

# Notice of Meeting



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## Western Area Planning Committee

### Wednesday 14 October 2020 at 6.30pm

**This meeting will be held in a virtual format in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020**

**Please note:** As resolved at the Council meeting held on 10 September 2020, public speaking rights are replaced with the ability to make written submissions. Written submissions are limited to no more than 500 words and must be submitted to the Planning Team by no later than midday on Monday 12 October 2020. Written submissions will be read aloud at the Planning Committee. Please e-mail your submission to [planapps@westberks.gov.uk](mailto:planapps@westberks.gov.uk)

Those members of the public who have provided a written submission may attend the Planning Committee to answer any questions that Members of the Committee may ask in relation to their submission. Members of the public who have provided a written submission need to notify the Planning Team ([planapps@westberks.gov.uk](mailto:planapps@westberks.gov.uk)) by no later than 4.00pm on Tuesday 13 October 2020 if they wish to attend the remote Planning Committee to answer any questions from Members of the Committee.

The Council will be livestreaming its meetings.

This meeting will be streamed live here: <https://www.westberks.gov.uk/westernareaplanninglive>

You can view all streamed Council meetings here:  
<https://www.westberks.gov.uk/councilmeetingslive>

#### **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**

Plans and photographs relating to the Planning Applications to be considered at the meeting can be viewed by clicking the link on the front page of the relevant report.



**Agenda - Western Area Planning Committee to be held on Wednesday, 14 October 2020**  
(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 6 October 2020



**Agenda - Western Area Planning Committee to be held on Wednesday, 14 October 2020**  
(continued)

**To:** Councillors Adrian Abbs, Phil Barnett, Dennis Benneyworth, Jeff Cant, Hilary Cole, Carlyne Culver, Clive Hooker (Chairman), Tony Vickers (Vice-Chairman) and Howard Woollaston

**Substitutes:** Councillors Jeff Beck, James Cole, David Marsh, Steve Masters, Andy Moore, Erik Pattenden, Garth Simpson and Martha Vickers

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# Agenda

## Part I

Page No.

1. **Apologies**  
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 7 - 58  
To approve as a correct record the Minutes of the meeting of this Committee held on 23 September 2020.
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: 20/01083/FUL - Quill Cottage, Craven Road, Inkpen** 59 - 84

**Proposal:** Replacement dwelling

**Location:** Quill Cottage, Craven Road, Inkpen, Hungerford, RG17 9DX

**Applicant:** Mr and Mrs Jones

**Recommendation:** To delegate to the Head of Development and Planning to REFUSE planning permission.



**Agenda - Western Area Planning Committee to be held on Wednesday, 14 October 2020**  
(continued)

- (2) **Application No. and Parish: 20/01658/FUL - Old Station Business Park, Compton** 85 - 98
- Proposal:** External works to include new external chemstores/storage/chiller containers positioned outside unit 4,5,6 and 7, 8, 9. New adjoining covered walkway/canopy between 4, 5, 6 and 7, 8, 9. Building alterations to include new extraction ductwork, fan and general fittings. New retaining wall to east (outside unit 6), Internal modifications to floor plans, replacement external doors to rear elevation to Unit 4, 5, 6.
- Location:** Old Station Business Park Compton Newbury
- Applicant:** Carbosynth Ltd
- Recommendation:** That the Head of Planning and Development be authorised to GRANT planning permission.
- (3) **Application No. and Parish: 20/01226/FUL - Land at Old Station Business Park, High Street, Compton** 99 - 154
- Proposal:** Retrospective: External works, m/e works to include ductwork, steel gantry, external plant, external enclosure (fencing), retaining walls, air handling unit and chiller, gas bottle store, solvent stores all concerning unit 10, 11, 12 (existing building). Building alterations include modifications to internal space planning, revised external door design to fire escape doors, omitting roof lights + glazed top and side panel to entrance doors (front elevation) + two windows on the east elevation at first floor and adjusted soil vent pipes (SVP) positions.
- Location:** Land at Old Station Business Park, High Street, Compton
- Applicant:** Carbosynth Ltd
- Recommendation:** That the Head of Planning and Development be authorised to GRANT planning permission.



**Agenda - Western Area Planning Committee to be held on Wednesday, 14 October 2020**  
(continued)

- (4) **Application No. and Parish: 18/01657/COND1 - Land adjacent to Summerfield, The Ridge, Cold Ash** 155 - 168
- Proposal:** Discharge of Conditions Application seeking approval of details reserved by Condition 4 - External Materials Schedule and samples, 7 - Construction Method Statement, 8 - Surfacing for driveways/access points, 10 - Vehicle parking and turning, 11 - Access details, 12 - Cycle storage, 13 - Refuse storage and 15 - Boundary hedge of planning permission reference 16/02529/OUTD.
- Location:** Land Adjacent To Summerfield, The Ridge, Cold Ash, Thatcham, Berkshire
- Applicant:** T A Fisher and Sons Ltd
- Recommendation:** **DELEGATE** to the Head of Development & Planning to make representations at appeal to recommend a **SPLIT DECISION** comprising part approval and part refusal.

**Items for Information**

5. **Appeal Decisions relating to Western Area Planning Committee**  
*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 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.

Sarah Clarke  
Service Director (Strategy and Governance)

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



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# 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, 23 SEPTEMBER 2020

**Councillors Present:** Adrian Abbs, Phil Barnett, Dennis Benneyworth, Jeff Cant, Hilary Cole, Carolyne Culver, Clive Hooker (Chairman), Tony Vickers (Vice-Chairman) and Howard Woollaston

**Also Present:** Sharon Armour (Solicitor), Paul Goddard (Team Leader - Highways Development Control), Jenny Legge (Principal Performance, Research and Consultation Officer), David Pearson (Team Leader - Development Control) and Simon Till (Principal Planning Officer)

#### PART I

##### 21. Minutes

The Chairman opened the meeting by announcing that it had been decided at the [Full Council meeting on 10 September 2020](#) that the public would be able to attend virtual Planning Meetings, to answer questions regarding their 500 word written statements, after 01 October 2020.

In addition, he drew attention to Agenda Item 4(3), which all parties agreed should be deferred to a future meeting.

The Minutes of the meeting held on 2 September 2020 were approved as a true and correct record and signed by the Chairman, subject to the inclusion of the following amendments:

**Item 1, page 11, point 16:** Councillor Culver noted that the wording 'Councillor Carolyne Culver queried why officers felt it was inappropriate to build in a flood zone when the Environment Agency had made no objection' should read, 'Councillor Carolyne Culver asked, if it were inappropriate to build in a Flood Zone, why had the Environment Agency not raised an objection.'

**Item 1, page 17, point 24:** Councillor Howard Woollaston noted that '...proposal to accept officer's recommendation and refuse planning permission...' should read, '...proposal to accept officer's recommendation and grant planning permission...'

##### 22. Declarations of Interest

Councillors Tony Vickers, Phil Barnett, Jeff Cant and Adrian Abbs declared an interest in Agenda Items 4(1) and (2), 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.

##### 23. Schedule of Planning Applications

###### (1) **Application No. and Parish: 18/03061/RESMAJ, Land Adjacent To Hilltop, Oxford Road, Donnington, Shaw Cum Donnington**

*(Councillors Phil Barnett and Tony Vickers declared a personal interest in Agenda Item 4(1) by virtue of the fact that they were Members of Newbury Town Council's Planning*

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*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 Jeff Cant declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a Member of Newbury Town Council. 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.)*

*(Councillor Adrian Abbs reported that he had been lobbied on Agenda Item 4(1).)*

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 18/03061/RESMAJ in respect of Reserved matters application for phased development of 222 dwellings pursuant to outline planning application number 19/00442/OUTMAJ which related to:

Section 73: Variation of Condition 1 (approved plans) of planning application reference 14/02480/OUTMAJ allowed under appeal decision reference APP/W0340/W/16/3143214 dated 20 March 2017 for a mixed use scheme on 23.1 hectares of land, comprising up to 401 dwellings on 11.35 hectares of land. A 400 sq.m. local centre (Use Classes A1/A2/D1/D2 no more than 200 sq.m. of A1) on 0.29 hectares of land, a one form entry primary school site on 1.7 hectares of land, public open space, landscaping and associated highway works).

2. Matters to be considered: Appearance, Landscaping, Layout and Scale, and discharge of Condition 4 (site wide housing mix) and 5 (strategic landscaping plan) of 19/00442/OUTMAJ.
3. Simon Till introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable.
4. Officers recommended the Committee to delegate to the Head of Development and Planning to grant planning permission subject to the conditions listed in the main report and in the update report.
5. The Chairman invited Paul Goddard to comment on highways matters. He confirmed that traffic and access issues were approved at the outline stage, and Section 106 contributions included £0.75 million towards improvements at Robin Hood roundabout and to pedestrian links to Newbury Town Centre. He stated that the main site access would be off the Vodafone roundabout on the A339, with another access off Love Lane limited to buses, controlled by a bus gate. He confirmed the site layout was acceptable, subject to minor amendments that could be addressed during adoption.
6. He indicated that the Parish Council was concerned about the parking and layout around the proposed school, but explained that since the application for the school was not yet submitted, the layout and parking within the school were unknown. Officers had made a worst case assumption that no parent parking would be provided within the site. Observations at similar schools suggested that 40-45 spaces would be needed. Education colleagues had confirmed that most pupils would be from the development to wider community by a ratio of 6 to 1. Therefore the car parking was divided accordingly either side of the bus gate. However in expectation of more car journeys from the wider community the parking ratio was balanced 4 to 1 development to wider community. He highlighted a concern about pedestrian safety in the subway under the A339 and confirmed that this would be acceptable on balance as this had been addressed by ensuring it was sufficiently



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overlooked from adjacent properties. He indicated that the small parking shortfall for the apartments was not enough to warrant an objection. In conclusion, he confirmed that Highways had no objections to the proposal subject to imposition of the conditions listed in the main report and the update report.

### **Removal of speaking rights**

7. As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights had been removed for virtual Council meetings. This right had replaced with the ability to make written submissions. This decision had been made in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.
8. In accordance with the Extraordinary Council resolution, written submissions had been received from Shaw-Cum-Donnington Parish Council, and Sophie Taylor (David Wilson Homes), agent.
9. Written submissions were read out by the Clerk to the Committee as follows:

### **Parish Representation**

#### Summary

Shaw-cum-Donnington Parish Council (PC) does not seek to overturn the outline application 14/02480/OUTMAJ that has led to these two reserved matters applications.

Our main objection to these applications is the reduction, deletion or removal of infrastructure promised in the outline application.

A second objection concerns the parking and drop off arrangements for the expected new school.

A third objection concerns the environmental impacts of the developments.

Essentially, the PC wants the new development to integrate with the Shaw-cum-Donnington Community rather than become a satellite of Newbury.

#### Infrastructure

Shaw-cum-Donnington Parish Council (PC) objects to applications 18/03061 and 20/00047 as they do not accord with the outline application. Allotments were expected. The Parish has 17 allotments for 650 dwellings and these are over-subscribed. Pro rata, 6 new allotments are needed for the 222 new dwellings. After protest, 5 have been provided on steeply sloping ground. The PC wants 11 allotments on level ground for the two sites.

A Local Centre was expected. The outline application states that it must be provided in the first phase of development but now it is in the 6th of seven build phases. CEG stated they would provide it but there is no guarantee. The PC want a guarantee that the Local Centre will be built. Also, the PC wants to be consulted on its form.

The PC is concerned that the village hall, which is already fully booked, will be unable to serve the 40% expansion of the parish. Assistance will be needed to provide and enhance new social facilities by developing the redundant old school.

#### Parking and drop off for the new school.

The PC believes this part of the application should be dropped and reintroduced as part of the plan for the whole new school area. This is to ensure that the school and its parking/drop off are well integrated. In the meantime a temporary road should be built for the bus access.

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### Environmental matters

West Berkshire Council has declared a climate emergency. These developments ignore this strategy. Indeed, the dwellings will only meet minimum building regulations. No energy saving improvements such as better insulation or solar panels are planned. This is very disappointing.

In the past, flooding has engulfed Vodafone and part of Trinity school as a result of run off. The PC is unconvinced that this danger has been addressed. The dwellings will reduce ground absorption, which will further impact on the A339 underpass that is already subject to frequent flooding. There are extensive documents on drainage that show water exiting via the underpass but are silent on what happens after that. The PC demands assurance that this sole pedestrian and cycle link between the two sites and the school will not be interrupted under any circumstances and Vodafone and the Trinity areas will not flood.

### **Agent Representation**

We welcome the opportunity to set out our reserved matters application to you in this statement. Your consideration of our application this evening is the culmination of efforts by David Wilson Homes, officers, consultees and developers of the other phases of this scheme.

The principle of development and the access were established by the outline application for 401 dwellings, local centre, primary school as well as open space, landscaping and highway works that was allowed at appeal. The site is being delivered in phases, coordinated through the parameter plans, conditions and the s106 agreement.

Our application is for 222 dwellings, including 89 affordable dwellings and includes phases 1 – 4 of the approved Phasing Plan. The main vehicular access to the site is from the A339 'Vodafone' roundabout with a bus only access from Love Lane. Pedestrians and cycle accesses are provided onto Love Lane and Oxford Road and integrate the site with Donnington. The existing public footpath provides access to the wider countryside and the part of the site east of the A339.

The development will provide 1 – 5 bedroom properties in accordance with the site wide housing mix that ensures the same mix is provided on both sides of the A339. The 89 affordable dwellings are provided across phase 1 - 4 as apartments and 2 - 4 bedroom houses.

All houses have on plot parking, with many also having garages in addition to the parking spaces. The apartments are served by allocated parking spaces, bicycle sheds, and unallocated visitor bays. Further visitor spaces are provided throughout the scheme. In response to consultation visitor parking has been provided adjacent to the LEAP and either side of the bus gateway to provide parking for the primary school outside of the 1.7 hectares school site.

The proposed drainage strategy utilises a number of attenuation basins designed to accommodate the required 1:100 year storm event plus 40% climate change allowance.

A seasonal stream runs through the site from the northern edge and through the underpass. The stream runs most winters as a result of groundwater and surface water run-off. The stream will be locally re-profiled to ensure that the outfall volume does not increase as a result of the development. A new box culvert will be created to divert water under the raised floor of the underpass and prevent it flooding, allowing all season access for pedestrians and cyclists.

Open space and landscaping are provided in accordance with the parameter plans and includes a LEAP, LAP, allotments, amenity green space over the oil pipeline easement

## **WESTERN AREA PLANNING COMMITTEE - 23 SEPTEMBER 2020 - MINUTES**

and along the western and eastern edges of the site. Five allotments, including one accessible allotment, parking and water point are to be provided in terraces to create flat beds in the location determined by the parameter plans.

We welcome the Officer's recommendation to grant permission as our scheme contributes much needed housing supply in the form of a high quality development that accords with the outline planning consent and planning policy.

### **Ward Member Representation**

10. Councillor Lynne Doherty in representing the Committee as Ward Member made the following points:

- There had been many more objections from residents to the previous application than the current proposal. If this had been an outline planning application, she would have supported residents by opposing it, but the current application was being considered due to a successful appeal.
- There had been a gradual acceptance from residents that the development will go ahead and that there was a need to ensure that it is properly integrated, welcoming new residents to form a cohesive community.
- She expressed frustration that there were two separate applications and indicated that what applied to the first application, could also be applied to the second.
- Although she had asked for the applications to come to committee, she was not opposing the development as she recognised the need for additional housing for the local population. She wanted to ensure that what was offered in the original outline planning application would be delivered.
- While she recognised that the current application related predominantly to matters affecting appearance, landscape, layout and scale, she wanted to highlight residents' concerns.
- The Parish Council was concerned about issues with allocated allotment space and the local centre. The local centre, originally part of Phase 1, had been pushed back. As a result, residents would travel by car to the town centre and early patterns of behaviour would be hard to reset later. The local centre was also important in promoting social cohesion and integration with existing residents. This condition had been approved under delegated powers in February 2019, but there had been several amendments made to the initial conditions, making it difficult to see the final picture. These changes were detrimental to residents, and so the phasing should revert to the original plan. Reductions in allotment numbers represented an example of infrastructure initially used as a 'carrot' to gain acceptance being gradually withdrawn.
- There had been previous flooding in the valley between the two developments and she expressed concern about Condition 27 being partially discharged. She sought officer clarification on this and the committee's intervention to address this, if necessary.
- It was disappointing that the developer had not gone further on sustainable environmental options. The proposal would be determined before the new Local Plan was adopted, which sought to achieve carbon neutrality by 2030, and while the government was consulting on a white paper to combat climate change and maximise environmental benefits. The developers should look at these elements again to see what more could be done to future-proof this development.
- The committee should intervene to ensure the above issues were addressed.

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11. Councillor Steve Masters in representing the Committee as Ward Member made the following points:
- He endorsed the Parish Council's observations, especially about the gradual erosion of the initial outline planning permission conditions, and suggested that the development should be held until after the Local Plan had been developed.
  - The proposed environmental mitigation was minimal and the Parish Council was correct to highlight the issue.
  - The development should be an opportunity for the Council and developers to work together to implement something worthy of the climate emergency declared last year.
  - Such a large and important development should offer real, green housing with solar PV, heat pumps, and a commitment to the highest levels of insulation. Also, the development offered an opportunity to build a less car-centric community, which would reduce concerns about the impact on local roads and the environment. In this way, it would be a 'leading light' showing commitment to the climate emergency. If a fraction of the money spent on improving road access were to be spent on cycling, walking and bus routes, it would be an exemplar scheme. There had been public comments about the failure of the West Berkshire Council Executive to uphold commitments to the climate emergency.
  - He echoed concerns raised by the Parish Council regarding the number of allotments, since they helped to integrate people into the community, and engaged young people with their environment and where their food comes from.
  - The erosion of developer commitments often related to social and affordable housing, because the developer had to re-evaluate their return on investment. Commitments must be robustly enforced and social weighting should be on a par with environmental weighting. The current proposals from the Executive Portfolio Holder for Finance to increase the economic weighting would only benefit the developer.
  - The Committee should push for the best case for the community, by not granting the developer planning permission at the lowest levels permissible. To not do so, and fail to mitigate social and environmental aspects adequately, would be negligent.
  - Determination should be deferred until after the new Local Plan was complete.

### **Member Questions of the Ward Members**

12. Councillor Carlyne Culver asked about the potential impact of the development on local secondary schools.
13. Councillor Doherty stated that the current expansion of Trinity School would accommodate pupils from the proposed development.
14. Councillor Culver asked Councillor Doherty if she agreed that more than the bare minimum of allotments should be provided, especially with the additional demand as a result of Covid-19.
15. Councillor Doherty opined that the developer should honour the original commitment. She confirmed that there was a waiting list for allotments in Shawcum-Donnington. She acknowledged that allotments were popular and suggested

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- that the more that could be done to increase allotment provision the better, from health and environment perspectives.
16. Councillor Phil Barnett asked the local Ward Members if they agreed that the development would present an opportunity for people living in the new development to access the A339 and leave the town.
  17. Councillor Doherty suggested that this would be no more than for any other location around Newbury where people choose to work.
  18. Councillor Masters acknowledged that this was a risk, but indicated that he could not speak for individuals.
  19. Councillor Adrian Abbs asked Councillor Masters which Council policies would allow the Committee to defer its decision.
  20. Councillor Masters suggested that if the Committee wanted to make this an environmentally sustainable development, it should push for something in line with the draft Local Plan, and seek the developer's cooperation to delay until better environmental mitigation could be put in place.
  21. Councillor Dennis Benneyworth asked the local Ward Members how the developer could best liaise with the community.
  22. Councillor Doherty stated that the developer had liaised with the Council and had engaged with the community, organising a stakeholder engagement event four or five weeks previously. She suggested that the developer had not listened to the feedback from this engagement. She highlighted the results of a survey of residents conducted by the Parish Council, which highlighted the need for a local centre and a desire for community cohesion. This had been raised with the developer, but they had not acted upon it, and the local centre had been pushed further down the priority list. She suggested that infrastructure was more than footpaths and cycle routes, and included things that enabled people to interact as a community.
  23. Councillor Culver asked Councillor Masters about Community Infrastructure Levy (CIL) payments and how that money ought to be used for local infrastructure.
  24. Councillor Masters confirmed that money would be directed to improvements at the Robin Hood roundabout. He suggested that a fraction of the £0.75 million could enhance cycling and walking access, and support sustainable bus services to reduce traffic volumes. He indicated that the A339 was already busy and the proposed access could potentially increase traffic further. He highlighted road widening through the town, which would encourage more traffic. He stressed the importance of encouraging alternatives to the car for journeys to and from the proposed development, and suggested the money should be invested in further enhancing cycle facilities and bus routes.  
*(Councillor Vickers lost connection and the meeting was paused while he reconnected.)*
  25. Councillor Tony Vickers asked Councillor Doherty for confirmation that there was no local centre in Shaw-cum-Donnington now, and about discussions that took place at the outline stage, and during the appeal stage to ensure that this was resolved to the satisfaction of the local community. He suggested that it was now too late to resolve this.
  26. Councillor Doherty confirmed that there was a village hall, which was used to capacity. She stated that this was discussed with the developer and that the term 'local centre' had been used, since this left some flexibility about what it could look

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like, depending on what the local parish wanted it to be, but this had gradually been dissolved.

### Questions to Officers

27. Councillor Abbs asked the officers about any powers the Committee had to defer determination of the application in the way that Councillor Masters had suggested.
28. David Pearson stated that this was a reserved matters application to determine four very specific areas of development that already had outline permission. He indicated that he understood Members' desire to assess the application against the new Local Plan once adopted, but cautioned Members that a decision to defer the application for this reason would be difficult to defend if an appeal against non-determination was lodged, and would be likely to result in an award of costs.
29. Councillor Jeff Cant indicated that there was already a significant housing development next to the Robin Hood roundabout (Blossom Meadow), which was in an advanced stage of construction. He expressed concern about traffic issues and suggested that for previous developments, infrastructure improvements had often followed a long way behind the development and sale of houses. He asked if changes to the Robin Hood roundabout would precede traffic being generated from this development.
30. Paul Goddard confirmed that the payment of £0.75 million was to be provided upon commencement and that the Council already had a scheme prepared for the Robin Hood roundabout, widening southbound along the southern edge of the roundabout. He indicated that the scheme would probably be provided in the 2021-22 financial year.
31. Councillor Cant stated that the access across Robin Hood roundabout from Shaw Road was currently impeded by the sequencing of the traffic lights. He asked if there would be more problems in the future, or if access would be improved for residents of Clay Hill and Shaw-cum-Donnington.
32. Paul Goddard confirmed that the proposed works focused on the Shaw Road arm, widening that part of the roundabout to four lanes. The way the lanes would be divided would enable the signals to be sequenced in such a way to improve access from Shaw Road. He offered to send Councillor Cant a copy of the scheme drawings.
33. Councillor Clive Hooker reminded members to focus on matters relating to this particular application.
34. Councillor Culver referred to the housing mix on page 28 and asked if it should say 'social rent' rather than 'affordable rent'.
35. Simon Till stated that the officer's report did not form part of the Committee's decision and that it did not vary the Section 106 contributions that secured the affordable housing permission, so while the table had been scrutinised by the Housing Officer, and should be compliant with their current terminology, it did not alter anything that had been approved through the outline permission. He suggested that it was not strictly relevant to this application, but suggested that officers could ensure that an informative referring to the correct mix of affordable housing was applied to any planning permission granted.
36. Councillor Culver asked if conditions could be imposed about when the money for the school would be forthcoming.

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37. Simon Till indicated that he thought the funding and timing of payment had been secured through the Section 106 agreement. Sharon Armour confirmed this was correct. Sharon Armour also confirmed that the Section 106 agreement provided for 70 percent social rented homes and the affordable rent was part of the additional 30 percent, which could either be affordable rented or shared ownership.
38. Councillor Culver asked whether it would be better for the school parking to be provided in the ratio 6:1.
39. Paul Goddard explained that the reason for the 4:1 ratio was that more people were expected to walk from the new development, while a greater proportion of parents from the wider community would be expected to travel by car.
40. Councillor Vickers highlighted that three of the seven phases were not part of this development, and asked how the Council could control the phases through this development, when three of the phases were not under the control of the developer, but would be essential to the vitality and success of the overall development.
41. Simon Till indicated that the phasing was referred to in the update sheet, with 222 dwellings delivered by David Wilson Homes as part of Phases 1-4 on the western parcel of land, subject to approval of this application. He confirmed that Phase 5 consisted of the school, Phase 6 was the local centre and Phase 7 would be for 179 dwellings. He stated that the phasing plan required the school and local centre to be delivered before the occupation of the 223<sup>rd</sup> dwelling.
42. Councillor Vickers highlighted that the David Wilson Homes site could be completed and occupied without triggering the school or local centre, but if the other site were to commence early, the trigger could be reached before the David Wilson Homes site was completed. He asked how the phasing could be maintained as originally conceived, with up to four developers involved.
43. David Pearson expressed concern that the debate was covering matters already determined as part of the outline application. He understood Members' concerns about delivery and phasing, but these could not be changed.
44. Councillor Vickers indicated that where the drainage would be completed and how the underpass would be constructed and finished would affect the adjacent sites. He asked if the condition would require all of the work to be done by David Wilson Homes before the other developer could start. He suggested that construction on this site could cause flooding issues on the other site, and downstream.
45. Simon Till confirmed that these were conditions of the outline permission. The pedestrian link had been secured by condition, including details of how it would be provided, the drainage was the subject of an extremely detailed condition that required a number of steps including scheduling of provision, and who would be responsible for providing and maintaining the drainage. He confirmed that without the discharge of both of these conditions, development on this site as a whole could not take place.
46. Councillor Hilary Cole indicated that both Ward Members had made specific reference to the local centre and the way it would be phased. Although she appreciated that it was not a matter for discussion in relation to this application, she asked whether an informative could be attached to any approval given with a strong recommendation that the phasing of the local centre be reviewed by the developers.
47. Simon Till stated that the phasing was determined by the outline planning permission and reviewing the phasing would effectively require the developer to

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- reapply for outline planning permission. He confirmed that there were reasons for the proposed phasing, so this may not be feasible.
48. Councillor Hilary Cole sought assurance from officers that negotiations with the developer had been robustly challenged and that there was a valid reason for the proposed phasing. She noted that the decision had been made under delegated powers.
  49. David Pearson stated that neither he nor Simon Till had not been involved in previous negotiations and while he could probably provide an answer in time, he could not do so at that point.
  50. Councillor Barnett asked about the size of the allotments.
  51. Simon Till indicated that the allotments were allocated a particular amount of land by the parameters plan approved under the outline planning permission.
  52. Councillor Abbs asked if the detailed layout plan was consistent with the outline plan and associated traffic modelling.
  53. Simon Till confirmed that the outline parameters plan also approved a movement plan that impacted on how the block design was formulated for this application and impacted on the traffic modelling. He stated that the parameters plan was the same as for the outline planning permission, although the level of detail was different, specifically how blocks would be laid out and relate to one another.

