise from vehicle movements, reversing alarms, refrigeration units on vehicles or unloading activity

I recommend that the decision on this application is deferred until an assessment of noise from deliveries is carried out and submitted.

#### Refuse Disposal

I note that there is an enclosed 'refuse' area (room) on the eastern

façade of the proposed building. The day to day use of this area is not likely to be significant unless it is used for the disposal of empty bottles at inappropriate times. Noise from the delivery and collection of waste skips has the potential to cause significant disturbance particularly if it happens early in the morning, which is quite often the case in such locations

I recommend that the decision on this application is deferred until an assessment of noise from the refuse area is carried out.

#### Noise from the Car Park

I understand that the capacity of the existing car park is to be increased. Paragraph 8.1.1 of the noise impact assessment points out that vehicles currently park close to the boundary of the site close to residential properties and that in fact there will be an increase in the average distance to residences when the car park is more formally laid out. Given that there is likely to be an intensification of the use of the car park and an increase in the number of customers using the site as a result of this application I consider it reasonable to request an assessment of noise from the car park.

I recommend that the decision on this application is deferred until an assessment of noise from the car park is carried out to include:

- assessment of noise from the arrival departure of vehicles
- assessment of noise from customers arriving and departing including the closing of car doors
- any possible noise mitigation measures perhaps in the form of acoustic fencing along the eastern boundary of the site (for example)

#### Commercial Odour

Odour from the commercial kitchen could have an impact on residential amenity if not adequately controlled. Drawings showing the layout of the extraction equipment have been provided but there appears to be no information on odour control, filtration etc. . I recommend therefore that a condition is imposed as follows:

*Before development commences the applicant shall submit to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of odour and noise from the preparation of food associated with the development. Development shall not commence until written approval has been given by the Local Planning Authority to any such scheme of works.*

Reason: In the interests of the amenities of neighbouring occupiers

I recommend that the further information is requested as detailed above before determination

*An updated version of the Noise Impact Assessment (Cole Jarman report 16/0017/R01)//Revision 06) was submitted to the LPA and re-consulted upon with objectors.*

The following additional information has been provided:

- 1) Noise from the restaurant and external seating area  
The noise from people using the terrace was previously based on one person speaking at a time. We considered that this

was not a realistic scenario and asked for this to be reassessed. The current assessment is based on every person at each table talking at the same time. Whilst this is also not realistic it does ensure that a worst case assessment has been carried out and is therefore acceptable.

Paragraph 7.3.3 states that “*the closest dwellings are screened from people within the external areas and the open façade by the building itself*”. Drawing ref RP.01 A (Proposed Restaurant Site Plan in Appendix) shows a fence at the eastern end of the terrace but this does not appear on other drawings (RP.02, RP.06).

It is not clear, however, whether the assessment takes into account any acoustic benefit from this fence. Given that nearby residents are likely to benefit from a close boarded fence at this location I recommend that this is installed as part of this development. You may wish to seek further clarification on this.

2) Noise from deliveries/ collections

Previous assessments did not provide a comprehensive assessment of noise from deliveries/collections. Section 8 of the revised report assesses noise from deliveries and collections and concludes that the calculated noise levels are lower than the existing ambient noise levels so are suitably controlled. The assessment states that waste collections and F&B deliveries will be limited to between 0900 and 1800 each day. I therefore recommend that a condition is imposed to restrict delivery and collections times to between 0900 and 1800 each day.

I was concerned about potential noise from the disposal of bottles and other glass waste. The noise assessment states that a ‘Glassbuster’ machine will be used in the bar area and glass waste will be stored in plastic containers. This will significantly reduce the noise form disposal of glass waste and is acceptable. It is not clear, however whether this should / could be secured by condition.

3) Noise from Car Park

A full assessment of noise from the refurbished car park has been included in section 9 of the revised assessment. Data from various car park noise databases have been used to calculate the potential noise impact and the assessment is based on methods detailed in the DoT calculation of Road traffic Noise (CRTN). It concludes that the noise impact from the car park will be suitably controlled and that no mitigation is required. Whilst it is not possible to model every scenario, including occasional excessive noise from people using the car park, I think that the assessment is reasonable and is therefore acceptable. Licensing conditions could be used to limit people noise should the need arise.

4) Noise from external plant (Air conditioning and refrigeration).