### **Debate**

54. Councillor Abbs opened the debate. He indicated that he had concerns about environmental issues and community assets relating to the proposed development and the fact that conditions had been relaxed, but noted that the Committee did not have the powers to deal with these under this particular application.
55. Councillor Vickers indicated that he had been content with the conditions attached to outline planning, but was concerned that the current proposal would be lifeless if the school or local centre were not available from the outset, and that travel patterns formed at first occupation would be difficult to reverse later. He indicated that there was no choice and proposed to accept the officer recommendations. He suggested that there may be an opportunity to amend policies to better control the phasing and the way the development is delivered.
56. Councillor Hilary Cole noted that the outline application had been approved and that the matters under consideration were limited to appearance, layout, scale and landscaping. She observed that yellow bricks were proposed for the David Wilson Homes site and buff bricks for the Taylor Wimpey site, but stated that Newbury was predominantly a red brick area. She highlighted the fact that the development was close to the boundary with the Area of Outstanding Natural Beauty (AONB) and asked that lighting be designed so as to minimise light pollution. She indicated that the Planning Authority had been very robust in terms of the number of affordable homes delivered and indicated that this would not change. She proposed to second the proposal to accept the officer recommendations.
57. Councillor Hooker sought Members' views on the issues of brick colour and light pollution.
58. Councillor Cant stated that he supported Councillor Hilary Cole on both issues and suggested that conditions be imposed accordingly.
59. Councillor Benneyworth agreed on the need to look at lighting. He looked forward to when policies could be changed to better reflect the declared climate emergency.



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- He also expressed disappointment that the developer was not proposing to install sprinkler fire systems.
60. Councillor Hooker asked officers about the powers available in relation to brick colour and lighting design.
  61. David Pearson indicated that he shared Members' concerns about the proposed brick colours and referred members to proposed Condition 4 on page 85, which required the developer to provide samples of materials. He indicated that officers would encourage the developers to provide brick colours more in keeping with the local area.
  62. Simon Till confirmed that there was a condition on the outline permission that applied to biodiversity, which required the developer to provide details of external lighting.
  63. Councillor Culver indicated that the condition that David Pearson had cited actually referred to the second application that was being considered that evening and suggested that a separate condition be applied to this application.
  64. Simon Till stated that materials had been referred to in the approved plans condition on this application. He suggested that the reference to materials could be omitted from that condition, and instead that details and materials could be approved under a discharge of conditions application.
  65. Councillor Hilary Cole indicated that she supported that approach.
  66. Councillor Abbs expressed his support for the issues raised in relation to bricks and lighting.
  67. Councillor Hooker asked if officers were clear about the proposed changes to the conditions.
  68. Sharon Armour confirmed that the proposal was to accept officer recommendation as per the conditions listed in the agenda, but with the materials omitted from the approved plans condition and a new condition added to address this. She referred Members to the conditions on the update sheet, which mostly related to highways matters.
  69. Simon Till confirmed that the proposed changes would remove the requirement for materials from the approved plans condition and for an additional condition stipulating that materials would have to be approved by discharge of conditions.
  70. Councillor Hooker asked about conditions relating to light pollution. Sharon Armour indicated that this would be addressed by the condition relating to the outline consent.
  71. The Chairman invited Members of the Committee to vote on the proposal by Councillor Vickers and seconded by Councillor Hilary Cole to accept Officer's recommendation and grant planning permission for the reasons listed in the main report and update report. At the vote, the motion was carried unanimously.

**RESOLVED** that the Head of Development and Planning be authorised to **grant** reserved matters approval subject to the following conditions with delegated authority to amend/add/delete the final list of planning conditions):

### **Conditions**

#### **1. Reserved Matters Related to Outline Permission**

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This permission relates solely to the reserved matters referred to in Condition 3 of the Outline Planning Permission granted on 25 June 2020 under application reference 19/00442/OUTMAJ (which is a variation of 14/02480/OUTMAJ allowed under appeal decision reference APP/W0340/W/16/3143214 on 20 March 2017). Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions imposed on that outline planning permission.

Reason: The reserved matters cannot be considered separately from the permission to which they relate and the conditions imposed on that outline permission are still applicable.

### 2. **Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved plans listed below:

#### **Layouts**

- Planning layout - H7391/PL/01 Rev T
- Access and Movement layout - H7931/AML/01 Rev F
- Bin Collection - H7931/BCL/01 Rev A
- Garden Areas - H7931/GAL/01 Rev F
- Highways Adoption - H7931/HAL/01 Rev G
- Storey heights - H7931/SHL/01 Rev F
- Surveillance and Protection - H7931/SPL/01 Rev F
- Tenure Plan - H7931/TL/01 Rev F

#### **House Types – Private**

##### *Ingleby*

- H403--C7/01 Rev B
- H403--C7/02 Rev B

##### *Bradgate*

- H417---7/01 Rev B
- H417---7/02 Rev B
- H417---7/03 Rev B
- H417---7/04 Rev B

##### *Winstone*

- H421 - - - 7/01 Rev B
- H421 - - - 7/02 Rev B
- H421 - - - 7/03 Rev B
- H421 - - - 7/04 Rev B

##### *Avondale*

- H456 - - - 7/01 Rev C
- H456 - - - 7/02 Rev C
- H456 - - - 7/03 Rev C
- H456 - - - 7/04 Rev C

##### *Holden*

- H469- - X7/01 Rev B
- H469- - X7/02 Rev B
- H469- - X7/03 Rev B

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- H469- - X7/04 Rev B

### *Hollinwood*

- H486 - - - 7/01 Rev C
- H486 - - - 7/02 Rev C
- H486 - - - 7/03 Rev D
- H486 - - - 7/04 Rev D

### *Manning*

- H577 - - - 7/01 Rev C
- H577 - - - 7/02 Rev C
- H577 - - - 7/03 Rev C
- H577 - - - 7/04 Rev C

### *Evesham*

- H586-H-7/01 Rev C
- H586-H-7/02 Rev C
- H586-H-7/03 Rev C
- H586-H-7/04 Rev C

### *Henley*

- H588 - - - 7/01 Rev C
- H588 - - - 7/02 Rev C
- H588 - - - 7/03 Rev C
- H588 - - - 7/04 Rev C

### *Ashdown*

- P286-E-7/01 Rev B
- P286-E-7/02 Rev B
- P286-I-7 Rev B

### *Hadley*

- P341 - - D7/01 Rev C
- P341 - - D7/02 Rev C
- P341 - - D7/03 Rev B
- P341 - - D7/04 Rev C
- P341 - - D7/05 Rev B
- P341 - - D7/06 Rev C
- P341 - - D7/07 Rev A
- P341 - - D7/08 Rev A
- P341 – WD7 Rev B (elevations)
- P341 – WD7 Rev B (plans)

### *Archford*

- P382 – E – 7/01 Rev B
- P382 – E – 7/02 Rev C
- P382 – E – 7 – SP/03 Rev C

### *Kennett*

- T310-E-7/01 Rev C
- T310-E-7/02 Rev D

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- T310-E-7-SP/03 Rev C
- T310-I-7/01 Rev B
- T310-I-7/02 Rev B

### **Affordable Housing Types**

#### *P231*

- P231 - - - 7 Rev B (elevations)
- P231 - - - 7 Rev B (plans)

#### *Plots 154 – 162*

- H7931/E/01 Rev E
- H7931/FP/01 Rev E
- H7931/FP/02 Rev E

#### *Plots 179 – 184 and 202 – 207*

- Plots 179 – 184 and 202 – 207 Rev C (elevations)
- Plots 179 – 184 and 202 – 207 Rev C (GF & FF plans)
- Plots 179 – 184 and 202 – 207 Rev C (SF Roof plans)

#### *SF58*

- SF58.59-01 Rev C
- SF58.59-02 Rev B
- SF58.59-03 Rev B

#### *SH51*

- SH51-E-7/01 Rev D
- SH51-E-7/02 Rev E
- SH51-I-7/01 Rev D
- SH51-I-7/02 Rev D

#### *SH52*

- SH52-E-7/01 Rev D
- SH52-E-7/02 Rev F
- SH52-E-7/-SP/03 Rev E
- SH52-I-7/01 Rev D
- SH52-I-7/02 Rev B

#### *SH55*

- SH55-E-7/01 Rev C
- SH55-E-7/02 Rev C

#### *SH54*

- SH54-E-7/01 Rev A
- SH54-E-7/02 Rev A

### **Ancillary**

#### *Bin Store Plots 202-207*

- H7931/BS/01 Rev A

#### *Bin Store Plots 179 – 184*

- H7931/BS/02 Rev C

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### *Bin Store Plots 154 – 162*

- H7931/BS/03 Rev B

### *Double Garage Plots 1 & 2*

- H7931/G/01 Rev A

### *Single Garage*

- H7931/G/02 Rev A

### *Double Garage*

- H7931/G/03 Rev A

### *Twin Garage*

- H7931/G/04 Rev A

### *Single Garage Plot 4*

- H7931/G/05 Rev A

### *Brick Wall Detail*

- H7931/SW/01

### *Close Boarded Timber Fence Detail*

- H7931/CB/01

### *Post & Rail Fence Detail*

- DB-SD13-007

### *Timber Gate Detail*

- H7931/TG/01

### *Timber Shed Detail*

- H7931/CS/01

### *Cycle Shelter Detail*

- H7931/CSH/01

## **Landscaping**

### *Soft Landscaping*

- 1607/P66 Rev H Sheets 1 - 7

### *Surface finished and kerb specification*

- 3201-NORTH-ICS-XX-DR-C\_004.1-C03(A)
- 3201-NORTH-ICS-XX-DR-C\_004.2-C03(A)
- 3201-NORTH-ICS-XX-DR-C\_004.3-C03(A)
- 3201-NORTH-ICS-XX-DR-C\_004.4-P05(D2)
- 3201-NORTH-ICS-XX-DR-C\_004.5-P06(D2)
- 3201-NORTH-ICS-XX-DR-C\_004.6-P06(D2)

All of the above received on 14 August 2020.

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

**3. Housing Unit and Tenure Mix**

The development hereby permitted shall be carried out in accordance with the site wide housing unit and tenure mix received by the Local Planning Authority on 25 September 2020.

Reason: To comply with the requirements of condition 4 of Outline Planning Permission Reference 19/00442/OUTMAJ granted on 25 June 2020 which requires the first reserved matters application to include a schedule of the housing unit and tenure mix for the whole site in accordance with the provisions of the National Planning Policy Framework (2019), Policies CS4, CS6 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

**4. Samples of External Materials**

No development above slab level shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling(s) and hard surfaced areas hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character in accordance with the National Planning Policy Framework (2019), Policy CS14 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

**5. Strategic Landscape Plan**

The development hereby permitted shall be carried out in accordance with the strategic landscape framework plan (drawing ref 1607/P65d) and supporting landscape note (document reference 1607 29D condition 5 Note AW HM 140820) received by the Local Planning Authority on 14 August 2020.

Reason: To comply with the requirements of condition 5 of Outline Planning Permission Reference 19/00442/OUTMAJ granted on 25 June 2020 which requires the first reserved matters application to include a strategic landscape plan for the whole site in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP2, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

**6. LEAP and LAPS Detailed Design**

Notwithstanding information shown on the supporting plans, no dwelling shall be occupied until boundary treatment, external lighting, soft and hard landscaping and seating for the LEAP and LAP (identified on drawing H7931/PL/01 rev T) have been provided in accordance with details that have first been submitted to and approved in writing by the local planning authority. The LEAP and LAP shall be provided in accordance with the approved details prior to the completion of phase 3 of the development (set out on drawing H7931/PHL/01 rev B approved under application reference 18/03020/COND1 on 8 February 2020).

Reason: To protect the character and appearance of the area, and in the interests of security and safety. This condition is imposed in accordance with the National

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Planning Policy Framework (2019), Policy CS13 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### **7. Pedestrian/Cycle Access to Oxford Road**

Notwithstanding information shown on the supporting plans, no dwelling shall be occupied until details of the final levels/gradients, boundary treatment and any gates/barriers for the pedestrian/cycle access to Oxford Road adjacent to dwellings identified as '8 Link Way' and 'Denham' (identified on drawing H7931/PL/01 rev T) have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of safety for users of the pedestrian/cycle link in accordance with the National Planning Policy Framework (2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **8. Details of proposed footpath/cycle link and interface with PROW**

Notwithstanding information shown on the supporting plans, no dwelling shall be occupied until details of the new footpaths, their construction specification and means of integration with Public Rights of Way SHAW/4/1 and SHAW/4/4 around the A339 underpass (identified on drawing H7931/PL/01 rev T) have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To encourage sustainable modes of transport and to ensure development is integrated with the surrounding public rights of way network in accordance with the National Planning Policy Framework (2019), 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).

### **9. Secured via Design Measures**

No dwelling shall be occupied until details of a package of 'Secured by Design' measures, which include details of the access control systems and post boxes for the approved apartment blocks, have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details, and each respective dwelling shall not be occupied until the measures relevant to that dwelling are implemented in their entirety.

Reason: In the interests of creating a safe and sustainable community in accordance with the National Planning Policy Framework (February 2019), Policy CS13 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### **10. Removal of PD Rights**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement (including side and rear extensions), improvement or other alteration of the dwellinghouses, additions or buildings or enclosures incidental to the enjoyment of the

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dwellinghouses, or enlargement/alterations to the roofs (including dormer windows) of the dwellinghouses falling within Classes A, B and E as set out below for the respective plots:

- No permitted development under Class B - Plots 1 to 15, 35, 36, 38 to 42, 44 to 49, 51, 53 to 56, 58, 63 to 66 to 68, 70 to 73, 78, 80 to 84, 101 to 106, 108, 109, 150, 153, 163 to 166, 170 to 178, 187 to 194, 196 to 200, 208, 209, 211, 220, 221 and 222.
- No permitted development under Classes A and E - Plots 31 to 34, 57, 63 to 65, 71 to 73, 93, 101, 102, 111 to 113, 116, 124 to 129, 131 to 133, 145, 176, 185 to 192, 212, 219 - 222.

Reason: Taking into the account the significant changes in levels across the site and proposed garden sizes in order to protect neighbouring residential amenity in accordance with the National Planning Policy Framework (2019), Policy CS14 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### 11. Implementation of Soft Landscaping

The development shall be carried out in accordance with the approved soft landscaping scheme set out in:

- Soft landscape drawings ref 1607/P66 Rev H (Sheets 1 – 7);
- Strategic landscape framework plan (drawing ref 1607/P65d); and
- Landscape note (document reference 1607 29D condition 5 Note AW HM 140820)

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. The approved landscape buffer planting around the boundaries of the site shall be completed within the first planting season following the completion of phase 1 of the development (set out on drawing H7931/PHL/01 rev B approved under application reference 18/03020/COND1 on 8 February 2020) and all remaining planting shall be completed within the first planting season following completion of phase 4 of the development unless an alternative timetable for implementation is otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of a satisfactory scheme of landscaping and to protect the character and appearance of the area. The condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP2, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### 12. Bus Gate Details (or Alternative vehicular restrictions) to Love Lane

Notwithstanding information shown on the supporting plans, no dwelling shall be occupied until details of the precise location, specification, method of operation, maintenance and timetable for implementation of the proposed bus gate or alternative means of restricting vehicular access to the application site from the Love Lane has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of road safety and free flow of traffic within the local highways infrastructure. This condition is imposed in accordance with the National



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Planning Policy Framework (2019), 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).

### 13. Obscure Glazing

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the windows identified on the respective dwelling plots below shall be of a top opening design only and shall be fitted with obscure glazing before each respective dwelling is first occupied and thereafter shall be retained in this form. Any replacement windows shall also be of top opening design and incorporate obscure glazing.

Plots 8, 9, 10, 20, 25, 32, 58, 63, 73, 81, 83, 85, 92, 95, 109, 115, 126, 129, 135, 136, 137, 147, 167, 171, 190, 191, 201 and 213 – west facing 1<sup>st</sup> floor window(s)

Plots 14, 26, 28, 42, 48, 121, 130, 138, 140, 143, 173, 176, 178 and 217 – north facing 1<sup>st</sup> floor window(s)

Plots 3, 7, 19, 21 to 24, 44, 51, 61, 62, 74, 75, 80, 84 and 86 – east and west facing 1<sup>st</sup> floor window(s)

Plots 5, 15, 36, 56, 66, 70, 90, 91, 94, 96, 108, 117, 122, 124, 127, 134, 146, 149, 163, 164 and 187 – east facing 1<sup>st</sup> floor window(s)

Plots 11, 27, 39, 40, 41, 43, 54, 55, 59, 78, 87, 98, 104, 118, 139, 141, 142, 177, 210, 216 and 218 – south facing 1<sup>st</sup> floor window(s)

Plots 12, 13, 17, 29, 38, 46, 47, 48, 49, 53, 68, 105, 106, 119 and 120 – north and south facing 1<sup>st</sup> floor window(s)

Reason: To protect neighbouring residential amenity in accordance with the National Planning Policy Framework (2019), Policy CS14 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### 14. Allotment Details

Notwithstanding the information shown on the supporting plans, no dwelling shall be occupied until the detailed specification, timetable for implementation, hard and soft landscaping, proposed levels and boundary treatments for the allotments (identified on drawing H7931/PL/01rev T) have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the allotments are accessible, fit for purpose to encourage their use and to protect the character and appearance of the area in accordance with the National Planning Policy Framework (2019), Policy CS13 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### 15. School Drop off Areas and on-street Car Parking

Notwithstanding information shown on the supporting plans, no dwelling shall be occupied on phase 2 of the development (set out on drawing H7931/PHL/01 rev B approved under application reference 18/03020/COND1 on 8 February 2020) until the detailed specification of the school drop off areas with associated car parking, strategy for their maintenance and timetable for implementation have been

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submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of road safety and free flow of traffic within the local highways infrastructure. This condition is imposed in accordance with the National Planning Policy Framework (2019), 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).

### **16. Cycle parking**

No dwelling shall be occupied until the associated cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development reduces 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 (2019), 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).

### **17. Pumping Station and Substation Details**

Notwithstanding the information shown on the supporting plans, no dwelling shall be occupied until the detailed design and specification (including noise emission levels), hard and soft landscaping and boundary treatments for the pumping station and electric substation (identified on drawing H7931/PL/01 rev T) have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To protect neighbouring residential amenity and to protect the character and appearance of the area in accordance with the National Planning Policy Framework (2019), Policy CS14 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### **18. Electric Vehicle Charging Points**

No dwelling shall be occupied until details of electric vehicle charging points have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details, and each respective dwelling which is allocated an electric charging point shall not be occupied until the electric charging point relevant to that dwelling is provided. The charging point shall thereafter be retained and kept available for the potential use of an electric car.

Reason: To promote the use of electric vehicles and to encourage sustainable modes of transport in accordance with the National Planning Policy Framework (2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **19. Layout and Design Standards**

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. To ensure the provision of adoptable roads, the developer shall enter into a S38 Agreement for the adoption of the site. This condition shall apply

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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 satisfactory waste collection. This condition is imposed in accordance with the National Planning Policy Framework (2019), 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).

### 20. Visibility Splays

Visibility splays shall be provided in accordance with drawing number H7931/PL/01/T dated August 21<sup>st</sup> 2020. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

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

### 21. Parking/Turning in Accord with Plans

No dwelling shall be occupied until the associated vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

#### Additional Informative Notes

##### 1. Housing Mix

For the avoidance of doubt, the applicant is advised the development shall be carried out in the accordance with updated housing mix table (which updated references to affordable and social rent) received by the Local Planning Authority via email on 25 September 2020

##### 2. External Lighting

In discharging outline planning condition 22 of 19/00442/OUTMAJ which requires the submission of external lighting details, the applicant is advised to take in account emerging guidance 'Dark Skies of the North Wessex Downs AONB – Guide to Good External Lighting (September 2020)' to minimise light pollution and to preserve the beautiful dark skies of the AONB.

### (2) **Application No. and Parish: 20/00047/RESMAJ, Land Adjacent To Hilltop (eastern parcel), Oxford Road, Donnington, Shaw Cum Donnington**

*(Councillors Phil Barnett and Tony Vickers declared a personal interest in Agenda Item 4(2) by virtue of the fact that they were Members of Newbury Town Council's 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.*

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*(Councillor Jeff Cant declared a personal interest in Agenda Item 4(2) by virtue of the fact that he was a Member of Newbury Town Council. 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.)*

*(Councillor Adrian Abbs reported that he had been lobbied on Agenda Item 4(2).)*

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 20/00047/RESMAJ in respect of reserved matters application for phased development of 179 dwellings pursuant to outline planning application number 19/00442/OUTMAJ which relates to:

Section 73: Variation of Condition 1 (approved plans) of planning application reference 14/02480/OUTMAJ allowed under appeal decision reference APP/W0340/W/16/3143214 dated 20 March 2017 for a mixed use scheme on 23.1 hectares of land, comprising up to 401 dwellings on 11.35 hectares of land. A 400 sq.m. local centre (Use Classes A1/A2/D1/D2 no more than 200 sq.m. of A1) on 0.29 hectares of land, a one form entry primary school site on 1.7 hectares of land, public open space, landscaping and associated highway works).

2. Matters to be considered: Appearance, Landscaping, Layout and Scale, and discharge of Condition 4 (site wide housing mix) and 5 (strategic landscaping plan) of 19/00442/OUTMAJ.
3. Simon Till introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable. Officers recommended the Committee to delegate to the Head of Development and Planning to grant planning permission subject to the conditions listed in the main report and in the update report.
4. The Chairman invited the Highways Officer to comment on the application. Paul Goddard explained that traffic generation and access provision had been approved at the outline application. He noted that a detail he had missed from his presentation on the previous application was that the western side would have a bus service, which would cost the developers £700,000. The service would be funded for 5 years and it was hoped the service would become viable, and thereafter be retained.
5. Highway Officers had long held a concern regarding the eastern site, and were disappointed when it was allowed by the Planning Inspector at appeal. If permission were to be granted, there would be scope for 179 dwellings whose only link to the public highway, the A339, was via a private road owned by Vodafone. Officers were assured by the developer that residents, emergency, and refuse vehicles would have rights of access to use the road. Highways Officers had sought to bring the road under the control of the Council as it would require relatively minor works to drainage, street lanterns and diversion of cables to get it up to adoptable standard.
6. Unfortunately, neither Vodafone nor the developer were willing to work with Officers to achieve this. Officers' concern was that the roads within the site could not be adopted through the usual Section 38 agreement, because the access was via a private section of road. Therefore it was highly likely, and had been confirmed by the developer, that a management company would be appointed to maintain the roads. This would be carried out at a cost to future residents. As public servants, officers

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would always endeavour to avoid this, however in this case there was no way to avoid it, as access was approved at outline planning by the Planning Inspector.

7. In the Update Report, on pages 15-16, Officers had included further conditions that they hoped would do as much as they could to help the residents on the site. The conditions stipulate that the roads would be built to adoptable standards and that Council Highway engineers would be able to gain access over the private road to inspect works with appropriate fees paid. Also, that details be submitted on how the roads would be maintained and how the management company would be appointed. In addition, on page 16 the Informative highlighted for future buyers that the roads were private and would remain private for the foreseeable future. Officers believed this was the most the Highway Authority could do in this particular situation.
8. He continued by referring to the main report, page 81 and the Update Report, page 16. There were some further amendments required to the access road designs within the sites and officers' recommendation was that the application be approved, subject to amendments being submitted that would satisfy officers, within a period of three months. There was also a shortfall in parking provision for some of the apartments. Officers expected developers to comply with parking standards, however in this case there was plenty of visitor parking nearby, which made the parking provision satisfactory.
9. Paul Goddard's final point was regarding the subway, which had been contested at appeal. Officers had been promised CCTV provision, however their concern was whether this would be maintained in the long term. Highways Officers had worked hard to ensure that the subway was overlooked as best as it could be. He was satisfied on the western side with the number of windows that overlooked it, however on the eastern side, there were fewer overlooking windows and some were obstructed by the car park. Officers' recommendation was that this aspect of the application could be looked at further within the next three months. He would like the view opened up to allow unaffected views of the subway, as much as possible. Therefore subject to all the conditions, Highway Officers were somewhat reluctantly, recommending approval of this application

### **Removal of speaking rights**

10. As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights had been removed for virtual Council meetings. This right had replaced with the ability to make written submissions. This decision had been made in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.
11. In accordance with the Extraordinary Council resolution, written submissions had been received from Shaw-Cum-Donnington Parish Council, David Willetts, objector, and Aaron Wright (Turley), agent.
12. Written submissions were read out by the Clerk to the Committee as follows:

### **Parish Representation - Paul Bryant (Shaw-Cum-Donnington)**

Shaw-cum-Donnington Parish Council (PC) does not seek to overturn the outline application 14/02480/OUTMAJ that has led to these two reserved matters applications.

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Our main objection to these applications is the reduction, deletion or removal of infrastructure promised in the outline application.

Another objection concerns the environmental impacts of the developments.

Essentially, the PC wants the new development to integrate with the Shaw-cum-Donnington Community rather than become a satellite of Newbury.

### **Infrastructure**

Shaw-cum-Donnington Parish Council (PC) objects to the application as it do not accord with the outline application. Allotments were expected. The Parish has 17 allotments for 650 dwellings and these are over-subscribed. The PC is asking for 11 new allotments overall within this application and application 18/03061, pro rata for this application, 5 of the new allotments would be needed for the 179 dwellings. No allotments are being provided on this site.

A Local Centre was expected. The outline application states that it must be provided in the first phase of development but now it is in the 6<sup>th</sup> of seven build phases for both this and 18/03061 developments. CEG stated they would provide it but there is no guarantee. The PC want a guarantee that the Local Centre will be built. Also, the PC wants to be consulted on its form.

These 179 dwellings will have no on-site local facilities and will depend on the build of the Local Centre to avoid driving along the A339 for at least 1 mile to the nearest shops.

The PC is concerned that the village hall, which is already fully booked, will be unable to serve the 40% expansion of the parish. Assistance will be needed to provide and enhance new social facilities by developing the redundant old school.

### **Environmental matters**

West Berkshire Council has declared a climate emergency. These developments ignore this strategy. Indeed, the dwellings will only meet minimum building regulations. No energy saving improvements such as better insulation or solar panels are planned. This is very disappointing.