I recommend that the standard condition for controlling noise from externally mounted plant and equipment is applied.  
*Noise resulting from the use of this plant, machinery or*

	<p><i>equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-2014, at a point one metre external to the nearest noise sensitive premises.</i></p> <p><i>Reason: in the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area</i></p> <p>It was confirmed in an email dated 3<sup>rd</sup> May 2018 that Environmental Health had no objections subject to conditions.</p>
<b>Canal and Rivers Trust</b>	No comment
<b>Ecology</b>	<p>I note that the ecology information is dated December 2015.</p> <p>Standing advice from Natural England is that surveys should not be over 2 – 3 years old for medium to high impact schemes. (Natural England – Standing Advice for Protected Species)</p> <p>However, since this site is adjacent to a SAC and SSSI and has the potential to impact on a number of species it is worth having a refresh done especially as the land has been vacant for several breeding seasons and new species might have migrated in.</p> <p>I note that the Water Vole survey was updated in 2016 and again in 2017 and therefore does not need to be done again.</p> <p>Updated ecology reports were submitted to the LPA, to which were reviewed by the LPA's ecologist. Thank you for consulting Ecology with this updated information. If you are minded to approve please apply conditions.</p>
<b>Natural England</b>	<p>Following receipt of further information on 16/05/2018, Natural England is satisfied that the specific issues we have raised in previous correspondence relating to this development have been resolved. We therefore consider that the identified impacts on the River Lambourn SSSI/ SAC can be appropriately mitigated with measures secured via planning conditions as advised and withdraw our objection.</p> <p>The planning conditions are as follows:</p> <ul style="list-style-type: none"> <li>- That the site is connected to the public foul drainage system as mentioned in the letter dated 9th May 2018 and that foul water will not be dealt with through a package treatment plant or septic tank.</li> <li>- That the construction activities will be undertaken in a way which will avoid any detrimental impact on the adjacent SSSI/SAC e.g. from dust, spillages, polluted runoff etc. Measures will be put in place to ensure no sediment or polluted runoff enters the river when undertaking activities such as wheel washing, refuelling of machinery, storing materials etc. Best practice and Environmental standards will be adhered to and specific details regarding where certain activities will take place on site, such as the storage of materials etc, will be included in the final CEMP.</li> <li>- That a long term SUDs maintenance plan will be provided. The information provided in the technical note document is not detailed enough to reassure our concerns. Natural England would like to see a</li> </ul>

	<p>SUDs maintenance plan as requested in our letter dated 17th November 2016. This should include timescales of regular checks and details of the maintenance specific to the types of SUDs that will be used onsite. If the SUDs are not properly maintained and therefore fail, the River Lambourn SSSI/SAC is likely to be affected.</p> <p>- That a buffer zone between the river bank and the construction footprint of at least 8m will be retained and clearly marked by both a visual and physical barrier thus preventing materials, machinery or work from encroaching onto the SSSI/SAC either before, during or after demolition or construction as mentioned in the draft CEMP. The buffer zone will be maintained as an undisturbed riparian corridor. This point is linked to our request in our letter dated 17th November 2016 about considering how the development will be undertaken that ensures no altered hydrogeology will occur.</p>
<b>Tree Officer</b>	<p>There are a number of significant mature trees that may be adversely affected by the proposals, they are all protected under the Conservation Area. The submitted arboricultural information prepared by Ian Murat of A C S Consulting dated October 2017 and subsequent Overlay and mark up of Landscape planting plans of the approved hotel plan and current restaurant plan dated 27.03.18 is considered to be adequate for the purpose of determining this application as far as tree and landscape implications are concerned and with the protection measures specified along with close arboricultural supervision should be sufficient to minimise the impact of the development on retained trees.</p> <p><b>Recommendation:</b></p> <p>I raise no objection to this development subject to the following conditions</p>
<b>MOD</b>	No objections
<b>Kennet and Avon Canal Trust</b>	No comments

#### 4. Representations

- 4.1. The Local Planning Authority received 16 representations all of which were objections to the application. A number of objectors sent multiple representations letters however in line with the council's constitution they only count as the one objection, but all have been equally considered.
- 4.2. The matters raised in the letters of objection (summarised by officers) are:
- The impact on neighbouring amenity from noise pollution from users of both hotel, restaurant and parking areas, also the lack of parking provided.
  - The siting of the restaurant close to neighbouring dwellings but away from the hotel
  - The impact on neighbouring dwellings garden amenity
  - The open plan nature of the application lends itself to be used as a function room rather restaurant
  - The increase in likely numbers of vermin attracted to the increase in waste proposed on the site.
  - The customers of the proposed development parking in the surrounding streets causing conflict with regard to road safety and neighbouring amenity.
  - Impact on the local ecology of the River Lambourn which is SSSI and a SAC.

- The outdated ecology reports raise concern that this has not been considered closely enough
- The running of the condenser unit for 24 hours a day will have a detrimental impact on neighbours
- Impact from the restaurant being used for the wedding market
- Impact from the increased likelihood of firework displays
- Impact from outside diners on the external seating area
- Concerns raised in regards to food smells being emitted from the restaurant
- Light pollution from the glazed roof of the restaurant and car lights in the car park
- Noise from the development being used as a wedding venue increasing the use of DJs and bands
- The increase in capacity of car park causing disruption to neighbours
- Replacing an extensive area of scrubland/grass etc with hard surfacing will prevent it from absorbing any of the run-off from the river when the level is high, or when excessive rainwater runs down the hill and through that area as it has done before.
- The submission of applications in the pre-Christmas period making consultation responses an issue
- Increased traffic using the A road adjoining the site
- The increase in traffic movements having a negative impact on the ecology of the site.
- The bi-fold doors will provide an option for the indoor area to provide a larger cumulative impact from noise.
- The change to the surfacing of the land will alter the natural drainage of the car park which will increase risk of flood in the area
- The original Noise Impact Assessment lacks pragmatic consideration of additional sources of noise such as live or background music, deliveries and taxis.
- Increasing use of restaurant causing anti-social behaviour in the surrounding areas
- The development is proposed too close to residential buildings
- Existing issues with Hotel Guests and noise complaints is likely to increase
- Objections to all the applications being considered separately and should have been submitted as one.
- Misleading Planning Statement, where it states previously withdrawn applications were considered acceptable, despite no decision being made.
- The reliance on previously submitted documents to justify this proposal leads to inaccuracies.
- Ecology surveys not being carried out at appropriate times in accordance with best practice.
- The potential nuisance and pollution adverse impact is compounded as all of the noisiest and polluting operational activities are planned to be within 5 metres of residences. These being: the refuse store, bottle store, 3 closed plant areas and kitchen.
- Objection is raised to the findings of the Ecology reports whereas the Hotels website states that the river is full of fish, and other wild life can be found in the grounds.
- Objectors state that a number of protected species are seen regularly throughout the year on the site.
- Objection raised to staff taking smoking breaks near service areas
- Objection to the use of the areas adjacent for spill out activities such as bbqs and igloos to increase the use of the site. Additionally uses such as outdoor cinemas.
- Lack of information on future plans for the site, specifically the existing riverside building which is current unused.
- Discrepancy in flood space calculations
- The under provision for disabled access to the restaurant and parking spaces.
- The travel plan omits key trips in its considerations
- The noise impact does not take into account the cumulative impact of the development.
- Contradictions in regards to the choice of plant equipment choice between documents

## **5. Planning Policy Considerations**

5.1. The statutory development plan comprises:

- West Berkshire Core Strategy (2006-2026)
- Housing Site Allocations DPD
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
- Replacement Minerals Local Plan for Berkshire (2001)
- Waste Local Plan for Berkshire (1998)

5.2. The following policies from the West Berkshire Core Strategy are relevant to this application:

- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 2: Newbury
- CS 14: Design Principles
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

5.3. The West Berkshire Core Strategy replaced a number of Planning Policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following Policies remain in place until they are replaced by development plan documents and should be given due weight according to their degree of consistency with the National Planning Policy Framework:

- TRANS1: Meeting the Transport Needs of New development.
- OVS5: Environmental Nuisance and Pollution Control.
- OVS.6: Noise Pollution

5.4. The following Housing Site Allocations Development Plan document policies carry full weight and are relevant to this application:

- C1: Location of New Housing in the Countryside
- P1: Residential Parking for New Development

5.5. Other material considerations for this application include:

- The National Planning Policy Framework (March 2012) (NPPF)
- Planning Practice Guidance (PPG)
- Quality Design Supplementary Planning Document (SPD)

## **6. Proposal**

6.1. The application proposed the extension and alteration of existing cottage to create hotel restaurant with outdoor seating terrace, wall mounted-condenser unit and roof-mounted extract. The proposed development is to extend the existing dwelling in the grounds of the Hotel, to the east by around 16 metres approx. and to the south by 17 metres approx. in amongst other smaller extensions and an external seating area to the south adjoining the river Lambourn. The extension to the dwelling will be single storey and sit below that of the existing retain dwelling fabric.

6.2. Mill Waters Cottage was constructed in the first half of the C20th within the curtilage of the Grade II listed Newbury Manor Hotel. It has undergone a number of alterations and extensions in the C20th and C21st.

6.3. The site is located adjacent to the River Lambourn which is a site of Significant Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The dwelling itself is not listed but is listed by virtue of being within the curtilage of the Grade II listed building of Newbury Manor Hotel. The proposed development also falls within a Conservation Area and within the defined settlement boundaries of Newbury Town.

7. **Determining issues:**

- The Impact on the Character and Appearance of the Area and Listed Building;
- The Archaeology of the Site
- The Assessment of Sustainable Development;

8. **The Impact on the Character and Appearance of the Area and Listed Building**

8.1. The National Planning Policy Framework states that in determining planning applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to its conservation.

8.2. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm or loss of a Grade II listed building should be exceptional.

8.3. The National Planning Policy Framework further adds that, local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

8.4. Planning Policy CS14 states how developments should conserve and enhance the historic and cultural assets of West Berkshire, CS 19 of the West Berkshire Core Strategy seeks to ensure that development results in the conservation, and where appropriate, enhancement of heritage assets and their settings.

8.5. Mill Waters Cottage was constructed in the first half of the C20th within the curtilage of the Grade II listed Newbury Manor Hotel. It has undergone a number of alterations and extensions in the C20th and C21st. Given the fact that it pre-dates 1948 and that there was a functional and physical relationship between the principal listed building and the cottage at the time of listing, the building is considered to be curtilage listed.

8.6. The extension has been designed in a contemporary idiom with a lightweight profile, made possible by the use of fully glazed elevations and a shallow pitched glass roof. Whilst the proposed extension covers quite an extensive footprint, it does not dominate the main house, instead it allows the original cottage to remain the focal point.