In the past, flooding has engulfed Vodafone and part of Trinity school as a result of run off. The PC is unconvinced that this danger has been addressed. The dwellings will reduce ground absorption. The PC has received no documentation on drainage. In particular what happens to water entering the site from the underpass and how it is dealt with in entering the Vodafone site. The PC has been informed that a scheme has been agreed with WBC and Vodafone but neither has provided any documentary evidence to the PC. Vodafone have failed to respond to the PC. The PC demands assurance that Vodafone and the Trinity areas will not flood.

### **Objector Representation – David Willetts**

My name is David Willetts. I live at the eastern end of Love Lane in Shaw. We moved here not knowing a soul some twelve years ago when our daughter Sara was diagnosed with breast cancer. Sara died two years later. I wish to pay tribute to the kindness of strangers in our Community, strangers who have now become our friends and

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neighbours. Today I am the Community Coordinator at our parish church, St Mary's and I am actively involved in our community affairs

Our wish as a Community is to extend the same kindness to new parishioners. The size of our Community will increase by some 25%, with many more to follow if the current HELAA proposals are agreed. The objections to these applications set out the lack of meaningful consultation.

Is our "One Community" ambition so unworthy that neither officers nor house builders have ears to hear or eyes to see the importance of preserving and enhancing our existing social infrastructure on the Love Lane site during their one way "consultations"?

In March St Mary's established the joint initiative with the Parish Council, SAFE in support the West Berkshire Hub to make sure that no one was uncared for during Lockdown and much more beside.

Why do these applications fail to address Coronavirus and the need to future proof our communities?

The evidence from our Parish Community Plan Consultation is that the loneliness with all its attendant threats to mental health and well-being is

today's No 1 concern in our Community. We anticipate a significant number of lonely people arriving in our Community over the next few years.

Why have we not learned the lessons from the mistakes of the past such as the Turnpike estate. Can we afford to go on kicking the can further down the road? We need adequate provision for social infrastructure please.

The County Lines drug paraphernalia may have disappeared from the Trinity Academy car park and the Lych Gate at St Mary's for the time being BUT

Is there anyone here bold enough to assert that the drug peddlers will not return if we fail to ensure that we have social infrastructure fit for purpose to protect our children and young people?

The Parish Planning Group is developing costed options for future economic community use of the present listed School Building and the Village Hall on Love Lane. The Love Lane location connects the existing and new homes to help build one community and it needs to be properly funded.

Why have Consultations with the Community neglected to enquire and discuss how best to collaborate and support this initiative??

Here is a proposition:

As a condition of approving these applications, resolve to depute a planning officer to join the SCD Community Planning Group, allocate CIL monies from these two developments to help fund to the future of the Love Lane site and invite the housebuilders to contribute cash and in kind support.

In expectation of your reasoned response, thank you.

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### **Agent Representation – Aaron Wright (Turley)**

As Members are aware outline consent was granted at appeal for a mixed-use scheme comprising up to 401 dwellings, a local centre, one form entry primary school as well as open space, landscaping and highway works. The outline consent approved (at appeal) the principle of development and fixed the access points into the site and the primary vehicular movement network.

Parameter Plans for the whole site were approved under the outline application. The parameter plans provide a framework which the reserved matters applications are required to comply with. These plans fixed elements of the scheme such as land uses, landscaping, scale and access and movement.

This reserved matters application is seeking approval for 179 dwellings with associated public open space, landscaping and a LEAP.

The applicant has undertaken detailed discussions with planning officers and meaningful engagement with key stakeholders. The scheme has been amended to reflect consultation comments received, including changes to landscaping, housing mix, design of the homes and to the layout.

The development will provide 40% affordable housing provision, comprising a mix of 1 to 5 bedroom properties of which 71 would be affordable units, which are distributed throughout the site. The affordable housing will be indistinguishable from the private homes.

The development will be mainly 2 storey in height with some at 2.5 storey in key locations. There are two 3 storey buildings overlooking the public open space and subway to provide natural surveillance. The scale of development accords with the approved storey height parameter plan.

The overall design objective is to create a place with a strong and unique identity that provides a suitable and modern interpretation of Newbury. The scheme incorporates character areas to aid legibility and provide interest at street level through subtle variations in materials, landscaping and boundary treatment. New tree planting is located across the scheme especially along site boundaries and within public spaces including the LEAPs and LAP.

The site will use the existing private section of highway access from the roundabout off the A339, currently serving Vodafone UK to the south, and provide a new strategic access road and roundabout. All roads within the site will be built to adoptable standards as per the outline consent.

Car parking will be provided in-accordance with Council policy. Parking will be provided on plot, with visitor parking located on the shared surface street or in identified bays.

The drainage strategy utilises a series of attenuation basins on both sides of the A339 serving both the individual properties, roads and shared surfaces. The attenuation basin storage volume is designed to take a 1:100 year storm event plus 40% climate change allowance. The applicant is working closely with the Council's Drainage Engineer on this matter.

In light of the above, the development is consistent with the outline application and will provide for an attractive and high quality development. The proposals are in full compliance with relevant national planning policy and the adopted development plan. We therefore hope that Members can support the scheme.



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### **Ward Member Representation**

13. Councillor Lynne Doherty in representing the Committee as Ward Member made the following points:

- Councillor Doherty noted that she could use this opportunity to reiterate the points made for the previous application, however she felt that it would not be a good use of time. There were three things that were different on this site and that she wished to highlight:
  - i. The underpass – natural surveillance had been mentioned, where originally CCTV had been talked about. The underpass went under the A339 and was secluded. She was concerned about the safety of everyone, but in particular about school children during late, dark evenings, especially as this would be an area of low lighting due to its proximity to an Area of Outstanding Natural Beauty (AONB). She had real concern about the need for CCTV monitoring, and felt it was not acceptable to have a car park in front of an apartment block and hope that the people in the apartments would hear something that was happening under the A339.
  - ii. Balancing ponds – how would children in the area be kept safe around the ponds?
  - iii. Car parking – there was visitor parking on the site, however as Ward Member for the streets surrounding the Vodafone offices, she had heard many residents complain that Vodafone staff used the outlying streets to park their cars, and she was concerned that the visitor parking would in turn become overflow parking for Vodafone.
- Councillor Doherty had real concerns about the access via the private road. She had all the same concerns as she had for the previous application, but would draw particular attention to the underpass which would be in a remote, dark, quiet, position, with very few people around.

14. Councillor Steve Masters in representing the Committee as Ward Member made the following points:

- He would not be reiterating his previous comments, but would add to the concerns of Councillor Doherty and the Parish Council. He took the opportunity to walk the underpass two weekends ago. It was very remote and relying on natural surveillance, which he considered a vague, wishy-washy aspiration, was ill-founded. He echoed the concerns over safety.
- He concurred with the concerns of the Highways Officers around the private access. There was potential for continuing problems for residents. Management companies came and went and fees could be prohibitive. It was unclear how this would be managed, especially for those in social and affordable housing.
- With regard to environmental aspirations, he reiterated his concerns from the previous application. This development was an opportunity where the Council could have done something, and it was frustrating that officers and the Committee were hamstrung by the Planning Inspector's decision at appeal.

### **Member Questions of the Ward Member**

15. Councillor Tony Vickers referred to the underpass and that it had been under consideration in the context of the proposed development since 2014. The underpass was not like those in central Newbury, as it was at ground level rather than sunk.

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Once development was built on both sides and would overlook the subway, and in anticipation that lighting would be provided, he questioned whether the Ward Members concerns were exaggerated.

16. Councillor Doherty did not agree with Councillor Vickers. There were plans to plant vegetation to act as a sound barrier to the A339, the underpass was remote and if anyone were to shout for assistance, they would not be heard due to the noise from the A339.
17. Councillor Masters concurred Councillor Doherty's response that more safety protections needed to be put in place.

### **Questions to Officers**

18. Councillor Phil Barnett asked the Highways Officer to comment on the impact of Vodafone buses parking along the access road off the roundabout into Vodafone at certain times of day, and whether this would obstruct access to the site. Paul Goddard replied that this was possible, however unfortunately there was little the Highways Authority could do about it. If it were to become a problem, the residents would have to contact the developer, and the developer would have to liaise with Vodafone. He hoped that Vodafone would run their bus services to assure that access would be provided at all times to the residential development.
19. Councillor Barnett further questioned Planning Officers as to whether the Police had provided advice on the safety aspects of the development. Simon Till explained that the Police Crime Prevention Design Advisor had been consulted on this, as with other applications, and a condition had been recommended to implement secure by design measures for this reserved matters application.
20. He further reiterated that the questions regarding access and the underpass were resolved in the outline planning permission, and as such were not part of the reserved matters application. He drew the Committee's attention to condition 14 of the outline planning permission, which stipulated details of the underpass, and the CCTV arrangement to be put in place.
21. Councillor Dennis Benneyworth asked whether officers knew approximately how much it would cost residents to maintain the private roads. Paul Goddard explained that he did not. Residents would be at the mercy of the management company, however through the condition in the Update Report, where the developer was obliged to supply details on how the roads will be maintained by the management company, it might be possible to obtain some information.
22. Councillor Vickers referred to condition 14 of the outline plan as he was puzzled. The condition mentioned a diversion at either side of the underpass footpath four being agreed before reserved matters, however this was a reserved matters application that was talking about the layout. He was not sure from the layout plans where footpath four was going, between the east side of the underpass and the Vodafone path. As far as the plans showed it was outside the red line. He did not know how this footpath four had been dealt with. He felt it would be helpful to know if that condition had been discharged and what the result of it was. It would be essential that the footpath was available and yet it was shown as going to area, that if it were to be flooded, would be a pond

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23. Simon Till was not aware whether condition 14 of the outline permission had been discharged. He believed that Councillor Vickers was correct that there were matters with regards to the footpath that might be impacted by the drainage scheme. He suspected that the condition had not been discharged. The condition did not require discharge prior to determination of reserved matters, therefore Members were still able to make a determination on the reserved matters application, with the matters that were subject to condition 14 remaining to be discharged. The requirement for that conditioned diversion of footpath four meant that officers would need to consult with the Public Rights of Way Team, to ensure that the diversion was properly administered.
24. Councillor Vickers speculated that the footpath could be diverted through the site, but there was the large area that was outside the developer's control which is where the footpath was currently shown as leading to. He felt it was a fundamental part of the linkages between both halves of the site, and that the rest of the path network, however it would appear that the diversion was not within the control of the developer.
25. Councillor Clive Hooker queried whether the footpath was outside the development area, and also if the pond that would flood the footpath were also outside the red-line. Simon Till confirmed that drainage still required to be addressed via conditions. He noted that if a diversion were to be required on land outside of the developer's control, assuming it was in the Council's control, the Council would have to consider whether to authorise the diversion. However, condition 14 was applied to the outline planning permission.
26. Councillor Adrian Abbs asked for confirmation that the woodland to the north of the development was not ancient woodland. As it was within 50 metres of the development and therefore root systems could be affected, he asked whether it had been taken into account.
27. Simon Till confirmed that the Tree Officer had been consulted and had not objected to the application, and had in fact supported the landscaping scheme. He had raised no concerns regarding the woodland around the site, and it had not been raised as a concern during the outline permission. Simon Till would have suspected that any concerns would have been considered at that outline stage, however, the reserved matters landscaping consideration did allow a certain amount of 'second bite of the cherry'. The Tree Officer had had an opportunity to raise concerns, and had not done so, therefore Planning Officers were satisfied that there were no adverse impacts from the way this layout had been designed.
28. Councillor Abbs was still not entirely convinced as the woodland was outside the red line. He queried how far outside the development area officers considered. Simon Till replied that Tree Officers occupied themselves considerably with trees both inside and outside the red line.
29. Councillor Carolyne Culver queried how the private road would affect the access for utility companies to work on the roads. In addition she was conscious that, in other areas where social rented houses were managed by Sovereign and there was a private un-adopted road, there had been difficulties in resolving issues like flooding and resurfacing, which had been batted around between Sovereign and the Council.

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She was concerned that this might happen in this instance too, and problems would be created for residents in the longer term.

30. Finally she queried whether officers were aware at the outline planning stage that the private road was a problem, but was one that they had hoped to resolve quickly. Paul Goddard explained that officers were aware it was an issue at outline planning, however there were bigger issues being considered at the appeal and the matter did get somewhat swept aside by the planning inspector. Also, unfortunately, planning law did not really cover land ownership issues. In regard to utility access, officers expected details to be included in the condition on management plan. Utility companies would need to gain permission from the management company. In terms of social rented housing, this would again need to be included in the management plan.
31. Councillor Culver reiterated the issue that social rented housing was again being described as affordable, these terms were not synonymous. There should be clarity that when the term affordable rent was quoted, social rent was being referred to. She further asked why there were so few two bedroomed houses for private ownership proposed for the site. There were 15 two bedroomed properties, compared to 125 four bedroomed dwellings, and this appeared skewed towards the larger families. She queried whether it was not thought that there might be single people or couples that might want to buy and own their own property. Simon Till answered that the housing mix was consulted on with the Housing Officer and no concerns had been raised. Planning Officers therefore considered that on balance it was an acceptable mix of dwelling types, as no objections were raised from that field of expertise.
32. Councillor Howard Woollaston described that his major concern was the connection to the highway and how the issue would be resolved. He expressed the view that any sensible developer would have agreed terms with Vodafone by now, so there was presumably a problem. He asked for the Planning Officer's view. Simon Till commented that the matter of land ownership had been quite accurately described by Paul Goddard. The planning situation did not require that the applicant own the land forming part of the planning application. In this case, the Planning Inspector had given detailed consideration to the access at the outline permission stage, and as a consequence had applied a condition requiring that all access to the site should be provided to an adoptable standard. In planning terms, that was the best that could be done, as there was no policy supporting officers to force the developer to have to the roads adopted. If the developer failed to provide access of a sufficient quality then they could not proceed with development.
33. Councillor Benneyworth asked for clarification that the legal agreement for the access would be solid enough to give residents confidence going forward. Simon Till reiterated that the condition called for roads to be built to an adoptable standard. An informative and a condition would allow officers to understand, as much as possible, what the relationship will be between the residents and the access road arrangements. However, officers could not force an adoption, therefore could not give a caste-iron guarantee. This was the position left to Planning Officers following the decision by the Planning Inspector.
34. The Chairman asked Simon Till to share the slide that showed the distribution of housing mix across the site. He asked David Pearson to comment on the application. David Pearson remarked, regarding the adoption of roads, that Officers' hands were

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ted by the decision of the Planning Inspector, he expressed the opinion that he felt sorry for future residents, but there was little, if anything, that could be done under reserved matters to address the problem.

35. The Chairman noted that for anyone buying a home on the eastern side, due diligence would be paramount.
36. At 9.23pm, in accordance with the Council's Constitution, the Committee concluded that the remaining business could be concluded by 10.30pm, and therefore decided to continue with the debate.

### Debate

37. Councillor Hilary Cole opened the debate by noting that there had been a good debate on the eastern side. She commented that it was disappointing that Vodafone and the developer had not worked together to come to some agreement about this road, which would be installed up to adoptable standards, and yet was not being adopted. Without wishing to labour the point about a management company, there had been a big issue around the development at Kennet Heath with regard to the upkeep of public space. Residents could form their own management company. She believed she was one of the few members who had carried out a site visit, and she shared the Ward Members concerns about the underpass, however if both sites were to be developed it would be more used.
38. Providing the conditions were agreed, and with regards to the comments on brick colour and lighting as for the first application, Councillor Hilary Cole, proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Vickers
39. Councillor Vickers noted that he had also seen residents take control of management. He continued that the residents would be paying the same Council Tax, but would not be getting the same service. He also remarked that this was the position for residents on the Newbury Racecourse development and it was already causing problems. He conjectured whether the local Minister of Parliament should be consulted. He felt it was wrong that the Council did not have control over allowing the residents to have access to their homes for necessary services. However, he felt he had no option but to approve permission.
40. The Chairman concluded that the position had been imposed on officers and the Committee by the Planning Inspector. From this debate the Chairman was concerned about the bus parking, and that very little investment had been made in the underpass. He posited that if the underpass had been developed in such a way as to allow vehicle access, then perhaps Council service vehicles could have accessed the eastern side, albeit down an un-adopted road.
41. The Chairman invited Members of the Committee to vote on the proposal by Councillor Hilary Cole, seconded by Councillor Vickers to grant planning permission. At the vote the motion was carried.

**RESOLVED** that the Head of Development and Planning be authorised to **grant** planning permission subject to the following conditions:

### Conditions

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Subject to the receipt of satisfactory amended plans and information to address the following technical highways requirements:

- Revised traffic calming measures within the site;
- Internal access road designs to meet adoptable standards;
- Sight lines at the junctions and bends within the site shown for vehicle speeds of 20 mph; and
- Minor changes to parking provision for the flats near the subway.

within three months of the date of this Committee (or such longer period that may be authorised by the Head of Development and Planning) to delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below (with delegated authority to amend/add/delete the final list of planning conditions to address technical issues and to add conditions relating to materials and a lighting scheme):

### 1. Reserved Matters Related to Outline Permission

This permission relates solely to the reserved matters referred to in Condition 3 of the Outline Planning Permission granted on 25 June 2020 under application reference 19/00442/OUTMAJ (which is a variation of 14/02480/OUTMAJ allowed under appeal decision reference APP/W0340/W/16/3143214 on 20 March 2017). Nothing contained in this proposal or this notice shall be deemed to affect or vary the conditions imposed on that outline planning permission.

Reason: The reserved matters cannot be considered separately from the permission to which they relate and the conditions imposed on that outline permission are still applicable.

### 2. Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed below:

- Planning Layout - 0685-102 rev D
- Building Storey Heights Plan - 0685-110 rev C
- External Works Plan 1 - 0685-104-1 rev C
- External Works Plan 2 - 0685-104-2 rev C
- External Works Plan 3 - 0685-104-3 rev C
- External Works Plan 4 - 0685-104-4 rev C
- External Works Plan 5 - 0685-104-5 rev C
- External Works Plan 6 - 0685-104-6 rev C
- Parking Matrix - \*0685 rev Issue 4
- Management Plan - 0685-107 rev C
- Housetype Plans & Elevations Pack - \*0685 rev 7
- Garage and Cycle Storage - 0685-109 rev A
- Site Location Plan - 0685-101
- Engineering Layout 1 (inc. drainage and levels) - 6103-MJA-PH2-001 rev T4
- Engineering Layout 2 (inc. drainage and levels) - 6103-MJA-PH2-002 rev T3
- Engineering Layout 3 (inc. drainage and levels) - 6103-MJA-PH2-003 rev T3
- Engineering Layout Overall (inc. drainage and levels) - 6103-MJA-PH2-004 rev T4
- External Works Layouts Overall - 6103-MJA-PH2-400 rev T2
- External Works Layouts 1 - 6103-MJA-PH2-401 rev T3
- External Works Layouts 2 - 6103-MJA-PH2-402 rev T2
- External Works Layouts 3 - 6103-MJA-PH2-403 rev T3

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- Landscaping Hardworks Plan - 1050623-L-02 rev 07

Housetype Plans & Elevations Pack 0685 Issue 7

HOUSETYPE BOOKLET	0685-HTB	ISSUE 7
NA44-MANFORD - PLANS & ELEVATIONS PLOT 1	0685-PLOT 1	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 2	0685-PLOT 2	A
NB50-FELTON - ELEVATIONS PLOT 3	0685-PLOT 3-1	-
NB50-FELTON - PLANS PLOT 3	0685-PLOT 3-2	-
NB50-FELTON - ELEVATIONS PLOT 4	0685-PLOT 4-1	A
NB50-FELTON - PLANS PLOT 4	0685-PLOT 4-2	A
NA51-WAYFORD - PLANS PLOT 5	0685-PLOT 5-1	-
NA51-WAYFORD - PLANS PLOT 5	0685-PLOT 5-2	-
NT42-WAYSDALE - ELEVATIONS PLOT 6	0685-PLOT 6-1	-
NT42-WAYSDALE - FLOOR PLANS PLOT 6	0685-PLOT 6-2	-
NA43-LANFORD-PLANS & ELEVATIONS PLOT 7	0685-PLOT 7	A
NA51-WAYFORD - PLANS PLOT 8	0685-PLOT 8-1	-
NA51-WAYFORD - PLANS PLOT 8	0685-PLOT 8-2	-
NA51-WAYFORD - PLANS PLOT 9	0685-PLOT 9-1	A
NA51-WAYFORD - PLANS PLOT 9	0685-PLOT 9-2	A
NA44-MANFORD - PLANS & ELEVATIONS PLOT 10	0685-PLOT 10	A
NT42-WAYSDALE - ELEVATIONS	0685-PLOT 11-1	-

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PLOT 11		
NT42-WAYSDALE - FLOOR PLANS PLOT 11	0685-PLOT 11-2	-
AA23-PLANS & ELEVATIONS PLOT 12	0685-PLOT 12	A
AA23-PLANS & ELEVATIONS PLOT 13	0685-PLOT 13	A
AA23-PLANS & ELEVATIONS PLOT 14	0685-PLOT 14	B
AA23-PLANS & ELEVATIONS PLOT 15	0685-PLOT 15	A
NT42-WAYSDALE - ELEVATIONS PLOT 16	0685-PLOT 16-1	A
NT42-WAYSDALE - FLOOR PLANS PLOT 16	0685-PLOT 16-2	A
NA44-MANFORD - PLANS & ELEVATIONS PLOT 17	0685-PLOT 17	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 18	0685-PLOT 18	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 19	0685-PLOT 19	B
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 20	0685-PLOT 20	A
NB50-FELTON - ELEVATIONS PLOT 21	0685-PLOT 21-1	A
NB50-FELTON - PLANS PLOT 21	0685-PLOT 21-2	A
PT36-EASEDALE - PLANS & ELEVATIONS PLOT 22	0685-PLOT 22	A
NB31-BRAXTON-PLANS & ELEVATIONS PLOT 23	0685-PLOT 23	A
NB31-BRAXTON-PLANS & ELEVATIONS PLOT 24	0685-PLOT 24	A



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NB31-BRAXTON-PLANS & ELEVATIONS PLOT 25	0685-PLOT 25	A
NB31-BRAXTON-PLANS & ELEVATIONS PLOT 26	0685-PLOT 26	A
BLOCK A - ELEVATIONS PLOTS 27-35	0685-PLOT 27-35-1	B
BLOCK A - ELEVATIONS PLOTS 27-36	0685-PLOT 27-35-2	B
BLOCK A - PLANS PLOTS 27-35	0685-PLOT 27-35-3	B
BLOCK A - PLANS PLOTS 27-36	0685-PLOT 27-35-4	B
BLOCK A - PLANS PLOTS 27-37	0685-PLOT 27-35-5	B
PA34-GOSFORD - PLANS & ELEVATIONS PLOT 36	0685-PLOT 36	B
PA34-GOSFORD - PLANS & ELEVATIONS PLOT 37	0685-PLOT 37	B
PA34-GOSFORD - PLANS & ELEVATIONS PLOT 38	0685-PLOT 38	A
PA34-GOSFORD - PLANS & ELEVATIONS PLOT 39	0685-PLOT 39	A
AA31-PLANS & ELEVATIONS PLOT 40	0685-PLOT 40	A
AA31-PLANS & ELEVATIONS PLOT 41	0685-PLOT 41	A
PA25-CANFORD - PLANS & ELEVATIONS PLOT 42	0685-PLOT 42	B
PA25-CANFORD - PLANS & ELEVATIONS PLOT 43	0685-PLOT 43	B
AA31-PLANS & ELEVATIONS PLOT 44	0685-PLOT 44	A
AA31-PLANS & ELEVATIONS PLOT 45	0685-PLOT 45	A
AA31-PLANS & ELEVATIONS PLOT 46	0685-PLOT 46	A

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AA31-PLANS & ELEVATIONS PLOT 47	0685-PLOT 47	A
PA25-CANFORD - PLANS & ELEVATIONS PLOT 48	0685-PLOT 48	B
PA25-CANFORD - PLANS & ELEVATIONS PLOT 49	0685-PLOT 49	B
NA44-MANFORD - PLANS & ELEVATIONS PLOT 50	0685-PLOT 50	A
NB31-BRAXTON-PLANS & ELEVATIONS PLOT 51	0685-PLOT 51	B
NB31-BRAXTON-PLANS & ELEVATIONS PLOT 52	0685-PLOT 52	A
PT36-EASEDALE - PLANS & ELEVATIONS PLOT 53	0685-PLOT 53	A
NB50-FELTON - ELEVATIONS PLOT 54	0685-PLOT 54-1	A
NB50-FELTON - PLANS PLOT 54	0685-PLOT 54-2	A
NA43-LANFORD-PLANS & ELEVATIONS PLOT 55	0685-PLOT 55	A
NA44-MANFORD - PLANS & ELEVATIONS PLOT 56	0685-PLOT 56	A
NB50-FELTON - ELEVATIONS PLOT 57	0685-PLOT 57-1	A
NB50-FELTON - PLANS PLOT 57	0685-PLOT 57-2	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 58	0685-PLOT 58	B
NA44-MANFORD - PLANS & ELEVATIONS PLOT 59	0685-PLOT 59	A
NB50-FELTON - ELEVATIONS PLOT 60	0685-PLOT 60-1	A
NB50-FELTON - PLANS PLOT 60	0685-PLOT 60-2	A

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NB50-FELTON - ELEVATIONS PLOT 61	0685-PLOT 61-1	A
NB50-FELTON - PLANS PLOT 61	0685-PLOT 61-2	A
NA43-LANFORD-PLANS & ELEVATIONS PLOT 62	0685-PLOT 62	B
AA23-PLANS & ELEVATIONS PLOT 63	0685-PLOT 63	B
AA23-PLANS & ELEVATIONS PLOT 64	0685-PLOT 64	A
AA31-PLANS & ELEVATIONS PLOT 65	0685-PLOT 65	B
AA31-PLANS & ELEVATIONS PLOT 66	0685-PLOT 66	B
AA31-PLANS & ELEVATIONS PLOT 67	0685-PLOT 67	A
AA31-PLANS & ELEVATIONS PLOT 68	0685-PLOT 68	B
AA31-PLANS & ELEVATIONS PLOT 69	0685-PLOT 69	A
NB50-FELTON - ELEVATIONS PLOT 70	0685-PLOT 70-1	A
NB50-FELTON - PLANS PLOT 70	0685-PLOT 70-2	A
NB50-FELTON - ELEVATIONS PLOT 71	0685-PLOT 71-1	A
NB50-FELTON - PLANS PLOT 71	0685-PLOT 71-2	A
NA43-LANFORD-PLANS & ELEVATIONS PLOT 72	0685-PLOT 72	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 73	0685-PLOT 73	A
NA43-LANFORD-PLANS & ELEVATIONS PLOT 74	0685-PLOT 74	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 75	0685-PLOT 75	-
AA23-PLANS & ELEVATIONS PLOT 76	0685-PLOT 76	-