8.7. The application proposes to extend Mill Waters Cottage and convert it into a restaurant for the hotel. The extension is located to the rear and will combine a traditional brick and tiled gabled structure to mirror the existing cottage, as well as an extensive contemporary glazed section. The glazed structure will form a low profile link between the existing and proposed brick elements

8.8. The application also proposes removing the existing C21st lean to porch, which spans across two thirds of the front elevation with a smaller, more traditional porch. The Conservation Officer consider that this is a positive alteration that will enhance the principal elevation of the cottage.



- 8.9. Given the location of the extraction units on the roof it will not be visible from ground level so will have no impact on the character of the building or the character of the area.
- 8.10. The design of the proposal is well considered and overall the Conservation Officer and Planning Officer do not feel it would cause any harm to the character of this curtilage listed building or the setting of the principal Grade II listed hotel building.
- 8.11. In light of the above the case officer does not feel that the proposal would harm the setting of this Grade II listed building or the Conservation area, the Conservation Officer is in agreement with this assessment. Conditions have been recommended should approval be given.
- 8.12. It is considered, subject to conditions, that the proposed development would not adversely affect the character and appearance of the area in accordance with the provisions of Core Strategy policies ADPP1, ADPP2, CS14, CS19 and the NPPF.

## **9. Archaeology of the Site**

- 9.1. The Newbury Society has recommended that given the long history of the site and its previous uses if the LPA is minded to approve the application appropriate conditions should be applied in regards to archaeology reviews and a watching brief. The councils Archaeologist has reviewed the application similarly but comment that The proposed restaurant is also within an area of 'high' to 'highest' potential for Mesolithic archaeology or palaeo-environmental evidence, but previous advice was that the site would have been disturbed by the construction of buildings during the late 19th and early 20th century. Evidence suggests that there will be no major impact on any features of archaeological significance.
- 9.2. It is therefore considered conditions are unreasonable and no investigation programme is required. The proposed development is therefore considered in line with CS19 of the Core Strategy and Advice within the NPPF.

## **10. The Assessment of Sustainable Development**

- 10.1. The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.
- 10.2. Being a proposed extension to a building in the grounds of the hotel the scheme has economic considerations by promoting the commercial ability of the site in addition to the immediate construction period benefits. The Environmental considerations have been assessed in terms of design, amenity and impact on the area in specific relation to the status and impact on the Grade II listed building of Newbury Manor. Social considerations overlap those of the environmental in terms of amenity. Having assessed the application in terms of design, impact on the area and impact the development is considered sustainable development

## **11. Conclusion**

- 11.1. The proposal is considered to not harm the setting of this Grade II listed building or the Conservation area, the Conservation Officer is in agreement with this assessment.
- 11.2. The proposal considered within this application for the erection of extension and alteration of existing cottage to create hotel restaurant with outdoor seating terrace, wall-mounted condenser unit and roof-mounted extract at Mill Waters Cottage at Newbury Manor Hotel

are considered in accordance with National Planning Policy Framework (March 2012) and policies ADPP1, ADPP2, CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026). In addition to these the proposal is in line with supplementary planning guidance Quality Design (June 2006).

## **12. Recommendation**

**The Head of Development and Planning be authorised to GRANT Planning Permission subject to the following conditions:**

### **1. Time Limit on Planning Permission**

The development hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **2. Approved Drawings**

This listed building consent relates only to work described on the drawings identified below:

- Drawing title "Proposed Restaurant Elevations- Sheet 1". Drawing number RP.05. Date stamped 28<sup>th</sup> November 2017
- Drawing title "Proposed Restaurant Elevations- Sheet 2". Drawing number RP.06. Date stamped 2<sup>nd</sup> May 2018
- Drawing title "Proposed Restaurant Sections". Drawing number RP.07. Date stamped 28<sup>th</sup> November 2017
- Drawing title "Proposed Restaurant Ground Floor Plan". Drawing number RP.02 A. Date stamped 2<sup>nd</sup> May 2018
- Drawing title "Proposed Restaurant First Floor Plan". Drawing number RP.03. Date stamped 28<sup>th</sup> November 2017.
- Drawing title "Proposed Restaurant Roof Plan". Drawing number RP.04. Date stamped 28<sup>th</sup> November 2017.
- Landscaping plan: Overlay and mark up of Landscape planting plans of the approved hotel plan and current restaurant plan dated 27.03.18
- Drawing title "Proposed Restaurant Site Plan". Drawing number RP.01 C. Date stamped 16<sup>th</sup> March 2018
- Drawing title "Proposed Restaurant Block Plan". Drawing number RB.01 A. Date stamped 28<sup>th</sup> November 2017.
- Drawing title "Proposed Restaurant Location Plan". Drawing number RL.01 A. Date stamped 28<sup>th</sup> November 2017
- Drawing title "Kitchen Ventilation". Drawing number CCN-01. Date stamped 28<sup>th</sup> November 2018.
- Drawing title "Kitchen Ventilation". Drawing number CCN-02. Date stamped 28<sup>th</sup> November 2018.

No work shall be carried out other than in accordance with the above drawings and documents.

Reason: To clarify what has been approved under this consent in order to protect the special architectural or historic interest of the building.

### **3. Schedule of Materials**

No development shall take place until samples and an accompanying schedule of all materials and finishes visible external to the building have been submitted to and approved in writing by the Local Planning Authority. All materials incorporated in the work shall match the approved samples.

Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **4. Facing Brickwork Making good shall match**

All new facing brickwork, including works of making good, shall match the existing brickwork in terms of bricks (size, colour and texture); mortar (mix, colour and texture); joint profile; and bond.

Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **5. Making good and repair to retained fabric**

All works of making good and repair to the retained fabric, whether internal or external, shall be finished to match original/adjacent work with regard to the methods used and to materials, colours, textures and profiles.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026)

### **6. Rainwater Goods**

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 cast iron, painted to match existing, and any existing metal rainwater goods and accessories shall not be removed or modified without the prior written approval of the Local Planning Authority on an application made for that purpose.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

### **7. Window Details**

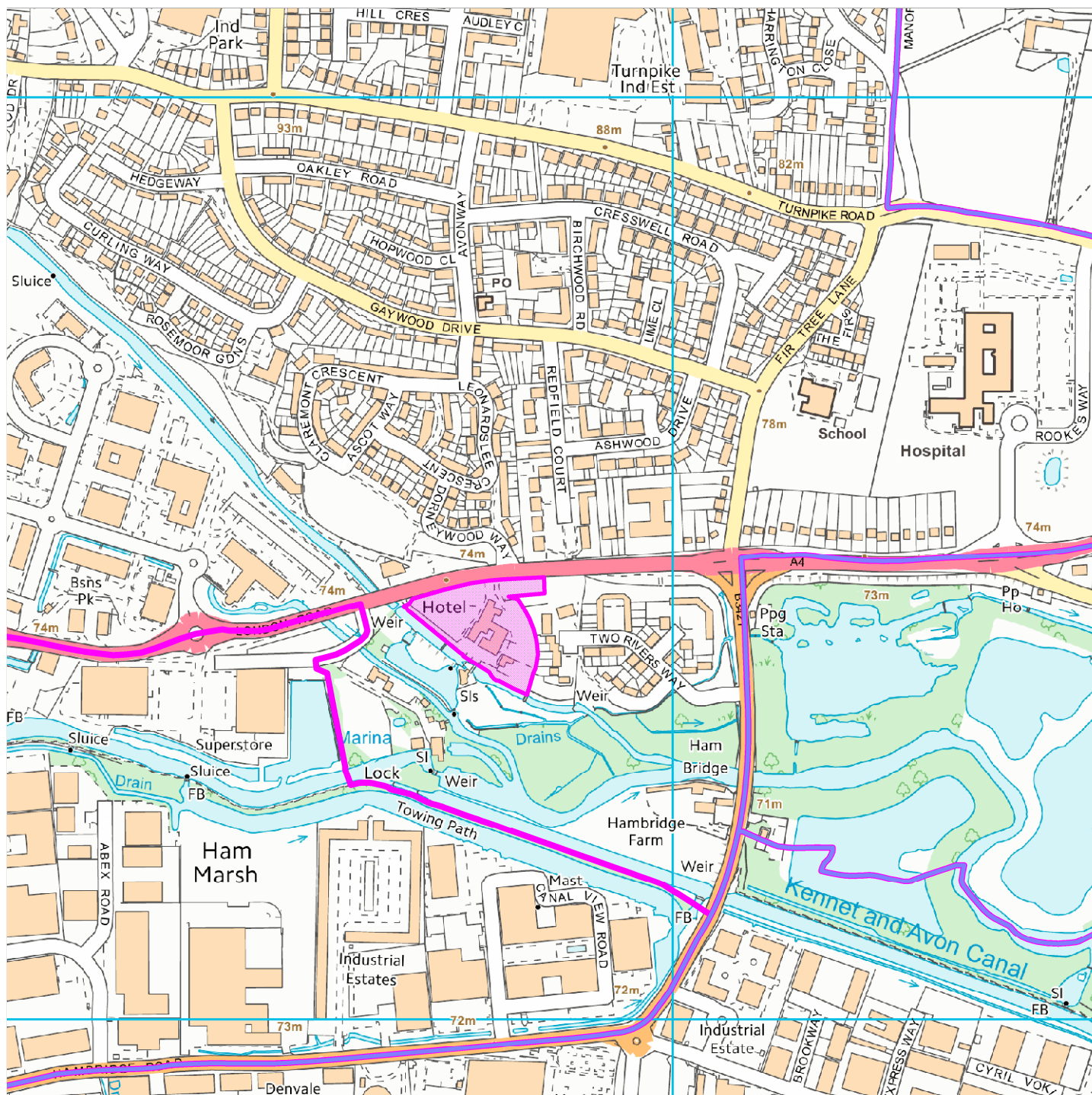
No development shall take place until details of all new windows/areas of glazing/external doors, including materials and finishes, at a minimum scale of 1:20 and 1:2, have been submitted to and approved in writing by the Local Planning Authority. The windows/areas of glazing/external doors shall be installed in accordance with the approved details.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

DC



17/03223/FUL 17/03232/FUL 17/03233/LBC  
 17/03237/COMIND 17/03238/LBC  
 Newbury Manor Hotel, London Road, Newbury. RG14 2BY



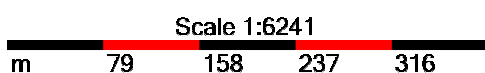
Map Centre Coordinates :

Scale : 1:6241

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2003.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings .