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AA23-PLANS & ELEVATIONS PLOT 77	0685-PLOT 77	-
AA31-PLANS & ELEVATIONS PLOT 78	0685-PLOT 78	-
AA31-PLANS & ELEVATIONS PLOT 79	0685-PLOT 79	-
AA23-PLANS & ELEVATIONS PLOT 80	0685-PLOT 80	-
AA23-PLANS & ELEVATIONS PLOT 81	0685-PLOT 81	-
NA44-MANFORD - PLANS & ELEVATIONS PLOT 82	0685-PLOT 82	A
NA43-LANFORD-PLANS & ELEVATIONS PLOT 83	0685-PLOT 83	-
PT36-EASEDALE - PLANS & ELEVATIONS PLOT 84	0685-PLOT 84	-
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 85	0685-PLOT 85	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 86	0685-PLOT 86	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 87	0685-PLOT 87	A
NA44-MANFORD - PLANS & ELEVATIONS PLOT 88	0685-PLOT 88	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 89	0685-PLOT 89	A
PA34-GOSFORD - PLANS & ELEVATIONS PLOT 90	0685-PLOT 90	A
PA34-GOSFORD - PLANS & ELEVATIONS PLOT 91	0685-PLOT 91	A
PA34-GOSFORD - PLANS & ELEVATIONS PLOT 92	0685-PLOT 92	A
PA34-GOSFORD - PLANS & ELEVATIONS	0685-PLOT 93	A

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PLOT 93		
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 94	0685-PLOT 94	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 95	0685-PLOT 95	A
NB31-BRAXTON-PLANS & ELEVATIONS PLOT 96	0685-PLOT 96	A
NB31-BRAXTON-PLANS & ELEVATIONS PLOT 97	0685-PLOT 97	B
BLOCK B - ELEVATIONS PLOTS 98-105	0685-PLOT 98-105-1	B
BLOCK B - ELEVATIONS PLOTS 98-105	0685-PLOT 98-105-2	C
BLOCK B - PLANS PLOTS 98-105	0685-PLOT 98-105-3	C
BLOCK B - PLANS PLOTS 98-105	0685-PLOT 98-105-4	C
BLOCK B - PLANS PLOTS 98-105	0685-PLOT 98-105-5	B
AA31-PLANS & ELEVATIONS PLOT 106	0685-PLOT 106	A
AA31-PLANS & ELEVATIONS PLOT 107	0685-PLOT 107	B
AA31-PLANS & ELEVATIONS PLOT 108	0685-PLOT 108	A
PA25-CANFORD - PLANS & ELEVATIONS PLOT 109	0685-PLOT 109	A
PA25-CANFORD - PLANS & ELEVATIONS PLOT 110	0685-PLOT 110	A
PA25-CANFORD - PLANS & ELEVATIONS PLOT 111	0685-PLOT 111	B
AA23-PLANS & ELEVATIONS PLOT 112	0685-PLOT 112	B
AA23-PLANS & ELEVATIONS PLOT 113	0685-PLOT 113	B
AA23-PLANS & ELEVATIONS	0685-PLOT 114	B

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PLOT 114		
AA23-PLANS & ELEVATIONS PLOT 115	0685-PLOT 115	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 116	0685-PLOT 116	A
NA44-MANFORD - PLANS & ELEVATIONS PLOT 117	0685-PLOT 117	B
NA44-MANFORD - PLANS & ELEVATIONS PLOT 118	0685-PLOT 118	A
NA44-MANFORD - PLANS & ELEVATIONS PLOT 119	0685-PLOT 119	B
AA31-PLANS & ELEVATIONS PLOT 120	0685-PLOT 120	B
AA31-PLANS & ELEVATIONS PLOT 121	0685-PLOT 121	B
AA23-PLANS & ELEVATIONS PLOT 122	0685-PLOT 122	B
AA23-PLANS & ELEVATIONS PLOT 123	0685-PLOT 123	B
AA23-PLANS & ELEVATIONS PLOT 124	0685-PLOT 124	A
1BM-ELEVATIONS PLOTS 125-126	0685-PLOT 125- 126-1	B
1BM-PLANS PLOTS 125-126	0685-PLOT 125- 126-2	A
1BM-ELEVATIONS PLOTS 127-128	0685-PLOT 127- 128-1	B
1BM-PLANS PLOTS 127-128	0685-PLOT 127- 128-2	B
AA23-PLANS & ELEVATIONS PLOT 129	0685-PLOT 129	A
AA41-PLANS & ELEVATIONS PLOTS 130	0685-PLOT 130	A
PA34-GOSFORD - PLANS & ELEVATIONS PLOT 131	0685-PLOT 131	B
PA34-GOSFORD - PLANS & ELEVATIONS PLOT 132	0685-PLOT 132	B

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PA44-MIDFORD - PLANS & ELEVATIONS PLOT 133	0685-PLOT 133	B
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 134	0685-PLOT 134	B
NA44-MANFORD - PLANS & ELEVATIONS PLOT 135	0685-PLOT 135	A
NA43-LANFORD-PLANS & ELEVATIONS PLOT 136	0685-PLOT 136	A
PT36-EASEDALE - PLANS & ELEVATIONS PLOT 137	0685-PLOT 137	B
AA31-PLANS & ELEVATIONS PLOT 138	0685-PLOT 138	B
AA31-PLANS & ELEVATIONS PLOT 139	0685-PLOT 139	B
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 140	0685-PLOT 140	A
PT36-EASEDALE - PLANS & ELEVATIONS PLOT 141	0685-PLOT 141	B
NA51-WAYFORD - PLANS PLOT 142	0685-PLOT 142-1	A
NA51-WAYFORD - PLANS PLOT 142	0685-PLOT 142-2	A
NA51-WAYFORD - PLANS PLOT 143	0685-PLOT 143-1	B
NA51-WAYFORD - PLANS PLOT 143	0685-PLOT 143-2	B
NA44-MANFORD - PLANS & ELEVATIONS PLOT 144	0685-PLOT 144	A
NA44-MANFORD - PLANS & ELEVATIONS PLOT 145	0685-PLOT 145	A
NA51-WAYFORD - PLANS PLOT 146	0685-PLOT 146-1	B
NA51-WAYFORD - PLANS PLOT 146	0685-PLOT 146-2	B
NA44-MANFORD - PLANS &	0685-PLOT 147	B

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ELEVATIONS PLOT 147		
NA51-WAYFORD - ELEVATIONS PLOT 148	0685-PLOT 148-1	A
NA51-WAYFORD - PLANS PLOT 148	0685-PLOT 148-2	A
NA51-WAYFORD - PLANS PLOT 149	0685-PLOT 149-1	A
NA51-WAYFORD - PLANS PLOT 149	0685-PLOT 149-2	A
NA51-WAYFORD - PLANS PLOT 150	0685-PLOT 150-1	A
NA51-WAYFORD - PLANS PLOT 150	0685-PLOT 150-2	A
NA45-MARFORD-PLANS & ELEVATIONS PLOT 151	0685-PLOT 151	B
NT42-WAYSDALE - ELEVATIONS PLOT 152	0685-PLOT 152-1	A
NT42-WAYSDALE - FLOOR PLANS PLOT 152	0685-PLOT 152-2	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 153	0685-PLOT 153	B
NA44-MANFORD - PLANS & ELEVATIONS PLOT 154	0685-PLOT 154	B
NA44-MANFORD - PLANS & ELEVATIONS PLOT 155	0685-PLOT 155	B
NA51-WAYFORD - PLANS PLOT 156	0685-PLOT 156-1	A
NA51-WAYFORD - PLANS PLOT 156	0685-PLOT 156-2	A
NA51-WAYFORD - PLANS PLOT 157	0685-PLOT 157-1	A
NA51-WAYFORD - PLANS PLOT 157	0685-PLOT 157-2	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 158	0685-PLOT 158	B



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PA44-MIDFORD - PLANS & ELEVATIONS PLOT 159	0685-PLOT 159	B
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 160	0685-PLOT 160	A
NB50-FELTON - ELEVATIONS PLOT 161	0685-PLOT 161-1	A
NB50-FELTON - PLANS PLOT 161	0685-PLOT 161-2	A
AA23-PLANS & ELEVATIONS PLOT 162	0685-PLOT 162	A
AA23-PLANS & ELEVATIONS PLOT 163	0685-PLOT 163	B
AA23-PLANS & ELEVATIONS PLOT 164	0685-PLOT 164	B
AA41-PLANS & ELEVATIONS PLOT 165	0685-PLOT 165	B
AA41-PLANS & ELEVATIONS PLOT 166	0685-PLOT 166	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 167	0685-PLOT 167	A
NA44-MANFORD - PLANS & ELEVATIONS PLOT 168	0685-PLOT 168	A
NB50-FELTON - ELEVATIONS PLOT 169	0685-PLOT 169-1	A
NB50-FELTON - PLANS PLOT 169	0685-PLOT 169-2	A
NA45-MARFORD-PLANS & ELEVATIONS PLOT 170	0685-PLOT 170	A
PA44-MIDFORD - PLANS & ELEVATIONS PLOT 171	0685-PLOT 171	-
NA45-MARFORD-PLANS & ELEVATIONS PLOT 172	0685-PLOT 172	A
NA45-MARFORD-PLANS & ELEVATIONS PLOT 173	0685-PLOT 173	A
AA31-PLANS & ELEVATIONS PLOT 174	0685-PLOT 174	A

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AA31-PLANS & ELEVATIONS PLOT 175	0685-PLOT 175	B
AA31-PLANS & ELEVATIONS PLOT 176	0685-PLOT 176	A
AA31-PLANS & ELEVATIONS PLOT 177	0685-PLOT 177	B
AA31-PLANS & ELEVATIONS PLOT 178	0685-PLOT 178	B
AA31-PLANS & ELEVATIONS PLOT 179	0685-PLOT 179	A

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

### 3. Housing Unit and Tenure Mix

The development hereby permitted shall be carried out in accordance with the site wide housing unit and tenure mix received by the Local Planning Authority on 25 September 2020.

Reason: To comply with the requirements of condition 4 of Outline Planning Permission Reference 19/00442/OUTMAJ granted on 25 June 2020 which requires the first reserved matters application to include a schedule of the housing unit and tenure mix for the whole site in accordance with the provisions of the National Planning Policy Framework (2019), Policies CS4, CS6 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### 4. Strategic Landscape Plan

The development hereby permitted shall be carried out in accordance with the strategic landscape framework plan (drawing ref 1607/P65d) and supporting landscape note (document reference 1607 29D condition 5 Note AW HM 140820) received by the Local Planning Authority on 14 August 2020.

Reason: To comply with the requirements of condition 5 of Outline Planning Permission Reference 19/00442/OUTMAJ granted on 25 June 2020 which requires the first reserved matters application to include a strategic landscape plan for the whole site in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP2, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### 5. LEAP and LAPS Implementation

No dwelling shall be occupied until a timetable for implementation of the approved LEAP and LAPs has been submitted to and approved in writing by the Local Planning Authority. The LEAP and LAP shall thereafter be provided in accordance with the approved timetable

Reason: To protect the character and appearance of the area, and in the interests of security and safety. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policy CS13 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

**6. Details of proposed footpath/cycle link and interface with PROW**

Notwithstanding information shown on the supporting plans, no dwelling shall be occupied until details of the new footpaths, their construction specification and means of integration with Public Rights of Way SHAW/4/1 and SHAW/4/4 around the A339 underpass (identified on drawing 0685-102 rev D) have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To encourage sustainable modes of transport and to ensure development is integrated with the surrounding public rights of way network in accordance with the National Planning Policy Framework (2019), 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). Notwithstanding details shown on the supporting plans, details of the how any new footpaths, their specification and means of the integration with the PROW around the A339 underpass, and implementation prior to occupation of housing.

**7. Samples of External Materials**

No development above slab level shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling(s) and hard surfaced areas hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character in accordance with the National Planning Policy Framework (2019), Policy CS14 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

**8. Secured via Design measures**

No dwelling shall be occupied until details of a package of 'Secured by Design' measures, which include details of the access control systems and post boxes for the approved apartment blocks, have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details, and each respective dwelling shall not be occupied until the measures relevant to that dwelling are implemented in their entirety.

Reason: In the interests of creating a safe and sustainable community in accordance with the National Planning Policy Framework (February 2019), Policy CS13 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

**9. Additional Windows for Surveillance**

Notwithstanding the information shown on the supporting plans, no dwelling shall be occupied until the details of the following (or alternative package of measures) have been submitted to and approved in writing by the Local Planning Authority:

- Details of additional upper floor windows on plots 1,4, 9 and 66

Thereafter the development shall be carried out in accordance with the approved details.

Reason: To facilitate increased surveillance of the public realm In the interests of creating a safe and sustainable community in accordance with the National Planning Policy Framework (February 2019), Policy CS13 West Berkshire Core Strategy (2006-2026),

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Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### **10. Removal of PD Rights**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement (including side and rear extensions), improvement or other alteration of the dwellinghouses, additions or buildings or enclosures incidental to the enjoyment of the dwellinghouses, or enlargement/alterations to the roofs (including dormer windows) of the dwellinghouses falling within Classes A, B and E as set out below for the respective plots:

- No permitted development under Class B - Plots 2, 38 to 45, 51,52 to 58, 124,129,130,138,139,140,142,143,144,146,150,151,153 and 173 to 179.
- No permitted development under Classes A and E – Plots 2,15,25,26, 44 to 49, 63, 138,144,145,151,153,155,159,161,163,165, 167,171 and 174 to 179.

Reason: Taking into the account the significant changes in levels across the site and proposed garden sizes in order to protect neighbouring residential amenity in accordance with the National Planning Policy Framework (2019), Policy CS14 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### **11. Implementation of Landscaping**

The development shall be carried out in accordance with the approved soft landscaping scheme set out in:

- Landscaping Masterplan - 1050623-L-01 rev 08
- Landscaping Softworks Plan - 1050623-L-03 rev 8
- Landscaping Softworks Plan - 11050623-L-04 rev \*06
- Landscaping Softworks Plan 2a - 1050623-L-05 rev \*03
- Landscaping Softworks Plan 2b - 1050623-L-06 rev \*04
- Landscaping Softworks Plan 3 - 1050623-L-07 rev \*04
- Landscaping Softworks Plan 4b - 1050623-L-09 rev \*04
- Landscaping Softworks Plan 5b - 1050623-L-10 rev \*04
- Landscaping Softworks Plan 6b - 1050623-L-13 rev \*03
- Landscaping Softworks Plan 7 - 1050623-L-14 rev \*05
- Landscaping Softworks Plan 8 - 1050623-L-15 rev \*06
- Softworks Schedule 1-3 - 1050623-L-16 rev \*05
- Softworks Schedule 4-5 - 1050623-L-17 rev \*05
- Softworks Schedule 6-8 -1050623-L-18 rev \*06
- Tree Details 1050623-L-23
- Play Area Design 1050623-L-20 rev \*04
- Strategic landscape framework plan (drawing ref 1607/P65d); and
- Landscape note (document reference 1607 29D condition 5 Note AW HM 140820)

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Any trees shrubs or plants that die or become seriously damaged within fifteen years of this development shall be replaced in the following year by plants of the same size and species.

The approved landscape buffer planting around the boundaries of the site (as set out on soft works perimeter planting plan drawing no L-03 rev 8) shall be completed within the first planting season before the occupation of the 25th dwelling and all remaining planting shall be completed within the first planting season following completion of the development unless an alternative timetable for implementation is otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of a satisfactory scheme of landscaping and to protect the character and appearance of the area. The condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP1,ADPP2, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### **12. Substation Details**

Notwithstanding the information shown on the supporting plans, no dwelling shall be occupied until the detailed design and specification (including noise emission levels), hard and soft landscaping and boundary treatments for the electric substation (identified on drawing 0685-102 rev D) has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To protect neighbouring residential amenity and to protect the character and appearance of the area in accordance with the National Planning Policy Framework (2019), Policy CS14 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan

### **13. Obscure Glazing**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), any windows on respective elevations to the dwelling plots identified below, shall be of top opening design and shall be fitted with obscure glazing before each respective dwelling is first occupied and thereafter shall be retained in this form. Any replacement windows shall also be of top opening design and incorporate obscure glazing.

Plots 4, 9, 22, 24, 26, 38, 40, 42, 44, 48, 53, 55, 87, 97, 129, 131, 142, 144, 156, 157,164,166,175,177 and 179 - west facing 1st floor window(s);

Plots 1,12, 50, 62, 78, 81, 82, 90,108, 113, 115, 118, 121, 124, 136 and 139 – north facing 1st floor window(s);

Plots 3,10, 56, 57, 58, 72, 73, 83, 85, 86, 143, 146, 147, 148, 149, 150, 151, 154, 155, 158, 159, 160, 167, 168, 169 and171 – east and west facing 1st floor window(s)

Plots 2,11, 23, 25, 39, 41, 43, 47, 54, 74, 84, 130, 145, 153, 161,165, 172, 176 and 178 – east facing 1st floor window(s);

Plots 6, 13, 16, 19, 51, 52, 59, 64, 75, 76, 79, 93, 109, 114, 117, 120, 122, 138 and 141 – south facing 1st floor window(s); and

Plots 5, 8,14,17,18, 20, 21, 60, 61, 65, 70, 71, 88, 89, 94, 95, 116, 119, 134 to 135, 140 – north and south facing 1st floor window(s).

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Reason: To protect neighbouring residential amenity in accordance with the National Planning Policy Framework (2019), Policy CS14 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### **14. Boundary treatment**

Each respective dwelling shall not be occupied until boundary treatment has been provided for that dwelling in accordance with the approved plans. The development shall thereafter be carried out in accordance with the approved details.

Reason: To protect the character and appearance of the area, and in the interests of security and safety. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policy CS13 West Berkshire Core Strategy (2006-2026), Policy C3 of the Housing Site Allocations DPD 2006-2026 and guidance contained within the West Berkshire Quality Design SPD and the Shaw cum Donnington Parish Plan.

### **15. Electric Vehicle Charging Points**

No dwelling shall be occupied until details of electric vehicle charging points have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details, and each respective dwelling which is allocated an electric charging point shall not be occupied until the electric charging point relevant to that dwelling is provided. The charging point shall thereafter be retained and kept available for the potential use of an electric car.

Reason: To promote the use of electric vehicles and to encourage sustainable modes of transport in accordance with the National Planning Policy Framework (2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **16. Layout and Design Standards**

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. The road and footpath design shall be to a standard that is adoptable as public highway. To ensure that the roads are built to adoptable standards, access shall be made available at all times for Council engineers to inspect the highway works with fees paid in line with highway authority fees and charges. 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 (2019), 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).

### **17. Maintenance of Roads, Footways and Associated Infrastructure**

No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

## **WESTERN AREA PLANNING COMMITTEE - 23 SEPTEMBER 2020 - MINUTES**

Reason: In the interest of future maintenance for the benefit of future residents and other road users. This condition is imposed in accordance with the National Planning Policy Framework (2019), 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).

### **18. Visibility splays**

Visibility splays shall be provided in accordance with drawings to be submitted. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework (2019) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

### **19. Parking/turning in accord with plans**

No dwelling shall be occupied until the associated vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

### **20. Cycle parking**

No dwelling shall be occupied until the associated cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development reduces 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, 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).

## **Informative Notes**

### **1. Private Access Road**

The proposed development is linked onto the A339 public highway via The Connection. The Connection is a private road owned and maintained by Vodafone. It is unlikely for the foreseeable future that The Connection will become adopted public highway. This means that the highway authority is unable to enter into a Section 38 Agreement under the Highways Act 1980 to adopt the roads as public highway within the development. The roads will therefore remain private within the development for the foreseeable future and will be maintained by a management company funded by the residents.

### **2. Royal Berkshire Fire and Rescue**

The development will need to be designed and built in accordance with the functional requirements of current Building Regulation requirements.

## WESTERN AREA PLANNING COMMITTEE - 23 SEPTEMBER 2020 - MINUTES

The Fire Authority seeks to raise the profile of these requirements and requests that the relevant documentation is made available to the applicant and/or planning agent by means of web link:

<https://www.gov.uk/government/publications/fire-safety-approved-document-b>

Full assessment of the proposed development in respect of 'Building Control' matters will be undertaken during the formal statutory Building Regulations consultation.

### 3. Thames Water

#### Waste Comments

Thames Water has identified that the existing foul water network infrastructure needs upgrading to meet the needs of this development. The applicant is therefore advised to contact Thames Water to agree a position for foul water networks. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request further information by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning).

### 4. Construction Management Plan and Infrastructure Works

The applicant is advised to engage with the local community and local parish council in preparing and implementing a final construction management plan. The plan should be kept under review during the carrying out of the development to protect the amenity of the area.

The applicant is also advised to consult with the local parish council before commencing major infrastructure works that may implications for the local community.

### 5. Public Rights of Way

Nothing connected with either the development or its construction must adversely affect or encroach upon the Public Right of Way (PROW), which must remain available for public use at all times. Information on the width of the PROW can be obtained from the PROW Officer.

The applicant is advised that the Rights of Way Officer must be informed prior to the laying of any services beneath the Public Right of Way.

### 6. Secured by Design Guidance

#### 1. External Communal entrances:

All external and internal Communal entrance doors meet the requirements of the minimum physical security requirements of LPS1175 Issue 8 B3)

- I. Developments with more than two floors are required to have a visitor door entry system and access control system.
- II. All external and internal Communal entrance doors access will be controlled via an electronic remote release locking systems with audio/visual intercom links to each apartment. This will allow residents to communicate with their visitors without having to open their front door and speak to them face-to-face as this allows them to filter who is allowed into the building and up into their flat.
- III. The system will be required to record and store images for a minimum of 30 days.
- IV. Tradesperson's release mechanisms are not permitted as they have been proven to be a cause of ASB and unlawful access to residential areas



## WESTERN AREA PLANNING COMMITTEE - 23 SEPTEMBER 2020 - MINUTES

V. Postal services: Best practice advises that Tradesman's Buttons (allowing postal deliveries) must not be fitted as unauthorised individuals can also use these to gain access to private residential areas (negating any physical security a closed door offers) The preferred management of mail delivery is either via external wall mounted letterboxes or via 'through the wall' mail deliveries, if this cannot be achieved, the postal boxes must be located within a secured entrance lobby, (with secondary internal access controlled communal entrance door) this allows postal services to be delivered into the lobby whilst ensuring the internal corridors and stairwells of the apartments remain private.

VI. Residential door Sets: Individual flat entrance doors must also comply with ADP-Q, and meet the minimum physical security requirements of PAS24:2012.

**2. Compartmentalisation:** The Access control system must provide compartmentalisation of each floor within block

**3. Secure communal lobbies:** Any internal door sets should meet the same specification as above be access controlled (ground floor and residential floor lobbies)

**Bin and cycle store doors.** Must be robust and secure (meet the minimum physical security standards of LPS 1175 issue 8 B3, with electronic access control. Double leaf door can be problematic sustainable operation and security, as the active leaf is required to secure against the passive. Additional details as to the type, style and minimum physical security standards of the doors will be required - alternatively a large single leaf door may well be more appropriate and cost effective.

### Additional Informative Notes

#### 7. Housing Mix

For the avoidance of doubt, the applicant is advised the development shall be carried out in the accordance with updated housing mix table (which updated references to affordable and social rent) received by the Local Planning Authority via email on 25 September 2020

#### 8. External Lighting

In discharging outline planning condition 22 of 19/00442/OUTMAJ which requires the submission of external lighting details, the applicant is advised to take in account emerging guidance 'Dark Skies of the North Wessex Downs AONB – Guide to Good External Lighting (September 2020)' to minimise light pollution and to preserve the beautiful dark skies of the AONB.

#### 9. Working Proactively with the Applicant

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.

### (3) Application No. and Parish: - 20/01083/FUL, Quill Cottage, Craven Road, Inkpen

This agenda item has been deferred to a future meeting.

**WESTERN AREA PLANNING COMMITTEE - 23 SEPTEMBER 2020 - MINUTES**

**24. Appeal Decisions relating to Western Area Planning Committee**

No appeals were available to be considered by Members relating to the Western Area.

*(The meeting commenced at 6.30pm and closed at 9.30pm)*

**CHAIRMAN** .....

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

# Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/01083/FUL Inkpen Parish Council	06/07/2020	Replacement dwelling  Quill Cottage, Craven Road, Inkpen, Hungerford, RG17 9DX  Mr and Mrs Jones

<sup>1</sup> Extension of time agreed with applicant until 25/09/2020

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/01083/FUL>

**Recommendation Summary:** To delegate to the Head of Development and Planning to REFUSE planning permission.

**Ward Member(s):** Councillor C Rowles  
Councillor J Cole and  
Councillor D Benneyworth

**Reason for Committee Determination:** Clarification required with regard to the correct interpretation of policy C7 of the Housing Site Allocations DPD

**Committee Site Visit:** Owing to social distancing restrictions, the option of a committee site visit is not available. Instead, a collection of photographs is available to view at the above link.