<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	29 May 2018
<b>SLA Number</b>	0100024151



This page is intentionally left blank

# Agenda Item 5.

## APPEAL DECISIONS WESTERN AREA-COMMITTEE

Parish and Application No Inspectorate's Ref	Location and Appellant	Proposal	Officer Rec.	Decision
GREENHAM 17/01444/FUL  PINS Ref 3187255	Marketing Suite Racecourse Road Newbury David Wilson Homes Southern	Alteration and side and rear two storey extension.	Del Refusal	Allowed 8.5.18
LAMBOURN 17/01661/FULD  Pins Ref 3193976	Land To The South Of Greenways Lambourn Mr and Mrs Gibbard	Demolition of existing barn and replacement with a single dwelling with integral garage.	Del Refusal	Dismissed 9.5.18

This page is intentionally left blank



Parish and Application No Inspectorate's Ref	Location and Appellant	Proposal	Officer Rec.	Decision
GREENHAM 17/01444/FUL  PINS Ref 3187255	Marketing Suite Racecourse Road Newbury David Wilson Homes Southern	Alteration and side and rear two storey extension.	Del Refusal	Allowed 8.5.18

### **Preliminary Matters**

The marketing suite mentioned in the Council's decision notice has been removed and, with reference to the original application form, the Inspector amended the site address, accordingly.

The strip of land on which the parking spaces, the subject of this appeal, are accommodated is not marked out to denote individual parking bays. The application form and the submitted drawing No 7140 PL 101A refers to 6 parking spaces whereas the Council considers that there are 7 spaces. In the circumstances, the Inspector has referred only to the 'parking area' and the permission granted requires for the bays to be properly marked out.

### **Main Issue**

The main issue is the proposal's effect on the character and appearance of the surrounding area.

### **Reasons**

The area where the parking is occurring is that which was used for such in connection with the marketing suite which lied adjacent but has since been removed. The marketing suite, in connection with the surrounding housing development was granted planning permission, first under ref 12/03188/FUL and then retained for a further period by way of permission ref 15/03441/FUL. The Inspector noted the Council's comment in its case report that it had understood that once the marketing suite had been removed the use for parking would be discontinued with the strip being landscaped. However, neither planning permission specifically required for the parking area's removal with no condition imposed to this effect.

When the original planning permission was granted for the new housing at the racecourse only 557 parking spaces were provided for 421 dwellings. This was later revised with a subsequent planning permission (ref 13/02087) which approved a total of 616 spaces. However, the Council says in its Statement that this still falls significantly short of current car parking standards and indicates that if current standards had been in effect in 2011, when the relevant reserved matters were approved, the number of dwellings permitted might have been fewer. Indeed, it would appear from a number of letters of representation from interested parties, responding to the appellant's consultation exercise, that the amount of parking spaces, and those for residents' visitors, is a concern.

The Council's main objection is that the parking strip is close to the access road and it considers that this area performs an important visual corridor into the racecourse. However, at the entrance spur off the roundabout the strip cannot be readily seen as the access road curves slightly and it is recessed behind a small area of landscaping. To be properly aware of its presence one would have to drive a short distance into the site.

Policy CS19 of the Council's Core Strategy (CS) seeks to ensure that development proposals do not adversely impact on the natural, cultural and functional components of the surrounding area's characteristics and, given his findings, these components would be preserved. Also, given the small scale nature of the development relative to its contextual setting, and the existence of the grassed areas immediately beyond, the importance of green infrastructure, as is highlighted under CS Policy CS18, would not be compromised.

In the above connection the Inspector was also aware that the site lies within the Stroud Green Conservation Area. Neither main party has, though, raised this as a particular issue and, due to the strip's limited size, he considered the significance of this location would not be harmed and the character and appearance of the Conservation Area would be preserved.

The Inspector noted the Council's view that the parking spaces involved would make little difference to the wider site's overall parking ratio. That may be the case but, in the absence of any significant visual harm, there are no compelling reasons to refuse planning permission for the continuation of use. Allowing this appeal would not make it difficult for the Council to resist any future proposals for additional parking on the wider site as each individual case has to be determined on its own particular merits or impacts. Permitting the appeal scheme would not set a precedent in this regard.