## Contact Officer Details

**Name:** Sarah Melton  
**Job Title:** Senior Planning Officer  
**Tel No:** 01635 519111  
**Email:** Sarah.melton1@westberks.gov.uk

## 1. Introduction

- 1.1 **The determination of the applicant was deferred by Members at the WAPC 21<sup>st</sup> July 2020. Following the discussions of the WAPC, amendments and updates have been added to the original committee report, these are in bold.**
- 1.2 This application seeks planning permission for a replacement dwelling.
- 1.3 The current dwelling on site consists of a single storey bungalow and a detached single garage also of a single storey. The dwelling and garage are set approximately 10.3m back from Craven Road. The dwelling is known as Quill Cottage, it has a large rear residential curtilage that extends well beyond the red line of the submitted location plan.
- 1.4 The design of the current dwelling on site, whilst it is not of any particular architectural merit, it is appropriate for its location within the open countryside and North Wessex Downs AONB. The dwelling is low key and un-obtrusive, it does not significantly detract from the character of the surrounding area.
- 1.5 The north-west elevation of the existing property, fronting Craven Road, consists of a 1m post and rail fence, hedging, a single track gravel drive and open grass (lawn) amenity space. The existing elevational materials include brown/red brick, brown roof tiles and white window frames.
- 1.6 The overall design, scale and appearance of the current dwelling on site, is one which is suitable for its rural location, it does not impose itself within the AONB or wider landscape, the site is relatively open which makes a positive contribution to the open countryside in which the site is located.
- 1.7 **The existing bungalow was extended under 05/01344/HOUSE. The extension is an 'L' shape which wraps around the east corner of the bungalow. The extension has a maximum height of approximately 3.7m, the original bungalow has a maximum height of 5.1m. The extension is set back approximately 3.1m from the front (north-west elevation) of the main dwellings facing Craven Road.**
- 1.8 **The extension is not visible from Craven Road, public right of way INKP/15/1 or INKP/16/1 running along the boundary of Quill Cottage, whereas the original bungalow is.**
- 1.9 **As stated above, the current extension is not visible from Craven Road, whereas the entire frontage of the new dwelling will be. The extension is not visible from the public right of way running along the boundary of Quill Cottage.**
- 1.10 Based on the submitted floor plans and publically available information from sources such as Rightmove, the existing dwelling offers a satisfactory level of residential accommodation. The existing dwelling includes four bedrooms, an en-suite bathroom, a study, a family bathroom, kitchen, lobby, hallway, utility room and a study/dining room. The internal elements of the dwelling appear to be of a relatively good standard. The areas of the separate rooms of the dwelling are as follows:

Room	Area (sq.m)
Kitchen	26sq.m
Lounge	20sq.m
Study/Dining Room	11sq.m

Lobby	5sq.m
Utility Room	4sq.m
Hallway	20sq.m
Bedroom 1 (including en-suite)	21sq.m
Bedroom 2	14sq.m
Bedroom 3	12sq.m
Bedroom 4	7sq.m
Family Bathroom	5sq.m
External Garage	20sq.m
<b>Total</b>	<b>165sq.m</b>

**1.11 The applicant/agent has submitted that the GIA of the existing dwelling is 145sq.m, the applicant/agent has not submitted the measurement of each room as the Case Officer has done above. From the information submitted by the applicant/agent, it would appear that their measurements do not include the existing garage, should the garage be deducted from the Case Officers calculations, the same GIA of 145sq.m is reached.**

1.12 Whilst West Berkshire Council has not adopted the Governments Technical Space Standards for new dwellings, these standards do provide helpful guidance on what are acceptable GIA (gross internal space). The Technical Space Standards require a single storey, four bedroom dwelling (for five people) to provide a minimum internal space of 90sq.m with 3sq.m storage space. The existing dwelling and garage on site provides 165sq.m. The average GIA of a four bedroom detached dwelling in the UK is 147sq.m<sup>1</sup>.

1.13 To the south-east of the site is a public right of way, reference INKP/16/1, against which the side elevation of the existing dwelling abuts.

1.14 The proposal scheme is for a substantial two storey dwelling, with a full roof and two dormer windows on each side elevation and one to the front. The replacement dwelling also includes a flat roof single storey element to the rear. The proposed dwelling includes a chimney stack on the rear of the roof which is visible from the street scene.

1.15 A significant amount of all four elevations are glazed, along with a roof light to the rear and two roof lights on the south-east elevation, the remaining elevational treatment consists of flint boarded by red brick, the roof is proposed to be of clay tile and the windows framed by a light grey material.

1.16 Whilst the submitted plans only show a first and second floor, the inclusion of roof lights and the height of the proposed scheme, it would be possible for internal alterations to take place and a third floor included (maximum room height of 1.6m), this would not require planning permission.

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<sup>1</sup> David Wilson Homes: <https://www.dwh.co.uk/advice-and-inspiration/average-house-sizes-uk/>

- 1.17 A single storey detached timber shed is included as part of the scheme and is located in the south corner of the site fronting Craven Road, and the public right of way.
- 1.18 The proposed front elevation includes a prominent 1.8m solid flint and brick wall (**this measurement has not been submitted by the agent it is therefore understood that there are no challenges to it**), which extends from the front elevation of the proposed dwelling and would be visible from the public domain. The boundary treatment directly adjacent to Craven Road includes a post and rail fence, hedging and close board timber gate. The front external amenity space (lawn) is shown as a car parking area (hard standing).

## 2. Planning History

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

Application	Proposal	Decision / Date
05/01344/HOUSE	<a href="#">Proposed alteration and extension to existing bungalow.</a>	Approved 03/07/2005
95/46272/CERTP	<a href="#">Certificate of lawfulness for an existing use of land as garden area.</a>	Approved 14/03/1995
20/00048/FUL	<a href="#">Replacement dwelling with attached double garage and annex above.</a>	Withdrawn 06/03/2020

- 2.2 Recent application 20/0028/FUL was for a larger replacement dwelling on the site and was withdrawn following a discussion between the agent and case officer. The reduction between the previously withdrawn proposal scheme and the proposal currently before Members is not a material planning consideration and should not be given any weight in the planning balance.

## 3. Procedural Matters

- 3.1 Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 A site notice was displayed on 26.05.2020 at the front of the site, the deadline for representations expired on 16.06.2020.
- 3.3 **At the WAPC of 22<sup>nd</sup> July 2020, where this application was first considered and then deferred, Members queried the level of engagement between the case officer and agent. During the course of the application there has only been limited contact and correspondence with the agent and applicant but the case officer responded those contacts that were received and advised of her concerns and likely recommendation prior to the meeting of the WAPC.**

- 3.4 The Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).
- 3.5 Since the Members call-in form was submitted there have been two highly relevant appeal decisions issued by the Planning Inspectorate which clearly and helpfully interpret policy C7 of the Housing Site Allocations DPD, these appeal decisions are material considerations:
- Appeal 3244084, determined 30<sup>th</sup> June 2020 – Appendix A
  - Appeal 3243683, determined 18<sup>th</sup> June 2020 – Appendix B

## 4. Consultation

### *Statutory and non-statutory consultation*

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

<b>Inkpen Parish Council:</b>	<p><b>Object</b></p> <p>a) Inkpen village has a scattered development in the NWD AONB area with open countryside and no settlement boundary - the openness is a material feature for consideration as well as location and landscape impact.</p> <p>b) The planning application, although reduced by removal of the front attached garage, still proposes a much larger development in scale and mass that overpowers the site and cannot be justified due to its proximity to the footpath and enjoyment of walkers and ramblers who enjoy the openness and tranquillity of the countryside. The development would have significant visibility on the landscape as walkers' approach or exit the footpath.</p> <p>c) The replacement building is disproportionate to the current dwelling, which nestles nicely within the countryside and its setting in the wider landscape.</p> <p>d) The reference to the size of the plot is irrelevant to be included for consideration as any encroachment on the paddock land for extended residential garden could not be supported due to the protection of valuable countryside - and represents a green wedge which stretches behind the dwellings along Craven Rd. Councillors requested that the curtilage should be enforced with no intrusion into paddock/agricultural land - supporting a decision of refusal made recently in Inkpen.</p> <p>e) Reference to Hunters Way is irrelevant as the planning officer at the time rightly recommended refusal of the development in the AONB joined by the residents and the Parish Council but overturned in committee.</p>
<b>WBC Highways:</b>	<p><b>No objections</b></p> <p>Adequate car parking and cycle storage is proposed.</p>

	<p>The plans must specify that the proposed electric vehicle charging point will be a minimum of 7 kw. At this stage a pre-commencement condition is requested for this.</p> <p>This application provides an opportunity to improve highway safety. It is request a bonded surfacing is provided for the first 3 metres into the access measured from the edge of the carriageway to reduce the likelihood of loose material migrating onto the carriageway, which is a potential skid hazard.</p>
<b>Public Rights of Way</b>	<b>No objections</b>
<b>Drainage Officer</b>	<b>Standing advice</b>
<b>Natural England</b>	<b>No comments to make</b>
<b>Ecology</b>	<b>No objections, subject to planning conditions</b>
<b>Rambling Society</b>	<b>No comments received</b>
<b>Tree Officer</b>	<b>No comments received</b>
<b>Thames Water</b>	<b>No comments received</b>
<b>Environment Agency</b>	<b>No comments received</b>

### ***Public representations***

- 4.2 A representation has been received from one contributor who supports the proposal.
- 4.3 The full response may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- The design is of a high quality and an improvement to the existing
  - Largely screened from adjacent footpath
  - Disagree with Inkpen Parish Council's recommendation

## **5. Planning Policy**

- 5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.
- Policies ADPP1, ADPP5, CS1, CS4, CS5, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
  - Policies C1, C3, C7 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
  - Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).



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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC Quality Design SPD (2006)
- Inkpen Village Design Statement

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of Development
- Design, Character and Appearance
- Ecology

### *Principle of development*

6.2 In determining the principle of residential development, the relevant local plan policies are ADPP1, ADPP5 and CS1 of the Core Strategy and policies C1 and C7 of the Housing Site Allocations DPD.

6.3 The site is located outside of a defined settlement boundary, as such it is located within the open countryside in accordance with policy ADPP1. It also lies within the North Wessex Downs AONB in which both policy ADPP5 and the NPPF require that development should take account of this national designation by conserving and enhancing the local distinctiveness, sense of place and setting of the AONB.

6.4 Under policy CS1 new homes will be located in accordance with the settlement hierarchy outlined in the Spatial Strategy and Area Delivery Plan Policies.

6.5 The policies of the Local Plan are to be read together, in connection with policy ADPP1, policy C1 of the Housing Site Allocation DPD details the circumstances under which residential development outside of a defined settlement boundary may be acceptable, this includes the replacement of existing dwellings.

6.6 The replacement of existing dwellings in the open countryside must comply with policy C7, which states that replacement dwellings will be permitted providing that:

- i. The existing dwelling is not subject to a condition limiting the period of use as a dwelling; and
- ii. The replacement dwelling is proportionate in size and scale to the existing dwelling, uses appropriate materials and does not have an adverse impact on:
  1. The character and local distinctiveness of the rural area
  2. Individual heritage assets and their settings
  3. Its setting within the wider landscape; and
- iii. There is no extension of the existing curtilage, unless required to provide parking or amenity space to be consistent with dwellings in the immediate vicinity; and
- iv. Where the existing dwelling forms part of an agricultural, equestrian, or other commercial rural enterprise and is an essential part of that enterprise, the

- replacement dwelling must continue to perform the same function. An occupancy condition may be applied; and
- v. The impact on any protected species is assessed and measures proposed to mitigate such impacts.
- 6.7 The existing dwelling on site is of a permanent structure and is not subject to a condition limiting the period of use of the building as a dwelling.
- 6.8 The proposed dwelling is not proportionate to the existing dwelling on site. The previous Committee Reports showed a comparable table showing the differences between the existing and proposed dwelling. The previous measurement included were based on what is visible from the public domain.**
- 6.9 Following the deferral of the application at WAPC, the agent has submitted a collection of plans which include measurements. The amended plans show the existing dwelling as a different size to the plans that were originally submitted and considered by the case officer and Members. A number of the plans use a “sketchy line” effect, this creates a number of lines on the plan, the sketchy nature of the submitted plans also make the exact measurement of the ground level unclear. Some of the amended plans submitted by the agent now show definite lines which can be more accurately measured from. Within the planning system it is a requirement for the applicant/agent to submit accurate plans and factually correct supporting information. Officers have accepted the amended plans as part of the current application.**
- 6.10 The Case Officers original GIA measurement for the existing dwelling contained a typo and should read 166sq.m. The difference in the Case Officers’ measurements and the applicant/agents’ measurement for the proposed footprint and GIA and footprint appears to be the result of the inclusion/exclusion of the proposed shed, approximately 14sq.m (based on the Case Officer’s measurement, this measurement has not been provided by the applicant/agent).**
- 6.11 For complete clarification and the avoidance of doubt the agreed measurements based on the latest set of plans are provided below. These measurements do not include any sheds or garages. On plans which include “sketchy lines” the measurement is taken from the outer line. For measurements where there is a marginal difference of under 1%, the case officer is content to use the measurements provided by the agent as this is not a material difference and will not affect the overall conclusion reached, level of conflict with policy or the recommendation. For the purpose of consideration against policy C7 of the Housing Site Allocations DPD, using the standard methodology used by officers when considering such applications, the following measurements which include the entirety of the proposed and existing dwellings (but excludes any detached outbuildings) should be taken into account.**

	Existing	Proposed	Difference	Percentage Increase
<b>Height</b>	5.1m	7.6	2.5m	49%
<b>Footprint</b>	164sq.m	181sq.m	17sq.m	10%
<b>GIA</b>	147sq.m	286sq.m	139sq.m	95%
<b>Length</b>	16.1m	15.2	-0.9m	-5.6%
<b>Width/Depth</b>	10.6m	13.1	2.5m	23.6%

**6.12** There remains differences between the officer's measurements for cubic capacity and those of the agent's. The officer's measurements are; (approximately) existing, 682.2m<sup>3</sup>, proposed 1249.9m<sup>3</sup>, the difference equals an increase of approximately 82.1%. The agent's measurements are, existing 696m<sup>2</sup>, proposed 1040m<sup>3</sup> which is an increase of 49.4m<sup>3</sup>. The measurements were also calculated by a second officer, who again found different results (a higher percentage increase was calculated). Whilst there are discrepancy over the volume increase calculations, in accordance with policy C7 a visual, qualitative judgement is required, for which these calculations, whilst helpful as an aid, are not proscriptive. The application must be assessed on whether the proposed plans before Members, are proportionate to the existing plans and the dwelling which is current on site. The case officer remains strongly of the view that they are not.

**6.13** The wording of policy C7 states that if a replacement dwelling is disproportionate it will not be acceptable. The key components of proportionality are the scale, massing, height and layout of a development. Similarly to the consideration of extensions to existing dwellings in the countryside; there are no rules that can be applied as to the acceptable size of a replacement dwelling. Any size increase has to be considered on the basis of the impact of a particular property in a particular location. The site is located in a highly sensitive area, outside of a designed settlement boundary, within the open countryside and within the North Wessex Downs AONB. In accordance with the NPPF, the AONB is to be afforded the highest level of protection in planning terms.

**6.14** Members are asked to note that policy C7, unlike its predecessor, does not specifically refer to percentage increases when assessing applications, rather it refers to proportionality of the existing dwelling which is to be replaced. Figures relating to percentage increases are included to assist members in taking a view on the issue of proportionality. In officers view the figures supplied indicate that the proposed dwelling is not proportionate to that which is proposed.

**6.15** Whilst guidelines on acceptable levels of percentage increases do not form part of the current policy, they are an essential tool in helping to gauge whether the proposed dwelling is proportionate to the existing dwelling in terms of size and scale.

**6.16** In officers' view a two storey dwelling in replacement of a single storey bungalow with a 49% increase in height and a 95% increase in GIA cannot be considered as proportionate.

**6.17** Policy C7 criteria ii also requires the proposal scheme to use appropriate materials which do not have an adverse impact on the character and local distinctiveness of the

rural area, and the site's setting within the wider landscape. The proposal scheme includes a significant level of glazing, the external render uses a large amount of flint and light grey window frames and rain water guttering. There are no other dwellings in the immediate area which include a comparable high level of glazing. The use of flint does not form part of the local street scene or the character of the area, although it is noted that it is used in dispersed areas of the parish of Inkpen. Light grey window frames and rain water pipes would also be alien within the narrow and wider setting.

- 6.18 The supporting text of policy C7, paragraph 4.57, states: *“There is evidence within the AONB of small rural properties being purchased, then demolished and replaced with substantial new houses that are alien to the local context and the special qualities and natural beauty of the landscape of the AONB. Such development neither enhances nor conserves the character of the AONB and will be resisted.”*. This paragraph is directly applicable to the proposal scheme. Paragraph 4.58 of policy C7 goes on; *“If a replacement dwelling is disproportionate it will not be acceptable. The key components of proportionality are the scale, massing, height and layout of a development.”*.
- 6.19 Due to the proposed increase in scale and bulk, along with the proposed materials which do not relate to the surrounding character and appearance of the area, officers conclude that the proposed replacement dwelling clearly fails to satisfy criteria ii of policy C7.
- 6.20 The current application does not include an extension to the current residential curtilage. The residential curtilage was extended into the neighbouring paddock in 1995 under Certificate of Lawfulness reference 95/46272/CERTP.
- 6.21 The existing dwelling on site does not part of an agricultural, equestrian, or other commercial rural enterprise.
- 6.22 Matters relating to ecology are discussed later in this report.
- 6.23 A brief summary of the appeals under appendix A and B is provided below as this may be of assistance to Members when considering matters relating to the principle of development and interpreting policy C7:

<b>Appeal Reference</b>	<b>Paragraph Number</b>	<b>Quote</b>
3243683	10	The substantial additional floor area and volume that would result from the proposed development, relative to those of the existing dwelling to be replaced, and notwithstanding the proposed reduced ground level, could not reasonably be said to be proportionate in the terms of Policy C7. More importantly in this case is the impact of the proposed dwelling on the landscape of the AONB, where great weight should be given to conserving and enhancing the landscape and scenic beauty of the area.
3243683	12	I have been referred to the design approach and changes made to the scheme during the course of the appeal application. I note that within the area that there are a variety of house designs and a substantial number of detached properties. I find that the design of the proposed replacement dwelling would not be alien to these. However, this does not alter my view

		that the size of the proposed development would be disproportionate to the existing dwelling on site.
3244084	17	I note the comments in relation to the size and positioning of the proposed replacement dwelling when compared with other dwellings in the area, and that this lends support to the proposal. I am however not convinced by these submissions. In my view, the wording of Policy C7 is clear that the assessment of whether a proposal is proportionate relates to the existing dwelling on the site and not those around it. The impact of the proposal upon the character and local distinctiveness needs to be considered, relative to the impact of the existing property.

6.24 The principle of the development for the proposal scheme is contrary to policies ADPP1, ADPP5 and CS1 the Core Strategy and policies C1 and C7 of the Housing Site Allocations DPD.

### ***Character and appearance***

6.25 Core Strategy Policy CS14 states that new development must demonstrate a 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.

6.26 Core Strategy Policy CS19, outlines that in order to ensure that the diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural, and functional components of its character will be considered as a whole. In adopting this holistic approach, particular regard has been given to the sensitivity of the area to change and ensuring that the new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.

6.27 Policy C3 of the Housing Site Allocations DPD is relevant when assessing the design of the proposal scheme. In accordance with policy C3, the acceptability of the replacement dwelling must be assessed against its impact on the landscape character of the area and its sensitivity to change. New dwellings in the countryside should be designed having regard to the character of the area and that of the existing built form in the locality.

6.28 Part 2 of the Council's Quality Design SPD provides detailed design guidance on residential development. It offers guidance on how to preserve residential character by emphasising that respecting the physical massing of an existing residential area is a critical part of protecting residential character.

6.29 Paragraph 17 of the National Planning Policy Framework (NPPF, 2019) states that in relation to design, Councils should always seek to secure high quality design which respects and enhances the character and appearance of the area. The NPPF is clear that good design is indivisible from good planning and attaches great importance to the design of the built environment. In accordance with the NPPF great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to conserving and enhancing the natural environment.

- 6.30 The application site is within a relatively prominent and open location in the AONB and open countryside, and is visible from the public domain including the adjoining public right of way. The existing dwelling and structures on site are of a far less obtrusive scale, bulk and massing than that proposed.
- 6.31 The impact of the proposed development on the nearby public rights of way was queried by Members during the previous WAPC. Whilst some Members of the Committee were of the view that the proposed dwelling would not be overly visible from the public right of way (INKP/16/1), as is the case with the existing bungalow, it is important to note that the existing bungalow is substantially lower than the proposed two storey dwelling which will extend well above the existing screening on the boundaries. The extension of Quill Cottage is not visible from INKP/16/1. It is also the case that most of the existing trees and hedges on the site boundaries will lose their leaves during the autumn and winter months, as such provide much less screening. These trees and hedges are not subject to a TPO and could be cut back or removed at any time by the current or future occupiers. The reliance on none protected trees and hedges as a form of screening is not advised, as there is no mechanism that can ensure they remain in perpetuity.**
- 6.32 **Public right of way INKP/15/1 exits on to Craven Road directly in front of the proposal site. Owing to the overall size, scale and bulk of the proposed dwelling will be highly visible when walking towards Craven Road along the public right of way.**
- 6.33 The current site is visually open, by way of the low impact bungalow, staggered building lines and soft landscaping to the front. The proposal scheme includes a two storey dwelling of a considerable mass, scale and bulk. It is noted that the middle section of the front elevation is very slightly set back within the building by 40cm, the impact of this on breaking up the bulk of the proposed dwelling is minimal. The proposed dwelling is over dominating within its plot. The negative visual impact of the dwelling is further exacerbated by the inclusion of a 1.8m flint wall with brick detailing. The wall further reduces the openness of the site which results in additional harm to the character and appearance of the surrounding area, namely the open countryside and North Wessex Downs AONB.
- 6.34 With the exception of the dwelling known as Alderbrook, which is a 1.5 storey dwelling approximately 80m from the proposed dwelling, the use of dormer windows does not form part of the street scene. The proposal scheme includes a total of five dormer windows, one of which is on the front elevation facing Craven Road and two on the south- east elevation overlooking the adjacent public right of way. The Quality Design SPD Part 2 states that the use of dormers may be acceptable as long as the positioning of windows is not out of place with the prevailing pattern of fenestration. The use of dormer windows in this location does not form part of the street scene or respect the character and appearance of the area.
- 6.35 During the WAPC 21<sup>st</sup> July 2020, it was queried by Members whether there was more than just a single dwelling which includes dormer windows in the vicinity of the site. The area assessed by the case officer when viewing other dwellings with dormer windows is the immediate area surrounding the proposed dwelling, which covers the houses which the proposed development scheme will be read in conjunction with when viewed the street scene. These dwellings include the stretch of from Quill Cottage to Honeysuckle Cottage on both sides of the road.**
- 6.36 The front and rear elevations of the proposal scheme include a large level of glazing. The front elevation faces the Craven Road and rear elevation is adjacent to rural paddocks. Due to the high level of glazing the proposal scheme will result in light spillage into the North Wessex Downs Area of Outstanding Natural Beauty. Both the Councils

Quality Design SPD Part 5 and the North Wessex Downs Management Plan (2004) aim to protect the dark skies of the AONB. There are no street lights along Craven Road, as such the light spillage of the proposed dwelling will impact the dark skies.

6.37 The proposed materials are alien within the street scene. The front and rear elevational treatment of the proposal scheme includes a significant level of the material 'flint'. This material is not associated within the street scene and wider area. Similarly, the use of light grey drain pipes and window fittings does not form part of the wider street scene.

**6.38 At the previous WAPC (21/06/2020), a Member and the applicant indicated that the applicant would be willing to amend the scheme, changing the proposed materials and boundary treatment. Post Committee this was put to the applicant/agent who has stated that they are unwilling to amend these elements of the proposal scheme prior to determination:**

***"We believe that the materials as proposed are appropriate to the street scene, to the village of Inkpen and to the wider rural West Berkshire location. As per my previous statement for committee, they are exactly what is identified in the Inkpen Village Design Statement as being appropriate. We have not been provided with any indication that alternative materials would be viewed more positively. I don't think changing materials is appropriate at this stage. However final approval of materials is a standard condition that is normally applied to approvals for new/replacement dwellings so if the materials are an issue, then it would be reasonable to point out to committee members that a change of material could be dealt with by condition."** (email from applicant 26/08/2020)*

6.39 Whilst it is possible to condition the materials of a dwelling via a planning consent, given the prominent and highly sensitive nature of the development, this is not the most appropriate mechanism to determine the proposed materials, particularly if substantial changes are proposed. The final design should be submitted as an entirety to allow Members make a fully informed decision on the final appearance of the proposal scheme.

6.40 The applicant/agent is also of the view that the overall landscaping boundary treatment could be controlled via condition, should Members vote to approve the scheme, the approved plans would including the 1.8m flint wall, the wall could therefore be lawfully constructed. Again, due to the prominent and highly sensitive location, it is extremely preferable for the development to be assessed and determined as whole particularly with regard to significant factors such as materials and landscaping. Should the application be approved, the 1.8m wall could be lawfully constructed.

6.41 It is also noted that the applicants' written submission for the WAPC 21<sup>st</sup> July 2020, included the suggestion that the 1.8m wall could be removed from the proposed development if the applicant was approved, and that this could be done via a planning condition. The Case Officer provided the applicant/agent with the opportunity to amend the plans after the previous Committee, this offer was not taken up by the applicant/agent and no amended plans have been received.

6.42 The proposal scheme includes the demolition of the existing single garage which is set back from the main dwelling. The proposed new shed is located to the front of the dwelling at the corner of the public right of way and Craven Road. The placement of outbuildings/sheds/garages forward of the principle elevation of a dwelling does not form part of the street scene and is incongruous in its setting.

6.43 The proposed dwelling is not considered as a high quality design which has been formulated to make a positive contribution to the open countryside and AONB. The

proposal has not taken into consideration the character and appearance of the surrounding area, rather it appears to have been designed independently of its setting. The proposed dwelling does not relate to the character and appearance, or surrounding dwellings and will result in harmful visual impact on the open countryside and North Wessex Downs AONB.

## 7. Ecology

- 7.1 To the north-east of the site, approximately 57m away is an expansive Biodiversity Opportunity Area. Approximately 180m to the north is the Local Wildlife Site Craven Road Field, and approximately 253m to the south is another Local Wildlife Site known as Hayes Well Field.
- 7.2 An Ecology report has been submitted with the current application. The report identifies the presence of bats within the existing dwelling and nesting birds in the ivy growing up the dwelling. The Council's Ecologist has been consulted as part of the application process has raised no objections to the application subject to relevant planning conditions which include mitigation schemes.

## 8. Planning Balance and Conclusion

- 8.1 The principle of the proposed development is not acceptable and is contrary to policies ADPP1, ADPP5 and CS1 of West Berkshire Councils Core Strategy and policies C1 and C7 of the Housing Site Allocation DPD.
- 8.2 Due to the significant conflict of the proposed development with the requirements of policy C7 of the Housing Site Allocation DPD, officers believe the grant of planning permission would undermine and cause significant harm to the achieving the aims of the Local Development Plan. The proposed development is contrary to the policies of the Local Plan, which must be the starting point for decision making in respect of planning applications.**
- 8.3 By virtue of the overall design, including scale; mass, layout, height and materials, the proposal scheme does not make a positive contribution to the street scene. The proposed dwelling would appear incongruous within its rural setting. The design of the proposal scheme would significantly detract from the character and setting of the open countryside and result in visual harm to the North Wessex Downs Area of Outstanding Natural Beauty.

## 9. Full Recommendation

- 9.1 To delegate to the Head of Development and Planning to REFUSE PLANNING PERMISSION for the reasons listed below.