The Inspector had had regard to the letters of objection from interested parties and the grounds raised. Nonetheless, from his findings he concluded that the proposal would not be harmful to the character and appearance of the surrounding area, and there would be no material conflict with CS Policy CS19. In terms of conditions, he had imposed one requiring that the bays be marked out and the other requiring that the strip be landscaped by way of a scheme to be submitted to the Council for subsequent approval in writing. In the circumstances, both these conditions are necessary and reasonable. The Council has suggested that a condition be imposed requiring that the parking spaces be retained for visitor use. However, such wording is imprecise and, moreover, a condition to this effect would be unenforceable, and would not meet the advice set out in the government's planning practice guidance.

For the above reasons, and having had regard to all other matters raised, the appeal succeeds.

### **Decision**

The appeal is allowed and planning permission is granted to retain the resin bound parking bays that run perpendicular to the access road which formerly served as DWH customer parking for people visiting the Marketing Suite accessed from Stroud Green and the private gated access road at land off Teeton Mill Place, site of former marketing suite, Racecourse Road, Newbury, Berkshire RG14 7NU, in accordance with the terms of the application Ref 17/01444, dated 19 May 2017, subject to the following conditions:

- 1) Within 3 months of the date of this decision letter the appellant / owner shall submit a suitable landscaping plan for approval in writing by the local planning authority. Pursuant to the plan's written approval it shall be fully implemented in the first available planting season, and shall be maintained to the satisfaction of the local planning authority for a minimum period of 5 years thereafter. The landscaping shall be implemented in accordance with the approved details.
- 2) Within 3 months of the date of this decision letter the parking area hereby approved shall be marked out into individual bays to accord with recognised standards and shall be retained for such use thereafter.

DC

Parish and Application No Inspectorate's Ref	Location and Appellant	Proposal	Officer Rec.	Decision
LAMBOURN 17/01661/FULD  Pins Ref 3193976	Land To The South Of Greenways Lambourn	Demolition of existing barn and replacement with a single dwelling with integral garage.	Del Refusal	Dismissed 9.5.18

## Main Issues

These are firstly, whether the appeal site would be a suitable location for housing, secondly; the effect of the proposed development on the character and appearance of the surrounding area including the AONB, and thirdly; the effect of the proposed development on the existing public rights of way.

## Reasons

### *Whether suitable location*

The appeal site is located to the south of Greenways, which occupies a site to the south of the settlement of Lambourn and within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Currently comprising an agricultural barn, the site is accessed from Greenways, which turns into an unadopted road shortly after passing the primary school and narrows to a single track that climbs steadily before entering the site via a public right of way, Lambourn Byway 45.

Policy 1 of the West Berkshire Core Strategy Area Delivery Plan 2006-2026 (ADP) adopted in July 2012, provides a delivery strategy and settlement hierarchy. Falling outside the settlement limits for the Rural Service Centre of Lambourn as identified in Policy C1 of the Housing Site Allocations DPD, the appeal site is treated as being in the countryside for the purposes of interpreting planning policy. Policy C1 restricts development in the open countryside to only appropriate limited development focused on addressing identified needs and maintaining a strong rural economy.

The Core Strategy at policy CS1 aims to direct most development to those urban areas which have the infrastructure and facilities to support sustainable growth. Outside the settlements identified in the spatial strategy hierarchy, in other words, the countryside, a more restrictive approach to development will be taken. Specific exceptions to this approach could include rural exceptions housing schemes, conversion of redundant buildings, housing to accommodate rural workers and extensions or replacement of existing residential units. The proposal does not fall into any of the identified categories.

Paragraph 49 of the National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that the relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites. In this case, there is no dispute that the Council has a deliverable 5-year housing supply, and there is therefore no suggestion that its housing policies should not carry full weight.

This places the proposed development in conflict with the adopted, up-to-date development plan and, as such, it cannot benefit from the presumption in favour of sustainable development set out in paragraph 14 of the Framework. This is made clear in the 'Barwood' judgement which indicates, amongst other things, that if a proposal is inconsistent with paragraph 14 of the Framework, it cannot be a "sustainable development" as understood in the context of that paragraph.

The view is supported by any reasonable consideration of Core Strategy policy ADPP1 and referred to in the officer's delegated report, which sets out that the spatial strategy and settlement hierarchy relates also to the transport accessibility of settlements, in addition to issues such as the level of services and the availability of sites for development. As with the Framework, proposals for housing development must demonstrate that it will minimise demand for travel, offer genuinely sustainable travel choices and address

highway safety. Given its location, there is little doubt that there would be reliance on the private car to undertake the most routine of journeys to access services. In addition, the Inspector did not consider that the site could reasonably be considered as infill development particularly given the definitions set out in policy CS1.

In view of the above points, he concluded that the appeal proposal would not represent an acceptable or sustainable form of development in this countryside location. Accordingly, the Inspector found it to be in conflict with the up-to-date development plan policies to which he had already referred.