## **Refusal Reasons**

1.	<p><b>Principle of Development</b></p> <p>The proposal is considered to be unacceptable in principle. The site is within open countryside in the North Wessex Downs AONB. The replacement dwelling is disproportionate in size, scale, mass and bulk to the existing dwelling and will have an adverse and harmful impact on the setting, character and appearance of the site within the wider landscape including the open countryside and North Wessex Downs AONB.</p> <p>The proposal is contrary to development plan policies ADPP1 and ADPP5, of the West Berkshire Core Strategy (2006-2026) and policies CS1 and CS7 of the Housing Site Allocations DPD and the National Planning Policy Framework (2019).</p>
2.	<p><b>Design and Impact on the Open Countryside an North Wessex Downs AONB</b></p> <p>By the nature of the proposed dwellings scale, mass and bulk the development would result in a harmful impact on the openness and rural character of the street scene, open countryside and North Wessex Downs AONB. The use of flint material, light grey window casement and drain pipes, and inclusion of dormer windows do not form part of the design of the street scene. The proposed dwelling includes a significant level of glazing in an area which benefits from dark skies. The soft landscaping to the front of the site, facing Craven Road will be lost and replaced with hardstanding and a timber shed forward of the principle elevation. For the reasons listed the proposed development would not result in a replacement dwelling of high quality design which respects the rural character and appearance of the open countryside, North Wessex Downs AONB and street scene. It would result in a much larger, higher and prominent built form on the site, of inappropriately suburban design, which would have a significantly detrimental visual impact on the character and appearance of the local area and the surrounding AONB. Due to the extensive areas of glazing proposed there would also an unacceptable negative impact on the dark skies within this part of the AONB.</p> <p>The proposal is contrary to development plan policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and policies CS3 and CS7 of the Housing allocations DPD, West Berkshire Councils Quality Design SPD Part 5 and the North Wessex Downs Area of Outstanding Natural Beauty Management Plan and the National Planning Policy Framework (2019).</p>

## **Informatives**

1.	<p>Proactive</p> <p>In attempting to determine the application in a way that can foster the delivery of sustainable development, the local planning authority has approached this decision in a positive way having regard to Development Plan policies and available guidance to try to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has also been unable to find</p>
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	an acceptable solution to the problems with the development so that the development can be said to improve the economic, social and environmental conditions of the area.
2.	<p>CIL</p> <p>The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at <a href="http://www.westberks.gov.uk/cil">www.westberks.gov.uk/cil</a></p>

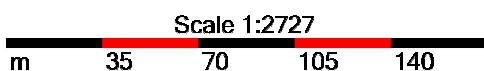


Map Centre Coordinates :

Scale : 1:2726

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	13 July 2020
<b>SLA Number</b>	0100024151

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## Appeal Decision

Site visit made on 26 May 2020

**by Adrian Hunter BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30<sup>th</sup> June 2020

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**Appeal Ref: APP/W0340/W/19/3244084**

**Nightingale Farm, Wantage Road, Leckhampstead, Newbury, West Berkshire RG20 8QT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs Collins against the decision of West Berkshire Council.
  - The application Ref 19/01837/FULD, dated 15 July 2019, was refused by notice dated 2 December 2019.
  - The development proposed is construction of replacement dwelling, driveway and associated landscaping.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. My attention has been drawn to an error on the decision notice, with the reasons for refusal referring to 'Policies CS1, CS3, CS7 and CS8 of the Housing Allocations DPD', were it should actually refer to Policies C1, C3, C7 and C8. I have determined the appeal on this basis.

### Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the countryside, which lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

### Reasons

4. The appeal site includes a parcel of open agricultural land, which lies to the west of the existing farm complex. It is located within the AONB, with the land rising gradually upwards away from the road. The southern and western boundaries of the site are defined by well established tree belts. The northern boundary is more open, but contains a number of large, mature trees.
5. The appeal site and the surrounding area is relatively open, with the few buildings that are present, being low-rise and positioned on lower ground. One of the characteristics of this part of the AONB is its openness.
6. The existing farm complex includes a bungalow, which is located close to the road, although it is separated from the road by a single storey garage and parking area. It is relatively well screened by roadside planting. Immediately to the west of the bungalow is a large agricultural style barn.

7. It is proposed to demolish the existing bungalow and to erect a new dwelling on the land to the west of the existing barn. The site of the existing dwelling would be returned to agricultural use.
8. The site lies in the countryside, where the West Berkshire Core Strategy (CS) Policy Area Delivery Plan Policy AADP1 states that only limited development will be allowed, focussing on addressing identified needs and maintaining a strong economy. CS Policy AADP5 deals with the AONB and requires development to conserve and enhance the local distinctiveness, sense of place and its setting.
9. Policy C1 of the Housing Site Allocation Development Plan Document (HSADPD), identifies that, subject to a number of exceptions, there is a presumption against new residential development outside of the settlement boundaries. One of the exceptions identified in Policy C1 is proposals for replacement dwellings.
10. Policy C7 of the HSADPD allows for the replacement of existing dwellings in the countryside, subject to specific criteria being met. One of these criteria is that replacement dwellings should be proportionate in size and scale to the existing dwelling and not have an adverse impact upon the character and local distinctiveness of the rural area, individual heritage assets and their settings, and the proposed replacement building's setting within the wider landscape.
11. The current dwelling on site is a relatively modest bungalow, although it benefits from an extant permission (19/01837/FULD) which would provide first floor accommodation, along with a single storey ground floor extension. There are also a number of existing outbuildings. Whilst the main parties are not in agreement over the exact amount of the increase and whether the existing outbuildings should be included within the calculations, they both agree that the proposed replacement dwelling would be larger than the property to be replaced, even when including the extant permission and the outbuildings.
12. In assessing proportionality, the supporting text to Policy C7 identifies that the key components are scale, massing, height and layout of a development. In this case, a further consideration is the impact of the proposed replacement dwelling upon the special landscape qualities of the AONB.
13. The replacement dwelling would not be sited on the location of the existing property but rather on higher land set away from the road. By comparison to the existing dwelling, where the footprint is dispersed, that of the proposed dwelling would be greater and concentrated into a single, larger building. The proposed replacement building would therefore be of a greater scale, bulk and massing than the property to be replaced. Given the additional height of the replacement dwelling and the rising nature of the appeal site, it would be more visible in the landscape than the existing dwelling. Therefore, even when compared with the extant permission to enlarge the existing bungalow, the proposal would be disproportionate to the existing dwelling on site. As such, it would have an adverse impact on the character and local distinctiveness of the rural area.
14. Due to intervening landscaping, established tree belts and surrounding topography, visibility of the appeal site is limited. Views are principally restricted to those from the road, immediately in front of the site, and those from the site entrance. In these views, the existing dwelling is relatively unobtrusive and benefits from existing screening from roadside planting. In

contrast however, despite being set further away from the road, the location of the proposed replacement dwelling is more visible, principally due to the site being located on higher land. Furthermore, existing views are of an open, undeveloped agricultural field, characteristic of the wider AONB. The introduction of residential development and associated activity into this part of the site, would erode the existing open aspect and encroach into the countryside. I note that careful attention has been paid to the overall design of the dwelling, the proposed materials to be used and the provision of additional landscaping, along with returning the site of the existing dwelling to agricultural use. Whilst all of these together would serve to offset some of the impact, the overall scale, bulk and massing of the replacement dwelling would be overly prominent in these views, and that on balance, the proposal would fail to conserve the landscape and scenic beauty of the AONB.

15. I note the submissions with regards to the current issues with the location of the existing dwelling in terms of its exposure to road noise, its suitability for family life and its layout. Whilst these are considerations, they do not justify the significant identified harm to the AONB.
16. For the above reasons, I therefore conclude that the proposed development would harm the character and appearance of the area and would therefore fail to preserve the natural beauty of the AONB. As such, in this regard, the proposal is contrary to development plan Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies C1, C3 and C7 of the HSADPD, the North Wessex Downs AONB 2014-2019 and Policies contained within Part 12 and paragraph 172 of the National Planning Policy Framework. These Policies, amongst other things, require new development to demonstrate high quality design, which respects and enhances the character and appearance of the area and that it is appropriate in terms of its location, setting and design in its local context.

### **Other Matters**

17. I note the comments in relation to the size and positioning of the proposed replacement dwelling when compared with other dwellings in the area, and that this lends support to the proposal. I am however not convinced by these submissions. In my view, the wording of Policy C7 is clear that the assessment of whether a proposal is proportionate relates to the existing dwelling on the site and not those around it. The impact of the proposal upon the character and local distinctiveness needs to be considered, relative to the impact of the existing property.
18. I have been referred to the positive response by Council officers to the submitted pre-application enquiry. Whilst I appreciate that the pre-application advice differs from the decision on the appeal application, it is not a matter for me, and I have determined the appeal based on the planning considerations.

### **Conclusion**

19. I conclude, for the reasons outlined above, that the appeal should be dismissed.

*Adrian Hunter*

INSPECTOR

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## Appeal Decision

Site visit made on 26 May 2020

**by Adrian Hunter BA(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18<sup>th</sup> June 2020**

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**Appeal Ref: APP/W0340/W/19/3243683**

**Redwood, Burnt Hill, Yattendon, Thatcham RG18 0XD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Bellmore Homes Ltd (Mr Justin Knott) against the decision of West Berkshire Council.
  - The application Ref 19/01646/FULD, dated 18 June 2019, was refused by notice dated 28 October 2019.
  - The development proposed is revised application for demolition of existing house, garage and outbuildings, erection of one new house.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area and the qualities of the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

### Reasons

3. The site lies within the AONB, within the hamlet of Burnt Hill. The appeal site is occupied by a detached dwelling and a single storey detached garage and lies between two existing properties, Thee Oaks and The Bungalow. All three properties are detached, set back from the road, positioned within large plots. On the opposite side of Scratchface Lane, the development pattern is similar, which includes a number of detached dwellings, along with a cul-de-sac development of large properties.
4. It is proposed to demolish the existing buildings on the site and erect a replacement dwelling.
5. The site lies in the countryside in terms of the development plan, where the West Berkshire Core Strategy (CS) Policy Area Delivery Plan Policy AADP1 states that only limited development will be allowed, focussing on addressing identified needs and maintaining a strong economy. CS Policy AADP5 deals with the AONB and requires development to conserve and enhance the local distinctiveness, sense of place and its setting.
6. Policy C1 of the Housing Site Allocation Development Plan Document (HSADPD), identifies that, subject to a number of exceptions, there is a presumption against new residential development outside of the settlement

- boundaries, subject to some prescribed exceptions. One of the exceptions identified in Policy C1 is proposals for replacement dwellings.
7. Policy C7 of the HSADPD allows for the replacement of existing dwellings in the countryside, subject to specific criteria being met. One of these criteria is that replacement dwellings should be proportionate in size and scale to the existing dwelling and not have an adverse impact upon the character and local distinctiveness of the rural area, individual heritage assets and their settings, and the site's setting within the wider landscape. With regards to whether a proposal is proportionate, the supporting text to the Policy identifies that the key components are scale, massing, height and layout of a development.
  8. The existing dwelling on site, based on the figures on the submitted drawings, occupies a ground floor footprint of 51.28sqm, with a first floor area of 49.56sqm. The existing single storey garage occupies an area of 13.5sqm. Submitted sections show the roof height of the existing property to be 119.82OD.
  9. Based on the submitted drawings, the proposed replacement dwelling would occupy a ground floor footprint of 185.8sqm, with a first floor area of 182.1sqm. The height of the proposed dwelling would be 120.52OD. Some ground levelling work would be undertaken to cut the dwelling into the sloping landscape.
  10. The substantial additional floor area and volume that would result from the proposed development, relative to those of the existing dwelling to be replaced, and notwithstanding the proposed reduced ground level, could not reasonably be said to be proportionate in the terms of Policy C7. More importantly in this case is the impact of the proposed dwelling on the landscape of the AONB, where great weight should be given to conserving and enhancing the landscape and scenic beauty of the area.
  11. The proposed replacement dwelling would be substantially larger in terms of footprint, floor area and height. It would have a larger expanse of roof and, when viewed within its rural context, the proposed replacement building would be of a considerably greater scale, bulk and massing than the property to be replaced. Furthermore, when viewed within the street scene, the frontage of the building would measure approximately 16m in length, compared with the existing dwelling which measures approximately 8m. As a consequence, the proposal would introduce a substantial new dwelling that would have an adverse impact on the character and local distinctiveness of the rural area. The scale, massing and height of the dwelling would fail to conserve and enhance the AONB by detracting from its rural character and scenic beauty.
  12. I have been referred to the design approach and changes made to the scheme during the course of the appeal application. I note that within the area that there are a variety of house designs and a substantial number of detached properties. I find that the design of the proposed replacement dwelling would not be alien to these. However, this does not alter my view that the size of the proposed development would be disproportionate to the existing dwelling on site.
  13. For the above reasons, I therefore conclude that the proposed development would harm the character and appearance of the area and would therefore fail to conserve and enhance the landscape and scenic beauty of the AONB.

14. As such, in this regard, the proposal is contrary to development plan Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and Policies C1, C3 and C7 of the HSADPD. In this respect it would also conflict with the North Wessex Downs AONB Management Plan 2014-2019, the Adopted Quality Design SPD and Policies contained within Part 12 and paragraph 172 of the National Planning Policy Framework (The Framework). These policies, amongst other things, require new development to demonstrate high quality design, which respects and enhances the character and appearance of the area and that it is appropriate in terms of its location, setting and design in its local context.

### **Other Matters**

15. In coming to my decision, I have had regard to the previous Inspector's decision on the site<sup>1</sup>. I note however that that proposal was for the provision of two dwellings on site and therefore fell to be assessed against different policy tests. As a consequence, the Inspector considered that Policy C7 was not relevant to the consideration of that appeal. I therefore find that the circumstances which were applied to the other case are not directly comparable to those before me. In any case, I am required to determine the appeal on its own merits.

16. The development would be required to make a financial contribution under the Community Infrastructure Levy. It is also put to me that the scheme meets the three overarching objectives for sustainable development as set out in the Framework. In this regard, I note that the Framework identifies that these should not be taken as criteria against which every decision can or should be judged. In any event, I consider that these benefits would be modest given the scale and the development proposed, such that they would be outweighed by the significant harm, when viewed against the importance the Framework gives to good design and protection of AONBs.

### **Conclusion**

17. I conclude, for the reasons outlined above, that the appeal should be dismissed.

*Adrian Hunter*

INSPECTOR

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<sup>1</sup> APP/W0340/W/18/3214091

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# Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	20/01658/FUL Compton Parish Council	22.09.2020 <sup>1</sup>	External works to include new external chemstores/storage/chiller containers positioned outside unit 4,5,6 and 7, 8, 9. New adjoining covered walkway/canopy between 4, 5, 6 and 7, 8, 9. Building alterations to include new extraction ductwork, fan and general fittings. New retaining wall to east (outside unit 6), Internal modifications to floor plans, replacement external doors to rear elevation to Unit 4, 5, 6.  Units 4, 5, 6, and 7, 8, 9,  Old Station Business Park Compton Newbury  RG20 6NE  Carbosynth Ltd

<sup>1</sup> Extension of time agreed with applicant until 15.10.2020

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/01658/FUL>

<b>Recommendation Summary:</b>	That the Head of Planning and Development be authorised to GRANT planning permission.
<b>Ward Member(s):</b>	Councillor C. Culver.
<b>Reason for Committee Determination:</b>	Ward Member call in regardless of recommendation
<b>Committee Site Visit:</b>	Owing to social distancing restrictions, the option of a committee site visit is not available. Instead, a collection of photographs is available to view at the above link.

## Contact Officer Details

<b>Name:</b>	Matthew Shepherd
<b>Job Title:</b>	Senior Planning Officer
<b>Tel No:</b>	01635 519111
<b>Email:</b>	Matthew.Shepherd@Westberks.gov.uk

## 1. Introduction

- 1.1. This application seeks planning permission for external works to include new chemstores/storage/chiller containers positioned outside unit 4,5,6 and 7, 8, 9. New adjoining covered walkway/canopy between 4, 5, 6 and 7, 8, 9. Building alterations to include new extraction ductwork, fan and general fittings. New retaining wall to east (outside unit 6), Internal modifications to floor plans, replacement external doors to rear elevation to Unit 4, 5, 6.
- 1.1 There are 4 commercial buildings on the business park. Each unit was originally designed to be internally subdivided into 3 units. The applicant, Carbosynth, occupies 2 of the buildings; units 4 to 9. The applicant was due to occupy the newest building (the application site) incorporating units 10 to 12 at the beginning of September.
- 1.2 Access to the site is off a junction at the transition between the High Street and School Lane. Public Rights of Way COMP/5/1, COMP/14/1 run along the access road and alongside the western boundary of the business park.
- 1.3 The site is outside of the settlement boundary of Compton which terminates around the allotment, Compton C of E Primary School to the south, and the residential development to the west of Yew Tree Stables and north of Wallingford Road. The area is within the North Wessex Downs Area of Outstanding Natural Beauty, a national landscape designation.
- 1.4 The development was originally approved as B1(c) light industrial units. No change of use has been proposed within this application. It is to be noted that national legislation changed on 1 September 2020 with regard to the Use Classes Order. The use of this site was granted permission as a B1(c) use – an industrial process which can be carried out in any residential area without causing detriment to the amenity of the area. The Use Classes Order now in force changes this to an E use of commercial, business and service uses.
- 1.5 The applicant has submitted the following

*Biosynth-Carbosynth is a critical supplier to many companies globally that are producing diagnostic tests and developing therapies to combat COVID-19. We are therefore classified as a critical supplier and play an important role in providing key chemicals required for production of tools to tackle COVID-19. In addition, we also keep supporting many other pharma and diagnostic companies that are producing key products required to control and treat many other diseases. As we are working through this crisis we are working hard to maintain our supply chains as a critical supplier but the top priority is to protect our employees, the wider community and the NHS from spreading COVID-19.*

*Therefore, we have implemented strict social distancing guidelines at our facilities following government guidelines. To ensure social distancing in the warehouse it was necessary to increase the number of chilled containers on our site hence the need for this planning application. To mitigate any potential noise disruption and to enhance the local environment we will shortly be planting 20 mature trees and 5M of hedging along our western boundary, we will also be installing other sound deadening methods close to the chilled containers. The number of containers currently on site will not be permanently installed and the long-term plan is to remove some if not all chilled containers off site.*

- 1.6 The applicant has gone on to clarify that the external storage containers on parking spaces are proposed for 2 years and a temporary permission for these elements is sought. This can be secured by planning condition.

## 2. Planning History

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

Application	Proposal	Decision / Date
16/01418/OUTMAJ	Outline application for the construction of up to 35 dwellings (including 17 affordable dwellings), informal public open space, surface water drainage, vehicular access and associated works. Matters to be considered: Access.	Refusal 14.08.2016
16/01971/FUL	Retrospective planning application for new mechanical ductwork mounted on the external elevations.	Approved 07.09.2016
16/03208/FUL	Retrospective application for first floor labs, office and new external plant including plant room with hit and miss fence enclosure and steel frame with cat ladder to access new duct work to	Approved 27.01.2017
17/01546/FUL	Design variations concern updated external steel frame design and associated plant including timber hit and miss fence enclosure, amended duct work and unistrut design to elevations, retaining walls to side elevation, additional gas flue to rear, replacement doors to rear elevation.	Approved 22.08.2017.

## 3. Procedural Matters

- 3.1 Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 Site notice displayed on 06.08.2020 at the front of the site the deadline for representations expired on 27.08.2020.
- 3.3 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)

## 4. Consultation

### *Statutory and non-statutory consultation*

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

<b>Compton Parish Council:</b>	Objection
<b>North Wessex AONB Board</b>	No response 01/10/2020
<b>WBC Public Rights of ways</b>	No response 01/10/2020
<b>Ramblers Association</b>	No response 01/10/2020
<b>WBC Environmental Health</b>	No objection subject to conditions
<b>WBC Highways:</b>	No objection subject to conditions

### *Public representations*

- 4.2 Representations have been received from 4 contributors, 0 of which support, and 4 of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- The external cold storage units create a significant noise impact from vibrational buzzing noise that impacts the adjacent public right of way and the neighbouring dwellings.
  - This noise impacts the peaceful enjoyment of the AONB.
  - The chiller unit of the air handling unit is also a significant source of vibrational noise across the meadow.
  - A comprehensive plan for the site should be put forward, however if the occupants have outgrown the site they should have considered moving rather than expanding outwards to the detriment of the area and neighbours.
  - The external storage units will remove parking spaces which has resulted in parking on grass verges surrounding the site.
  - A more appropriate long term plan should be adopted that seeks to remove these temporary units.
  - Parking impact on the grounds that the containers are taking up spaces designated for parking in the original site design.
  - Noise nuisance objection on the grounds that noise surveys carried out last year and in early July this year will not ensure noise nuisance arising from the plant has been fully mitigated. They have not been carried out



under operating conditions for which noise nuisance is most significant at adjacent properties and do not consider the additional stacks and associated plant proposed for Units 4,5,6.

- Visual impact, specifically sunlight reflection off the new stack on the western side of Units 4,5,6.
- The Noise Impact assessment were conducted on days when the weather was favourable to the survey results
- Light pollution from proposed walkway lights. As this site has grown, so has the number of security lights being installed. Many of these lights are still on after midnight and the site is producing a significant amount of night-time light pollution

## 5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS9, CS10, CS13, CS14, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS.5, OVS.6, TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- Policies 1 and 2 of the Replacement Minerals Local Plan for Berkshire 2001 (RMLP).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC Quality Design SPD (2006)

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of Development
- Character and Appearance
- Neighbouring Amenity
- Highways Amenity

### ***Principle of development***

6.2 The development is proposed outside of settlement boundaries whereby ADPP1 states that open countryside - only appropriate limited development in the countryside will be allowed, focused on addressing identified needs and maintaining a strong rural economy. ADPP5 states that small, local businesses will be supported, encouraged and protected within the AONB providing local job opportunities and maintaining the rural economy. CS10 states that existing small and medium sized enterprises within the rural

areas will be supported in order to provide local job opportunities and maintain the vitality of smaller rural settlements.

- 6.3 This application proposes external works in connection with an existing industrial building within a brownfield site. ADPP5 states that only limited and appropriate development addressing an identified need and to maintain a strong rural economy will be allowed. The proposed development is limited to that of addressing the needs of Carbosynth Ltd to respond to the increased demands on the site due to the current COVID19 Pandemic and the need for social distancing within the establishment. The proposed development is for a temporary period of 2 years due to these factors. The case officer is content that in principle the development is acceptable in accordance with ADPP1, ADPP5 and CS10.
- 6.4 It is to be noted that national legislation changed on 1 September 2020 with regard to the Use Classes Order. The use of this site was granted permission as a B1(c) use – an industrial process which can be carried out in any residential area without causing detriment to the amenity of the area. The Use Classes Order now in force changes this to an E use of commercial, business and service uses. As well as the previous B1 uses it includes shops, financial and professional services, café/restaurant, offices, research and development, clinics and health centres, creches, day nurseries, gymnasiums and other indoor recreation not involving motorised vehicles or firearms. Changes within this E use class are not development and would not need planning permission. Planning permission for the building is not a personal permission and could in future be occupied by any of the other uses within the E use class.

### ***Character and appearance***

- 6.5 ADPP5 states that development should seek to conserve and enhance the local distinctiveness, sense of place and setting of the AONB. It goes on to state that development will respond positively to the local context, and respect identified landscape features and components of natural beauty. Policies CS14 and CS19 require new development to 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. The policy goes on to say that good design relates not only to the appearance of the development but the way it functions. Policy CS19 says that particular regard will be given to the sensitivity of the area to change, ensuring that new development is appropriate in terms of location, scale and design.
- 6.6 The proposed development is as follows
- External works to include new external chemstores/storage/chiller containers positioned outside unit 4,5,6 and 7, 8, 9.
  - New adjoining covered walkway/canopy between 4, 5, 6 and 7, 8, 9.
  - Building alterations to include new extraction ductwork, fan and general fittings.
  - New retaining wall to east (outside unit 6), internal modifications to floor plans, replacement external doors to rear elevation to Unit 4, 5, 6.
- 6.7 As previously stated the site is an established brownfield industrial site in which the buildings already exist. The developments retrospective in nature as described in the application form. Despite this the development is not considered to cause an adverse impact on the character of the area or the AONB. This conclusion is drawn due to the individual elements of the development being relatively small and enclosed within an established brownfield site. No development would be seen from the wider landscape other than being read in conjunction with the existing industrial units of the site.

- 6.8 Objections have been raised to the issues the external duct work colour to ensure it is not reflective. The colour of this detail can be controlled via planning condition to ensure a non-reflective paintwork is used.
- 6.9 The Tree Officer has been consulted on the application and proposed a tree and hedge planting scheme that would provide landscape screening and native species that would be in keeping with the rural setting. The applicant has undertaken this planting. A condition is recommended by the Tree Officer to ensure the planting is maintained and any trees which become diseased or fail are to be replaced. On this basis it is considered that landscaping screening has been provided and its maintenance secured. As it matures this will further reduce the visibility of the development from outside of the site, although it is noted this will naturally be less during the winter months when the trees are not in leaf.
- 6.10 Given the existing nature of the building, the additions are seen in the context of an existing brownfield industrial estate and do not have an adverse impact on the character of the area. The applicant has sought to provide screening for the development and the new additions can be controlled by planning conditions. The external storage containers placed with the car park are proposed as temporary measures and therefore the minimal visual impact they have is considered temporary in nature as well.
- 6.11 As such the application is considered to comply with development plan policies on character and appearance by conserving the setting of the Area of Outstanding Natural Beauty and respecting its landscape features. The development is in accordance with ADPP5, CS14, and CS19 of the development plan.

### ***Amenity***

- 6.12 Policy OVS.6 requires appropriate measures to be taken in the location, design, layout and operation of development proposals in order to minimise any adverse impact as a result of noise generated. Special consideration is required where noisy development is proposed in or near Sites of Special Scientific Interest or which would harm the quiet enjoyment of Areas of Outstanding Natural Beauty.
- 6.13 Environmental Health (EH) initially became involved with this site during mid May 2020 via a resident's complaint about the noise from plant and equipment at Carbosynth. The source appeared to be a number of stand-alone refrigerated containers on site and/or the Air Handling Unit (AHU) in the main building several video clips were sent to the case officer during the following weeks, highlighting the plant noise, which suggested that noise may be a matter of concern. Environmental Health Officers (EHO) contacted the General Manager of Carbosynth, and suggested they carry out an acoustic survey of the site, with the co-operation of the complainant.
- 6.14 The noise impact assessment submitted in July 2020 surveyed units 4-9 and the external units included within this application. It was also able to take actual readings of the plant installed in units 10-12. This included testing each item of plant in section 5 of the report roughly between 3am and 7am. This showed that at the noise monitor on the applicant's site there are 58dB peaks from Container 4. Other notable changes include the other containers and supply fan to unit 7-9, and warehouse extract fan and cold-rooms. These noise variances were not picked up by the noise monitor located near the residential properties.
- 6.15 The containers within this application site have a strong low frequency component picked up both on site and at the residential dwellings, particularly container 1 and is considered likely to be the cause of the low frequency noise complaints if not mitigated for adequately as outlined within the report and conditioned.