#### *The effect on the character and appearance of the surrounding area and AONB*

The appeal site is located within North Wessex Downs AONB, which rises to the south. The proposed house will replace a large and utilitarian modern barn structure that has extant planning permission to be extended. The appellant claims that the present structure has a significantly degrading effect on this part of the AONB and that the proposed development occupying a smaller footprint and set lower into the landscape would represent an enhancement of the area, particularly when viewed from public rights of way (PROW) within the AONB.

The Core Strategy explains that development within the AONB will be more restrictive than in the general countryside, reflecting the national designation of the landscape. The Framework makes clear that great weight should be given to conserving the landscape and scenic beauty of AONBs, which are afforded the highest status of protection in terms of these matters.

Views from the PROW to the south and from the higher land beyond would mean that the proposed development would be seen alongside the existing cluster of buildings at Greenways. However, the design in its contemporary form set low within the site and incorporating external materials that would better harmonise with its surroundings, including a green roof, would have a positive effect on the character and appearance of the area by comparison with the existing arrangement. It is noted that the Council does not raise any objection in terms of its design and the Inspector concurred with this assessment.

Accordingly, the Inspector found that the proposed development would be in accordance with policies CS 14 and CS 19 of the Core Strategy, which together requires development to respect and enhance the character and appearance of the area and ensure that it is appropriate in location, scale and design in the context of the existing settlement form, pattern and character. It would also comply with Core Strategy ADP Policy 5, which seeks amongst other things to preserve local distinctiveness, sense of place and setting of the AONB in line with the guidance set out in the Framework.

#### *Effect on PROW*

The Council's concern with regards to the fragile nature of the surfacing to the PROW known as Lambourn Byway 45 is noted. However, during his site visit, the Inspector observed that the lane has a macadam surface for most of its length up to the site entrance. The Council's concerns that the proposed development would result in further deterioration of the surface of the byway is difficult to reconcile given the nature of the existing use of the appeal site and the potential activities associated with the running of a farm enterprise at this location. The appellant explains that the appeal proposals would not result in the need for additional works to take place to upgrade the access lane and byway. The Inspector accepted that the residential use of the appeal site would probably result in a reduction in traffic movements along this byway both in nature and frequency by comparison with possibly a more intensive agricultural enterprise.

The Council also expresses concern in relation to the servicing of the site by refuse vehicles. From his observations on site and the evidence presented by the parties, there is a difference of opinion as to the distances that would need to be travelled by a refuse collection vehicle. However, as he had dismissed the appeal on grounds of location, which inherently includes general consideration of whether the appeal site would be sustainably located having regard to local and national policies in respect of accessibility to services and facilities, he did not consider this issue further.

However, as the Inspector had found that intensification of the use of the byway by traffic associated with a dwelling use would mean that there would be a reduced transport impact overall, he did not find conflict with policy CS 13 as a matter of principle sufficient to require attention to be given to the bullet points accompanying that policy. For the same reasons, neither did he find any serious conflict with policy CS 14 that requires development proposals to make good provision for access by all transport modes. This is

confined however to consideration of whether the existing access is capable of accommodating the proposed use rather than the wider application that is intended by both policies.

### **Other matters**

The Inspector had considered the concerns raised by local residents in relation to the increased traffic on a narrow road that leads past the village school. However, there are no technical highway objections to the proposed development from the Council's Highway Officer.

### **Planning balance and overall conclusion**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material planning considerations indicate otherwise. In this case he had found that the appeal proposal would be clearly contrary to the Council's housing strategy. The opportunity to replace a building of questionable quality by something that would be better cannot be used to justify a development that would be in such clear policy contradiction.

As noted above, the Barwood judgment indicates that a proposal cannot be a sustainable development if it is inconsistent with paragraph 14 of the Framework, and he considered that this is borne out in this case by an assessment of the proposal against the three dimensions of sustainable development – economic, social and environmental as set out in the Framework.

The Inspector accepted that the proposed development would give rise to some modest economic benefits from employment during the construction of the dwelling and by subsequent spending on services and facilities in the local area by occupiers of the dwelling. However, these can be no more than limited benefits in his consideration.

In addition there would be social benefits arising from a new dwelling and future occupiers would be highly likely to use services and facilities of Lambourn, including the primary school nearby. Again, these benefits are of modest nature in his view. The Inspector had however found that the proposed development would lead to an environmental enhancement of the present site within the AONB and that this is a positive environmental benefit to which he placed considerable weight.

However, the proposal would give rise to a dwelling that would not be within the recognised development boundary for this settlement and therefore the proposal would not accord with the Council's development plan in this regard. Overall, he considered that there is no justification for reducing the weight that should be given to the Council's spatial strategy in policies ADPP1 and CS1 of the Core Strategy and thereby releasing the site for unfettered housing. To do so would conflict with paragraph 17 of the Framework which guides that planning should be genuinely plan-led.

Therefore the Inspector attached a considerable degree of weight to the harm that he had identified with respect to the conflict with the development plan, and he considered that that such harm would significantly and demonstrably outweigh the considerations in favour of the proposal. For the above reasons and having regard to all other matters raised, the Inspector concluded that this appeal should be dismissed.

### **Decision**

The appeal is dismissed.

DC