- 6.16 The response from Environmental Health from their site visits is they did not hear the plant noise at the boundary to the residential properties. The recording submitted by a resident was confirmed by the applicant to be related to the air handling unit and it was agreed a timer system would be installed so it would not run overnight. This is not included in the noise assessment so would reduce overnight noise further.
- 6.17 It is clear that there have been impacts to local residents from noise associated with the operation as a whole on site. The noise impact assessment identifies the primary issue to be the chiller containers. Additional mitigation can be installed on the air handling unit so that it does not operate at night when background noise is at a lower level. It is therefore considered that subject to the measures identified in the original noise impact assessment and a condition for the timer system that the impact on amenity to residents can be mitigated to an acceptable level and accord with the development plan policies.
- 6.18 Member's attention is drawn to the conclusion of the resulting report. The environmental health case officer sent an e-mail on the 7<sup>th</sup> July 2020 with her comments on the report as set out below:-

*"I have reviewed the noise impact assessment and my understanding is that the overall noise from the site as a whole is considered to have low adverse impact however there is the potential for low frequency noise from the chilled container units to have adverse impact under certain weather conditions which would result in a worst case scenario. The background noise level in the area is low and the low frequency noise may well be intrusive at times when the equipment is working hardest and people will have their windows open. This is most likely to be an issue during summer months.*

*As the consultant points out low frequency noise is difficult to attenuate and they have suggested some options which may improve the situation although they acknowledge that it will be a trial and error approach and there are no guarantees that measures will be successful.*

*I do not feel that I would be able to recommend an enforceable planning condition for this situation and as such I would recommend that either the application is deferred to allow the applicant time to assess their options for noise mitigation and put a proposal in place for addressing the issue or to refuse the application on the basis of adverse noise impact."*

- 6.19 Members should also be aware that a memo sent to the planning service from another EHO, dated the 7<sup>th</sup> July 2020 [the same day] and relating to Planning Application 20/01226/FUL included the following comment; *"I have analysed the Noise Impact Assessment, dated 11<sup>th</sup> Dec 2019, and I am satisfied that the condition has been met, as long the developer carries out the specified noise mitigation measures as advised in the report. Evidence that this has been carried out shall be provided to the local planning authority."*
- 6.20 It is understand that Carbosynth have started implementing noise mitigation measures and EHOs have been assured that continual improvements on AHU noise control will continue. Complainants to have advised the case officer that the intrusion from noise from AHUs has improved although it does occasionally manifest itself
- 6.21 The EHO have visited the site on four separate occasions over the last two months and stood at the rear of the complainant's property. Weather conditions have been warm and wind conditions very light to negligible. The EHO confirmed that the AHUs were operating, and they were, by standing on the boundary of Carbosynth, opposite Yew Tree Stables. The EHO could hear no plant or equipment noise while stood adjacent to the complainant's property during any of those visits.

- 6.22 A video recording taken on the 18<sup>th</sup> September 2020 was submitted to the EHO. It is taken from the boundary of Carbosynth and from his property. From his property it illustrates a faint noise plant noise coming from Carbosynth. The recording was sent to the applicant. The applicant identified the noise as emanating from the AHU on the main building and in response ordered a timing control system that will prevent that equipment from operating overnight. This can be conditioned to ensure it is installed and retained.
- 6.23 The EHO's understanding is that the noise from the refrigerated containers and AHUs is occasional. Unfortunately, some of the tonal characteristics of that noise may be picked up by those that are sensitive to those frequencies.
- 6.24 The Acoustic Report considers that the cold containers located outside the Carbosynth buildings are the primary source of noise with measurements and calculations indicating an adverse impact from low frequency sound and overall noise from this plant (under a worst case scenario). The noise measurements of the remaining plant is indicative of a lower impact. Outline mitigation has been discussed which focus on reducing the impact of the cold containers with a view of minimising the low frequency components and the overall noise levels.
- 6.25 Overall the responses from the EHO have led to officers to concluding that subject to conditions to which secure mitigation the impact of noise on neighbouring properties is not considered sufficient to justify refusal of the application. The mitigation that can be secured by planning condition can ensure the impact during the worst case scenario is not considered adverse enough to refuse the application. In addition the permission for external units is proposed to be temporary and should their operation prove a problem during this period it should be made clear to the applicants that officers would not support a subsequent application to either make the current arrangements permanent or to retain them for a further temporary period.
- 6.26 As such, in respect of amenity issues, on balance officers find the development to be acceptable and in accordance with CS14 and OVS.5 and OVS.6 of the development plan.

### ***Highways***

- 6.27 Policy CS13 refers to development which has an impact on the highways network, and policy P1 sets out the parking requirements for residential development. There were a number of representations which raised concern about the loss of parking spaces and the resultant ad hoc parking that might occur.
- 6.28 The development will lead to a loss of car parking spaces due to the location of the external storage units.
- 6.29 Highways are content with the car parking layout shown on plan P153 – 102. However they note that 14 car parking spaces are being replaced with only ten. It is noted that these external containers are placed on site on a temporary basis in response to Covid-19, and as is the national trend, during this pandemic, it is likely that less employees will be at work and require car parking. It is possible this trend may continue post Covid.
- 6.30 WBC highways officers could support approving the above car parking layout plans with a temporary consent while the pandemic is ongoing in some way. It is unclear how long the pandemic will go on for but the applicant has proposed 2 year temporary consent for these elements. It is considered that this is an acceptable proposal and at the end of the period a further assessment can be made of the number of car parking spaces required at the site.

## 7. Planning Balance and Conclusion

- 7.1 The application is in response to a growing business and one that is impacted by COVID19 restrictions whilst also being in demand due to its role in supplying chemicals to the medical industry as indicated in the submitted documents. The proposals are acceptable in principle and the impacts on the character of the area and AONB are acceptable. The issues arises with the loss of car parking spaces due to external storage containers and the breakout of noise from elements of the proposal.
- 7.2 WBC highways officers are content with the marginal decrease in parking spaces as this will only be temporary. This will allows sufficient time to pass to see how working practices at the site will change as we move through the pandemic and will allow time for a more permanent solution to be found, if required.
- 7.3 In terms of the noise issue EHOs have stated that they are content that appropriate mitigation can be secured by planning conditions and the applicants have been amenable to finding solutions to these problems. Conditions are recommended to secure the mitigation measures suggested in the noise impact reports.
- 7.4 The support given to businesses in rural areas Policy CS10 of the Local Plan and in the NPPF is also a significant consideration and some weight should also be given to the need for the business to respond to increase demand due to the COVID pandemic whilst also having to adapt to social distancing measures.
- 7.5 Officers' overall conclusion is that, on balance, the limited adverse impacts arising from this application can be controlled by planning conditions and given that the proposed development is for a two year temporary period there is an opportunity to review the acceptability of these arrangements when the permission lapses. . Therefore the application is recommended for approval subject to conditions.

## 8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.

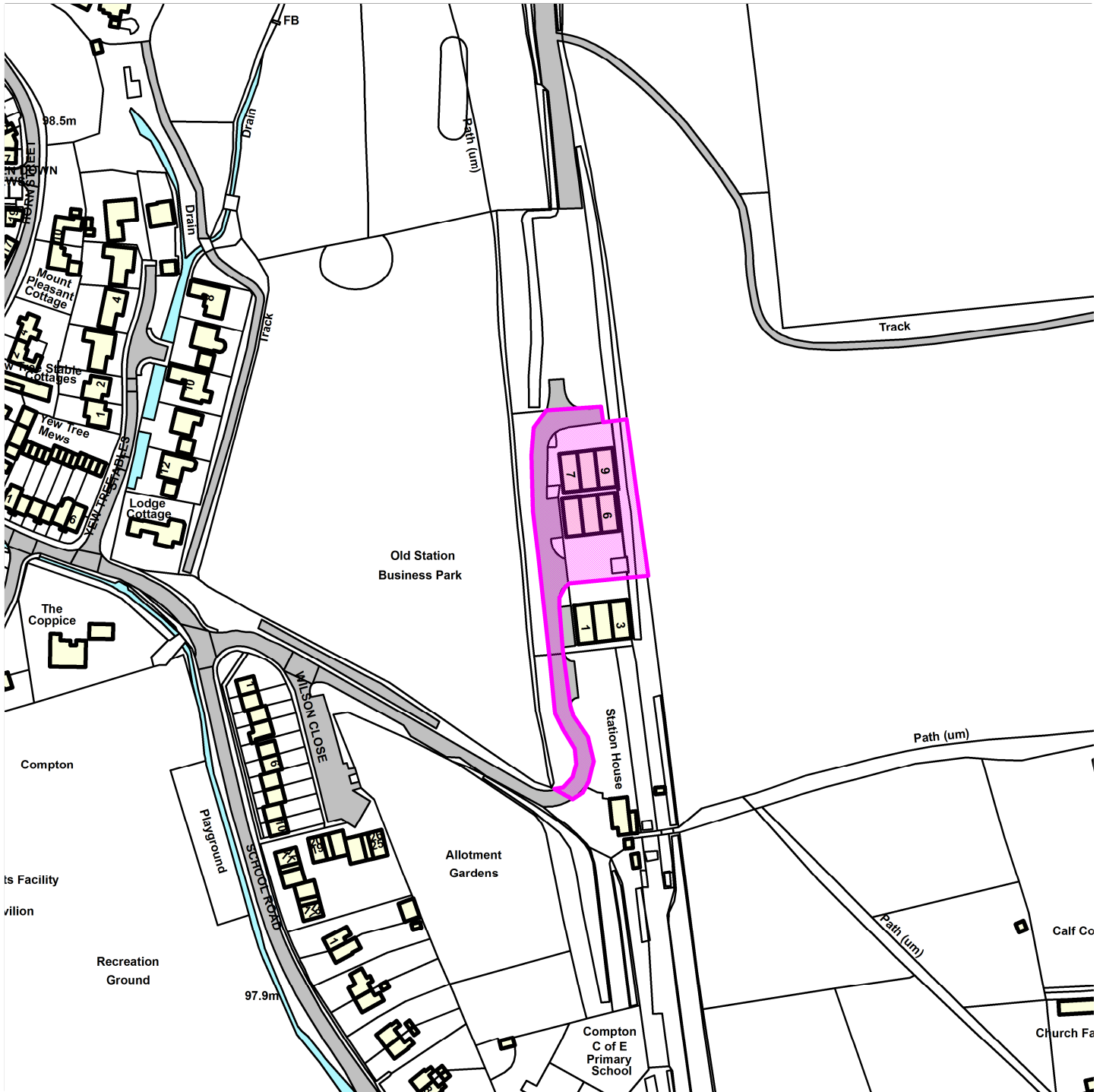
### **Conditions**

1.	<b>Temporary Permission</b>  The external storage containers hereby permitted and all their associated plant, equipment and materials shall be removed on no later than 2 years from the date of this decision. The land shall be restored to its former condition within 1 month of the date on which the external storage containers are removed.  Reason: Planning permission would not normally be granted for external storage containers on the area set aside for car parking spaces. This condition is imposed in accordance with the National Planning Policy Framework (2019), Policies CS13 of the West Berkshire Core Strategy (2006-2026).
2.	<b>Approved plans</b> The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:  P153 100 Rev E Location and proposed site plan P153 101 Rev G Site Plan

	<p>P152 102 Rev A Proposed Landscaping Plan  P152 401 Rev C Proposed GA Elevations  P153 200 Rev C Existing and Proposed GA Plans</p> <p>Venta Acoustics Noise Impact Assessment ref VA2752.200710.NIA dated 23 July 2020.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p><b>Landscaping Maintenance</b>  Any of the 20 trees planted as outlined in plan P152 102 Rev A Proposed Landscaping Plan and Tree Officer consultation emails that die or become seriously damaged within three years of this permission shall be replaced in the next planting season by plants of the same size and species.</p> <p>Reason: To ensure a satisfactory scheme of landscaping in accordance with the National Planning Policy Framework, and policies ADPP1, CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
4	<p><b>Scheme of Works (Acoustic Mitigation)</b>  A detailed scheme of works shall be submitted based on the outline mitigation set out in the VENTA Acoustic Noise Impact Assessment in respect of reducing the noise impact emanating from the external storage units and cold containers in order to minimise the noise emitted by low frequency components and reduce the overall noise levels.</p> <p>The scheme of works shall be submitted to and approved by the local planning authority within 2 months of the date of this permission. Once approved the works shall be carried out within 1 month of the date of approval of such details.</p> <p>Reason: To ensure that suitable mitigation is put in place to avoid disturbance to neighbouring dwellings in accordance with the National Planning Policy Framework and Policies OVS.5 and OVS.6 of the West Berkshire District Local Plan Saved Policies 2007 and CS14 of the West Berkshire Core Strategy 2006-2026.</p>
5	<p><b>Timing Control Details</b>  Details of a timing control system for the Air Handling Unit that will prevent that equipment from operating overnight shall be submitted to and approved by the Local Planning Authority. The scheme of works shall be submitted to and approved by the local authority within 2 months of the date of this permission. Once approved the works shall be carried out within 1 month of approval of the details.</p> <p>Reason: To ensure that suitable mitigation is put in place to avoid disturbance to neighbouring dwellings in accordance with the National Planning Policy Framework and Policies OVS.5 and OVS.6 of the West Berkshire District Local Plan Saved Policies 2007 and CS14 of the West Berkshire Core Strategy 2006-2026.</p>
6	<p><b>Painting of ducting</b>  Notwithstanding the details submitted within the application details of what colour the air handling unit ducting will be painted shall be submitted to the Local Planning Authority within a month of this permission. The ducting shall be painted in this colour within a month of approval of these details. After this it shall be maintained and retained in accordance with the colour.</p>

	Reason: To protect the amenity of adjacent rights of way users and nearby residents in accordance with the National Planning Policy Framework and policies ADPP1, ADPP5, CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.
7	<p><b>Parking in accordance with plans</b></p> <p>Within a month of this permission the vehicle parking and/or turning spaces shall be surfaced, marked out and provided in accordance with the approved parking layout plan. The parking and/or turning spaces shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times until the temporary permission has expired.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic in accordance with the National Planning Policy Framework, policy CS13 of the West Berkshire Core Strategy 2006-2026 and policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.</p>
8	<p><b>Ancillary to use of industrial building</b></p> <p>The buildings and structures hereby approved shall be used solely for purposes ancillary and incidental to the main use of the site.</p> <p>Reason: The buildings and structures are acceptable due to the specific nature of the business operating from the site and their separate use would not be acceptable on the site in the interests of amenity and ensuring a sustainable pattern of development in accordance with the National Planning Policy Framework and policies ADPP1, ADPP5, CS10, CS14, CS18 and CS19 of the West Berkshire Local Plan 2006-2026.</p>





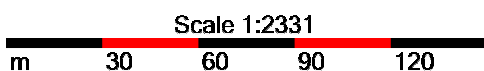
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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	05 October 2020
<b>SLA Number</b>	0100024151



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# Agenda Item 4.(3)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	20/01226/FUL Compton	4 August 2020 <sup>1</sup>	<p>Retrospective: External works, m/e works to include ductwork, steel gantry, external plant, external enclosure (fencing), retaining walls, air handling unit and chiller, gas bottle store, solvent stores all concerning unit 10, 11, 12 (existing building). Building alterations include modifications to internal space planning, revised external door design to fire escape doors, omitting roof lights + glazed top and side panel to entrance doors (front elevation) + two windows on the east elevation at first floor and adjusted soil vent pipes (SVP) positions.</p> <p>Land at Old Station Business Park, High Street, Compton.</p> <p>Carbosynth Ltd.</p>

<sup>1</sup> Extension of time agreed with applicant until 16 October 2020.

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/01226/FUL>.

<b>Recommendation Summary:</b>	That the Head of Planning and Development be authorised to GRANT planning permission.
<b>Ward Member(s):</b>	Councillor C. Culver.
<b>Reason for Committee Determination:</b>	Ward Member call in if recommendation for approval.
<b>Committee Site Visit:</b>	Owing to social distancing restrictions, the option of a committee site visit is not available. Instead, a collection of photographs is available to view at the above link.

## Contact Officer Details

<b>Name:</b>	Lydia Mather
<b>Job Title:</b>	Senior Planning Officer
<b>Tel No:</b>	01635 519111
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## 1. Introduction

- 1.1 This application seeks retrospective planning permission for the following:

External works, m/e works to include ductwork, steel gantry, external plant, external enclosure (fencing), retaining walls, air handling unit and chiller, gas bottle store, solvent stores all concerning unit 10, 11, 12 (existing building);

Building alterations include modifications to internal space planning, revised external door design to fire escape doors, omitting roof lights and glazed top and side panel to entrance doors (front elevation) and two windows on the east elevation at first floor, and adjusted soil vent pipes (SVP) positions.

- 1.2 The application site is to the far north of the Old Station Business Park and relates to a recently constructed commercial building which matches in footprint, height and design the other commercial units within the business park. The business park is not a protected employment area.
- 1.3 There are 4 commercial buildings on the business park. Each unit was originally designed to be internally subdivided into 3 units. The applicant, Carbosynth, occupies 2 of the buildings; units 4 to 9. The applicant was due to occupy the newest building (the application site) incorporating units 10 to 12 at the beginning of September.
- 1.4 Access to the site is off a junction at the transition between the High Street and School Lane. Public Rights of Way COMP/5/1, COMP/14/1 run along the access road and alongside the western boundary of the business park.
- 1.5 The site is outside of the settlement boundary of Compton which terminates around the allotment and Compton C of E Primary School to the south, and the residential development to the west of Yew Tree Stables and north of Wallingford Road. The area is within the North Wessex Downs Area of Outstanding Natural Beauty, a national landscape designation.
- 1.6 This application is a result of refusal of a discharge of condition application for plant to the newly constructed building and reports to Planning Enforcement. The refusal of the discharge condition application was due to the extent of plant amounting to development in its own right. Details of the additional development sought to and around the building are:

To the south of unit are 2 solvent stores each 2.5m by 6.05m and 2.85m high, a liquid petroleum gas compound with a concrete slab base the top of which is 10cm above the tarmac ground level;

To the north of the unit towards the western boundary is a compound for an air handling unit and chiller unit on a concrete slab;

To the east of the building is the gantry compound with a concrete slab and fencing around;

The concrete retaining wall and timber fencing around the compounds above varies in height from 0.8m to 2.2m;

To the east of the building is a gantry. It sits below the height of the building and is approximately 6.3m across and protrudes from the building by 2.3. The ducting out of the building onto the gantry results in 6 pipes protruding above the roof of the building by approximately 1m;

To the west of the building is the air handling unit ducting. It is no greater in height than the building but extends to the north beyond the building by 4.4m at a height of 5.5m. It protrudes from the west side elevation of the building by 1.5m and is proposed to be painted;

There are internal changes to the building which are not development and would not require planning permission. For information the floor plans show the ground floor comprises w/c, plant room, locker room, dining area, meeting room, packaging area and store room. The first floor plan comprises 3 laboratory areas, wash and w/c facilities, office and writing up room, and store area.

## 2. Planning History

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

Application	Proposal	Decision / Date
00/00964/FUL	Construction of three two storey light industrial units in one block of three units.	Approval 2002
17/03194/NONMAT	Add and additional condition to 00/00964/FUL to incorporate the approved drawings and reference numbers.	Approval 2017
17/01674/FUL	Section 73A: variation of condition 1 – plans approved of permission 00/00964/FUL – Construction of three two storey light industrial units in one block of three units.	Approval 2017
17/03285/FUL	Section 73A variation of condition 4 – external lighting of permission 00/00964/FUL – Construction of three two storey light industrial units in one block of three units.	Approval 2017
20/00195/COND	Approval of details reserved by condition 8 – plant installation of 17/03285/FUL.	Refused 2020

## 3. Procedural Matters

3.1 Environmental Impact Assessment: Given the nature and scale of this development, it is considered to fall within the description of development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 where it is located in the sensitive location of the North Wessex Downs Area of Outstanding Natural Beauty. As such, EIA screening is required and concluded that the proposal is not EIA development.

3.2 Publicity: A site notice was displayed on 6 July 2020 on a fence; the deadline for representations expired on 27 July 2020.

## Consultation

### *Statutory and non-statutory consultation*

- 3.3 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

<b>Compton Parish Council:</b>	Objection. Matters raised: stronger noise reduction measures required than those given in the documentation provided with the application given the location in a rural area and in an Area of Outstanding Natural Beauty. Insufficient consideration has been given to all noise from the site. Removal of permitted development rights requested due to extent of retrospective development on site.
<b>WBC Highways:</b>	Following receipt of amended block plan for parking no objection subject to condition.
<b>Environmental Health:</b>	No objection subject to condition.
<b>Tree Officer:</b>	Request for planting on site of 20 trees and 5 metres of hedging and condition requested for their maintenance.
<b>Public Rights of Way:</b>	No comments received.
<b>Ramblers' Association:</b>	No comments received.

### *Public representations*

- 3.4 Representations have been received from 9 contributors, all of which object to the proposal.
- 3.5 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Lack of planting screening to the application site;
- Noise disturbance to nearby residents from plant machinery;
- Ducting etc installed reduced space available for planting screening;
- Noise from chiller units which rises and falls during the day, and a low buzzing sound and alarms from the site most pronounced at night;
- The noise surveys do not present a full assessment of the noise generated;
- Harmful visual impact most noticeable in winter when trees are not in leaf;
- Light pollution towards Wallingford Road;
- Conditions requested on operating hours and ongoing noise monitoring;
- Visual and noise impact of users of the public right of way;
- Comments on the fact the application is retrospective.

## 4. Planning Policy

4.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS9, CS10, CS13, CS14, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS.5, OVS.6, TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- Policies 1 and 2 of the Replacement Minerals Local Plan for Berkshire 2001 (RMLP).
- Policy NRM6 of the South East Plan.

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC Quality Design SPD (2006)

## 5. Appraisal

5.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance
- Amenity
- Highways

### ***Principle of development***

5.2 Permission 17/01674/FUL established that the commercial building of units 10 to 12 was acceptable under the current development plan policies ADPP1, ADPP5 and CS9. A condition to that permission was for no plant to be installed until details had been approved by the Local Planning Authority. Whilst an application was submitted the inclusion of proposed fencing and retaining walls, external gantry, ducting for plant machinery and stationing of plant and storage was considered to be development in its own right requiring planning permission. Nevertheless the development sought is clearly in association with the use granted permission and in principle acceptable, subject to the details otherwise according with development plan policies on character and appearance, amenity and highways.

5.3 It is to be noted that national legislation changed on 1 September 2020 with regard to the Use Classes Order. The use of this site was granted permission as a B1(c) use – an industrial process which can be carried out in any residential area without causing detriment to the amenity of the area. The Use Classes Order now in force changes this to an E use of commercial, business and service uses. As well as the previous B1 uses it includes shops, financial and professional services, café/restaurant, offices, research and development, clinics and health centres, creches, day nurseries, gymnasiums and other indoor recreation not involving motorised vehicles or firearms. Changes within this E use class are not development and would not need planning permission. Planning

permission for the building is not a personal permission and could in future be occupied by any of the other uses within the E use class.

### ***Character and appearance***

- 5.4 The ground level storage compounds, retaining walls and fences are not considered to be visually prominent from within or outside of the site. They are low level and in close proximity to the building and therefore read in association with the industrial building. The gantry and external ducting with flues above the ridge line of the roof to the east of the building is set within the site away from the boundaries. It is otherwise no greater or wider than the building and also not considered to be visually prominent outside of the site.
- 5.5 The high level ducting of the air handling unit to the west of the building is no greater in height but does protrude beyond the rear of the building and is relatively close to the western boundary of the site. As such it is more readily visible from outside of the site. Having painted it moorland green this has reduced its prominence compared to the original plain silver metal which had been reflective.
- 5.6 Objections have commented that the external compounds and ducting to the west of the site have left less space for planting on the boundary. It has also been raised that planting which should have been undertaken under the previous scheme has not been provided.
- 5.7 The Tree Officer has been consulted on the application and proposed a tree and hedge planting scheme that would provide landscape screening and native species that would be in-keeping with the rural setting. The applicant has undertaken this planting. A condition is recommended by the Tree Officer to ensure the planting is maintained and any trees which become diseased or fail are to be replaced. On this basis it is considered that landscaping screening has been provided and its maintenance secured. As it matures this will further reduce the visibility of the development from outside of the site, although it is noted this will naturally be less during the winter months when the trees are not in leaf.
- 5.8 The details of the planting are:

Trees x 20 approximately 4 metres apart in the gaps along the existing hedgerow:

Small leaved Lime ( <i>Tilia cordata</i> )	x6
English Oaks ( <i>Quercus robur</i> )	x2
Beech ( <i>Fagus sylvatica</i> )	x2
Purple Beech ( <i>Fagus sylvatica riversii</i> )	x2
Field Maple ( <i>Acer campestre</i> )	x2
Whitebeam ( <i>Sorbus aria</i> )	x2
Rowan ( <i>Sorbus aucuparia</i> )	x2
Wild Cherry ( <i>Prunus avium</i> )	x2



Hedging approximately 5 metres worth with 4 trees per metre with canes and spiral guards to stop rabbit damage

Hawthorn ( <i>Crataegus monogyna</i> )	x4
Blackthorn ( <i>Prunus spinosa</i> )	x4
Field Maple ( <i>Acer campestre</i> )	x4
Dogwood ( <i>Cornus sanguinea</i> )	x4

- 5.9 It is acknowledged that the additional development of this application and the lack of compliance to the landscaping requirement under the previous permission has resulted in the higher level additions adding to the visibility of the building. The measures to paint the ducting and introduce a scheme of landscaping are considered to mitigate this impact, and a condition can be applied to secure maintenance.
- 5.10 As such the application is considered to comply with development plan policies on character and appearance by conserving the setting of the Area of Outstanding Natural Beauty and respecting its landscape features under policy ADPP5, as well as preserving landscape character under policy CS19.

### ***Amenity***

- 5.11 Objections to the scheme have included the negative impact on the public right of way to the western boundary of the site where the additional development is close to that boundary, a lack of landscaping, and noise from the plant machinery. As outlined above the planting which has now been undertaken will provide landscape screening and its maintenance can be secured by condition. The visual impact on the amenity of public rights of way users is therefore considered to now be acceptable and to protect the public right of way as part of the District's green infrastructure under policy CS18.
- 5.12 The issue raised by all objectors is that of noise from the site, some of which is also from plant machinery associated with units 4-9 occupied by the same business. An acoustic report was submitted with the application and a further noise assessment submitted during the application. The noise assessments have been reviewed by the Council's Environmental Health team and are attached to this report at Appendix 1.
- 5.13 It is noted that not all of the plant machinery on site has been fully operational where the building was not due to be occupied until September 2020.

Policy OVS.6 states, in full:

*"The Council will require appropriate measures to be taken in the location, design, layout and operation of development proposals in order to minimise any adverse impact as a result of noise generated. Special consideration is required where noisy development is proposed in or near Sites of Special Scientific Interest or which would harm the quiet enjoyment of Areas of Outstanding Natural Beauty. Proposals for noise sensitive developments should have regard to the following:*

- (a) Existing sources of noise e.g. from roads, railways and other forms of transport, industrial and commercial developments, sporting, recreation and leisure facilities; and*
- (b) The need for appropriate sound insulation measures; and*
- (c) The noise exposure levels outlined in Annex 1 of PPG24. In the context of this policy noise sensitive uses are housing, schools and hospitals.*

- 5.14 The above policy was adopted prior to the publication of the National Planning Policy Framework (NPPF). As such the reference to PPG24 is redundant as that advice has since been revoked. However, the policy is otherwise considered to be consistent with the NPPF which at paragraph 170 outlines that “planning decisions should contribute to and enhance the natural and local environment by... preventing new and existing development from contributing to... or being adversely affected by, unacceptable levels of... noise pollution....”
- 5.15 The first Noise Impact Assessment dated December 2019 was focussed on the proposed, but not installed or operating, air handling unit and associated chiller, extract fans and solvent storage tanks for this application. It included a noise survey of background noise level on site and at the boundary to residential properties of 41dB during the day and 32dB overnight. It recommends that the plant noise emissions associated with units 10-12 be limited to 36dB during the day and 27dB overnight.
- 5.16 The first noise assessment then predicts the noise impact of the proposed plant machinery for units 10-12 based on the manufacturer’s datasheets and makes mitigation measure recommendations for: the extract fans to be set to 80% duty during the day and 20% at night; a screen to the eastern side of the chiller of 500mm higher taller than the chiller of an imperforate material; and attenuators to the plant machinery; all other air handling and extract plant to be fitted with acoustically specified splitter silencers. With these measures the assessment considered the noise limit of 36dB during the day and 27dB at night to be met.
- 5.17 The initial consultation response of Environmental Health was that subject to the requirement that the mitigation measures be installed and confirmation submitted to the Council, that the noise impact of units 10-12 was acceptable.
- 5.18 The second noise impact assessment submitted in July 2020 extended the survey to include units 4-9. It was also able to take actual readings of the plant installed in units 10-12. This included testing each item of plant in section 5 of the report roughly between 3am and 7am. This showed that at the noise monitor on the applicant’s site there are 58dB peaks from Container 4 which is not within the site area for this application. Other notable changes include the other containers and supply fan to unit 7-9 which are outside of this application, and warehouse extract fan and cold-rooms. These noise variances were not picked up by the noise monitor located near the residential properties.
- 5.19 The containers not within this application site have a strong low frequency component picked up both on site and at the residential dwellings, particularly container 1 and is considered likely to be the cause of the low frequency noise complains.
- 5.20 Section 6 of the second noise impact assessment derived the sound levels on site of Unit 10-12 air handling fan and chiller to be 52dB, and the extract fans 52dB. The report states there is considerable uncertainty on these due to the dominance of the sound from container 4 which likely results in significant overestimate of the noise level of these fans and chiller.
- 5.21 In section 7 the predicted sound level at the residential properties is 31dB for the unit 10-12 plant machinery. The assessment notes that this is higher than levels calculated based on the product datasheets. The calculated noise levels are higher than measured at the dwellings when the plant was actually running. However, the assessment finds the cumulative rating of all plant excluding the containers associated with units 4-9 is considered low at 30dB. The mitigation recommended relates to the containers which are not part of this application.
- 5.22 The response from Environmental Health from their site visits they did not hear the plant noise at the boundary to the residential properties. The recording submitted by a

resident was confirmed by the applicant to be related to the air handling unit and it was agreed a timer system would be installed so it would not run overnight. This is not included in the noise assessment so would reduce overnight noise further.

- 5.23 It is clear that there have been impacts to local residents from noise associated with the operation as a whole on site. The noise impact assessment identifies the primary issue to be the chiller containers which are not part of this application. Additional mitigation can be installed on the air handling unit so that it does not operate at night when background noise is at a lower level. The operation of the air handling unit and plant on the site of units 10-12 is otherwise acceptable. It is therefore considered that subject to the measures identified in the original noise impact assessment and a condition for the timer system that the impact on amenity to residents can be mitigated to an acceptable level and accord with the development plan policies.

### **Highways**

- 5.24 Highways Officer's potential concern with the application was that there should be no loss of parking space as a result of the new development. Amended plans were submitted regarding the 2 new parking spaces proposed to confirm their size. It was subsequently noted by Highways Officers that spaces numbered 13 and 14 did not have 6 metres distance from the edge of the space to the new compound and could not therefore be properly accessed.
- 5.25 Amended plans provided 2 additional spaces to the front of the building and reconfigured a space to the rear of the building. Highways are now satisfied that there is no loss of parking associated with the application. A condition is to be applied that the parking be provided in accordance with that plan.
- 5.26 On this basis it is considered that there has been no loss of car parking on site as a result of the additional development. Subject to the conditions identified the proposal would accord with policy TRANS.1 for parking provision.

## **6. Planning Balance and Conclusion**

- 6.1 The development for ducting, retaining walls and fencing, and stationing of the air handling chiller unit is in association with the occupation and use of the industrial unit by the applicant. The development is specific to the needs of the applicant and may not be required should the building in future be occupied by another business within use class E. The business on site is considered to fall within this use class as whilst plant machinery is needed for cooling the nature of the business on site is not considered to represent a B2 industrial process use. The business is established on the business park and whilst employees may be specialist and not necessarily local the business nonetheless makes a contribution to the economy of the area and District.
- 6.2 The visual impact of the additional development is not considered unduly prominent and is mitigated by landscaping planting and painting of the ducting on the west elevation, and this will also retain the amenity of users of the adjacent public right of way. There is no loss of parking as a result of the development.
- 6.3 The noise from the plant machinery on site, some of which is not part of this application, have impacted on nearby residents. The acoustic report and noise assessment identify measures to mitigate this impact with a timer system on the air handling unit chiller the impact to be required by condition.

## 7. Full Recommendation

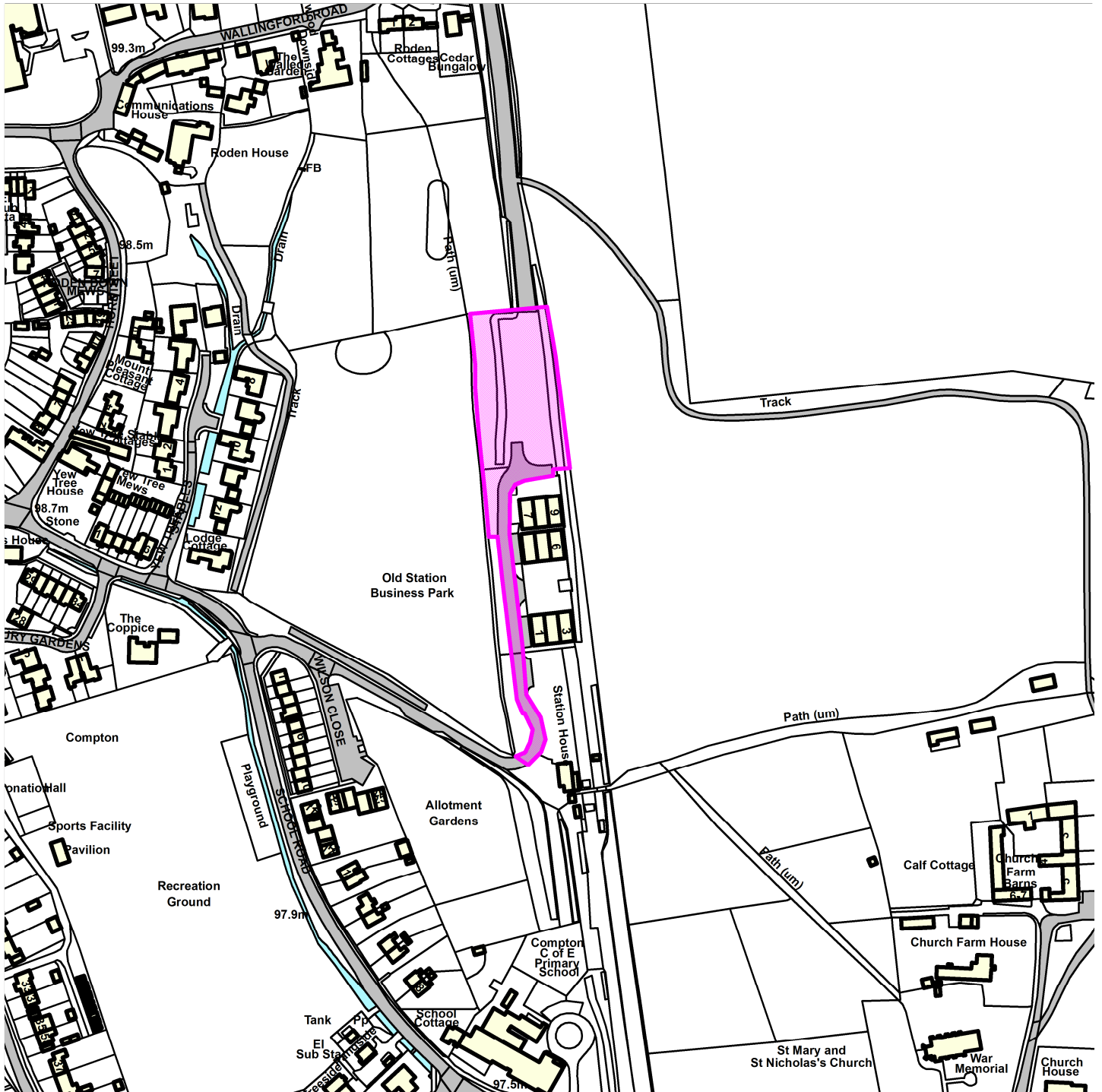
- 7.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below. The usual commencement condition has not been included as the development is retrospective.

### Conditions

1.	<p><b>Approved plans</b> The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>P152-100 Rev J Location and proposed site plan P152-101 Rev J Detailed proposed site and parking layout plan P152-200 Rev I Proposed ground floor plan P152-201 Rev H Proposed first floor plan P152-400 Rev I Proposed south and north elevation plan P152-401 Rev I Proposed west side elevation plan P152-402 Rev I Proposed east side elevation plan 001 sheets 1 and 2 Left and Right hand 6.0m Walk-in firevaults 003 6.0m Walk-in firevaults</p> <p>HVC Louvre Systems Series AL acoustic louvres document Caice Attenuator Schedule document Swegon Gold RX/PX/CX/SD Generation F installation function manual Central Fans Colasist Ltd data document for Swegon Gold and BlueBox Zeta BlueBox Zeta Rev Series A410A document Allaway Acoustics attenuation document Rosenberg Regel switches and controllers document Rosenberg Linefield Rovent 10 axial fan type DQ 315-4 Ex document Invertek Drives Optidrive E IP20 &amp; IP66 (NEMA 4X) Installation document</p> <p>Venta Acoustics Noise Impact Assessment ref VA2752.200710.NIA dated 23 July 2020.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
2.	<p><b>Landscaping Maintenance</b> Any of the 20 trees planted as outlined in the letter from Jaymeni Patel Deign dated 6<sup>th</sup> August 2020 and Tree Officer's consultation response dated 7<sup>th</sup> July 2020 that die or become seriously damaged within three years of this permission shall be replaced in the next planting season by plants of the same size and species.</p> <p>Reason: To ensure a satisfactory scheme of landscaping in accordance with the National Planning Policy Framework, and policies ADPP1, CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
3.	<p><b>Parking in accordance with plans</b> Within a month of this permission the vehicle parking and/or turning spaces shall be surfaced, marked out and provided in accordance with the approved parking layout plan. The parking and/or turning spaces shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic in accordance with the National Planning Policy</p>

	<p>Framework, policy CS13 of the West Berkshire Core Strategy 2006-2026 and policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.</p>
4.	<p><b>Ancillary to use of industrial building</b>  The buildings and structures hereby approved shall be used solely for purposes ancillary and incidental to the main use of the site.</p> <p>Reason: The buildings and structures are acceptable due to the specific nature of the business operating from the site and their separate use would not be acceptable on the site in the interests of amenity and ensuring a sustainable pattern of development in accordance with the National Planning Policy Framework and policies ADPP1, ADPP5, CS10, CS14, CS18 and CS19 of the West Berkshire Local Plan 2006-2026.</p>
5.	<p><b>Noise mitigation</b>  All of the mitigation measures identified in section 5.2 of the Venta Acoustics Noise Impact Assessment VA2752.191211.NIA dated 11 December 2019 and shall be installed within 2 months of this permission and thereafter retained and details confirming installation submitted to and approved in writing by the Local Planning Authority. The plant noise emissions shall not exceed 36dB between 07:00 – 19:00 hours or 27dB between 19:00 and 07:00 hours as outlined in section 4.3 of that assessment.</p> <p>Reason: In order to protect the amenity of adjacent land users in accordance with the National Planning Policy Framework, policies CS14 of the West Berkshire 2006-2026 and OVS.6 of the West Berkshire District Local Plan Saved Policies 2007.</p>
6	<p><b>Timer system</b>  Within two months of the date of permission details of a timing control system for the air handling and associated chiller that will prevent that equipment from operating overnight shall be submitted to and approved in writing by the Local Planning Authority. Within a month of the details being approved the timing control system shall be fully implemented in accordance with the approved details.</p> <p>Reason: To ensure that suitable mitigation is put in place to avoid disturbance to neighbouring dwellings in accordance with the National Planning Policy Framework and Policies OVS.5 and OVS.6 of the West Berkshire District Local Plan Saved Policies 2007 and CS14 of the West Berkshire Core Strategy 2006-2026.</p>

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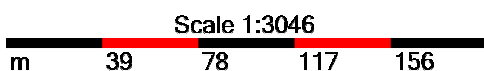


Map Centre Coordinates :

Scale : 1:3046

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	05 October 2020
<b>SLA Number</b>	0100024151

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**Report VA2752.191211.NIA**

**10-12 Old Station Business Park,  
Compton**

Noise Impact Assessment

11 December 2019

**Carbosynth  
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High Street  
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Berkshire  
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**Attachments**

VA2752/SP1	Indicative Site Plan
VA2752/TH1-TH2	Environmental Noise Time Histories
Appendix A	Acoustic Terminology
Appendix B	Acoustic Calculations

## 1. Introduction

It is proposed to install a new air handling unit, chiller unit, extract fans and solvent storage tanks at 10-12 Old Station Business Park, Compton.

Venta Acoustics has been commissioned by Carbosynth to undertake an assessment of the potential noise impact of these proposals in support of an application for planning permission.

An environmental noise survey has been undertaken to determine the background noise levels at the most affected noise sensitive receptors. These levels are used to undertake an assessment of the likely impact with reference to the planning requirements of West Berkshire Council.

## 2. Design Criterion and Assessment Methodology

### 2.1 Requirements of the Local Authority

It is understood that West Berkshire Council’s planning policy requirements that noise emissions from plant is at least 5dB below the local background noise level or 10dB below where tonal elements are expected as assessed at the most affected noise sensitive receivers.

### 2.2 BS8233:2014

BS8233 *Guidance on sound insulation and noise reduction for buildings* provides guidance as to suitable internal noise levels for different areas within residential buildings.

The relevant section of the standard is shown below in Table 2.1.

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living Room	35 dB LAeq, 16 hour	-
Dining	Dining Room	40 dB LAeq, 16 hour	-
Sleeping (daytime resting)	Bedroom	35 dB LAeq, 16 hour	30 dB LAeq, 8 hour

Table 2.1 - Excerpt from BS8233: 2014

[dB ref. 20µPa]

## 3. Site Description

As illustrated on attached site plan VA2752/SP1, the site building is located in a business park on the edge of Compton surrounding by agricultural fields with dwellings at a distance of approximately 125m to the west.

## 4. Environmental Noise Survey

### 4.1 Survey Procedure & Equipment

In order to establish the existing background noise levels at the site, a noise survey was carried out between Tuesday 7<sup>th</sup> and Thursday 9<sup>th</sup> May 2019 at the location shown in site plan VA2752/SP1.

This location was chosen to be representative of the background noise level at the most affected noise sensitive receivers.

Continuous 5-minute samples of the  $L_{Aeq}$ ,  $L_{Amax}$ ,  $L_{A10}$  and  $L_{A90}$  sound pressure levels were undertaken at the measurement location.

The weather during the survey period was generally dry with light winds. The background noise data is not considered to have been compromised by these conditions.

Measurements were made generally in accordance with ISO 1996 2:2017 *Acoustics - Description, measurement and assessment of environmental noise – Part 2: Determination of sound pressure levels*.

The following equipment was used in the course of the survey:

Manufacturer	Model Type	Serial No	Calibration	
			Certificate No.	Date
NTi Class 1 Integrating SLM	XL2	A2A-11461-E0	UCRT18/1681	5/7/18
Larson Davis calibrator	CAL200	13049	UCRT19/1501	18/4/19

**Table 4.1 – Equipment used for the survey**

The calibration of the sound level meter was verified before and after use with no significant calibration drift observed.

## 4.2 Results

The measured sound levels are shown as time-history plots on the attached charts VA2752/TH1-2.

The background noise level is determined by distant traffic and the general rural soundscape.

The typical background noise levels measured were:

Monitoring Period	Typical <sup>1</sup> $L_{A90,5min}$
07:00 – 19:00 hours	41 dB
23:00 – 07:00 hours	32 dB

**Table 4.2 – Typical background noise levels**

[dB ref. 20  $\mu$ Pa]

<sup>1</sup> The typical  $L_{A90}$  value is taken as the 90<sup>th</sup> percentile of all  $L_{A90}$  values measured during the relevant period.

## 4.3 Plant Noise Emission Limits

On the basis of the measured noise levels and the planning requirements of the Local Authority, and considering that it is not expected that tonal noise will be generated by the proposed plant units, the following plant specific sound levels should not be exceeded at the most affected noise sensitive receivers:

Monitoring Period	Design Criterion (L <sub>Aeq</sub> )
07:00 – 19:00 hours	36 dB
19:00 – 07:00 hours	27 dB

Table 4.3 – Specific sound pressure levels not to be exceeded at most affected noise sensitive receivers

## 5. Predicted Noise Impact

### 5.1 Proposed plant

The following plant is proposed for installation at the locations indicated on site plan VA2752/SP1.

Plant Item	Quantity	Proposed Model	Notes
Chiller	1	Bluebox Zeta Rev 8.2	In plant area
AHU	1	Swegon Gold F SD 80	In plant area
Solvent Storage Fans	2	Rosenberg DQ 315-4 Ex	
Extract Fans	6	Central Fans Colasist Ltd Various	Set to 80% duty during the day and 20% duty at night

Table 5.1 – Indicative plant selections assumed for this assessment.

Consulting the manufacturer’s datasheets, the following noise emissions levels are attributed to the proposed plant items:

Plant Item	Octave Band Centre Frequency (Hz)								dB(A)
	Sound Pressure/Power Level, L <sub>p</sub> @1m, L <sub>w</sub> (dB)								
	63	125	250	500	1k	2k	4k	8k	
Chiller – L <sub>p</sub> @10m	49	48	39	43	44	45	41	36	50
AHU – induct - L <sub>w</sub>	80	80	82	69	62	60	55	58	75
Solvent Storage Fans- L <sub>p</sub> @1m	31	31	43	46	44	44	41	33	50
EF1 - L <sub>w</sub> & dB(A) @ 1m	98	95	94	92	83	80	75	97	88
EF2- L <sub>w</sub> & dB(A) @ 1m	71	75	77	75	76	69	62	55	66
EF3- L <sub>w</sub> & dB(A) @ 1m	71	75	77	75	76	69	62	55	65
EF4- L <sub>w</sub> & dB(A) @ 1m	62	66	68	66	67	60	53	46	65
EF5- L <sub>w</sub> & dB(A) @ 1m	90	93	93	89	82	77	73	69	85
EF6- L <sub>w</sub> & dB(A) @ 1m	59	64	65	62	65	63	55	45	58

Table 5.2 – Advised plant noise data used for the assessment.

### 5.2 Recommended Mitigation Measures

The following mitigation is recommended and has been assumed in the calculations.

- The extract fans will be set to 80% duty during the day and 20% duty at night
- A screen will be formed along the eastern side of the chiller. This should be at least 500mm higher than the top of the chiller fans and formed of an imperforate material with a minimum mass per unit area of 8kg/m<sup>2</sup>. A gap (nominally 300mm) may be left below the screen for ventilation if required.
- Attenuators with the following insertion losses will be used on the various items of plant:

Plant Item	Octave Band Centre Frequency (Hz)							
	Attenuator Insertion Loss (dB)							
	63	125	250	500	1k	2k	4k	8k
AHU	4	5	13	33	13	10	8	6
EF 2, EF 3, EF 4	2	3	6	15	19	14	13	10
EF 1, EF 5	1	2	6	15	20	15	14	13
EF 6	2	3	6	15	19	14	13	10

Table 5.3 – Attenuator insertion losses

Please note that the above recommendations relate to acoustic issues only. It is recommended that professional advice confirming the suitability of these measures be sought from others with regards to issues such as airflow, structural stability and visual impact.

### 5.3 Predicted noise levels

The cumulative noise level at the most affected noise sensitive receiver, some 125 meters away, has been calculated on the basis of the above information and assuming the recommended mitigation measures, with reference to the guidelines set out in ISO 9613-2:1996 *Attenuation of sound during propagation outdoors - Part 2: General method of calculation*.

A summary of the calculations are shown in Appendix B.

Time Period	Predicted Cumulative Noise Level	Design Criterion
07:00-19:00 hours	L <sub>Aeq</sub> 31dB	L <sub>Aeq</sub> 36 dB
19:00hour – 07:00 hours	L <sub>Aeq</sub> 26dB	L <sub>Aeq</sub> 27 dB

Table 5.4 – Predicted cumulative noise level at most affected noise sensitive receiver and design criterion.

All other air handling and extract plant will be fitted with acoustically specified splitter silencers in order that the cumulative noise level does not exceed the 24-hour design noise criterion.

### 5.4 Comparison to BS8233:2014 Criteria

BS8233 assumes a loss of approximately 15dB for a partially open window. The external noise level shown in Table 5.4 would result in internal noise levels that achieve the guidelines shown in Table 2.1.

## 6. Conclusion

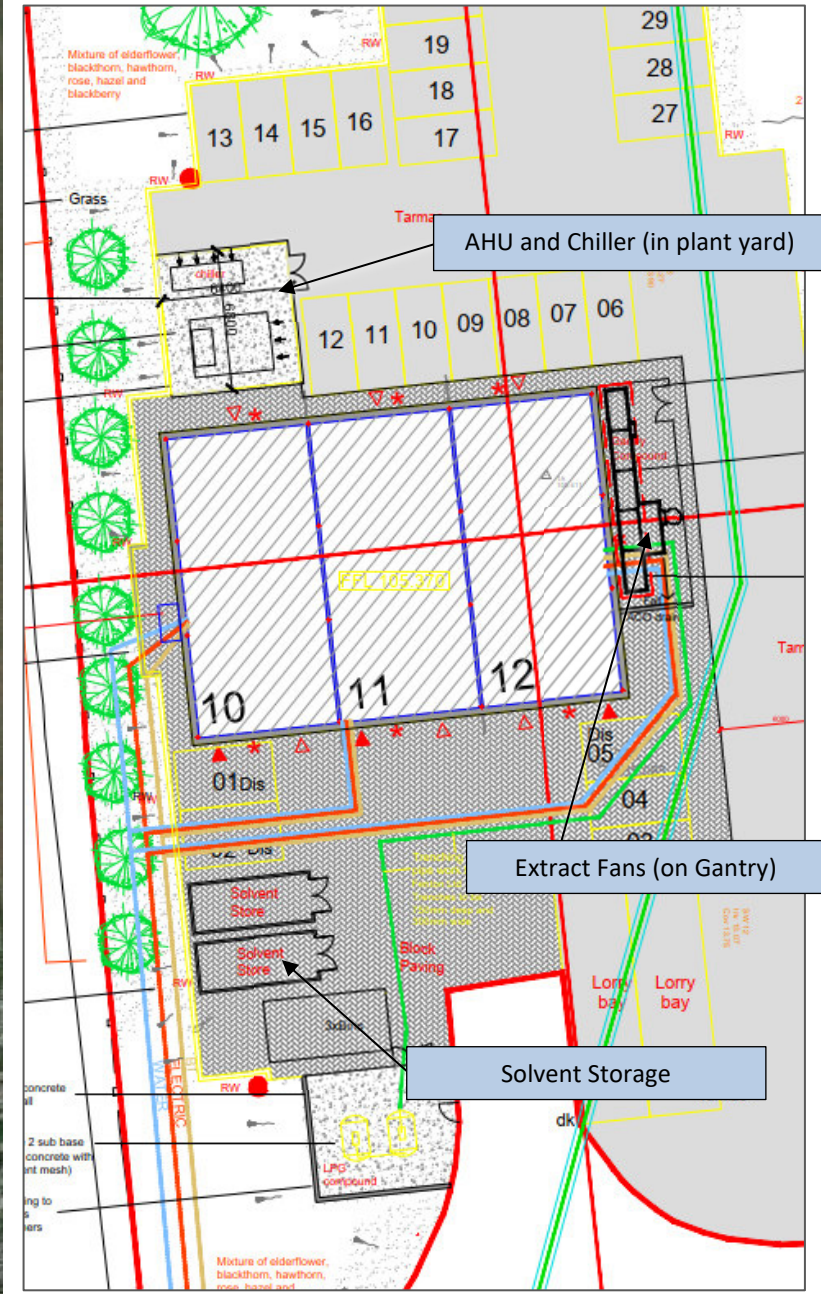
A baseline noise survey has been undertaken by Venta Acoustics to establish the background noise climate in the locality of 10-12 Old Station Business Park, Compton in support of a planning application for the proposed introduction of new building services plant.

This has enabled noise emission limits to be set at the most affected noise sensitive receiver such that the proposed installation meets the requirements of West Berkshire Council.

The cumulative noise emission levels from the proposed plant have been assessed to be compliant with the plant noise emission limits, with necessary mitigation measures specified.

The proposed scheme is not expected to have a significant adverse noise impact and the relevant planning requirements have been shown to be met.

## **Steven Liddell MIOA**



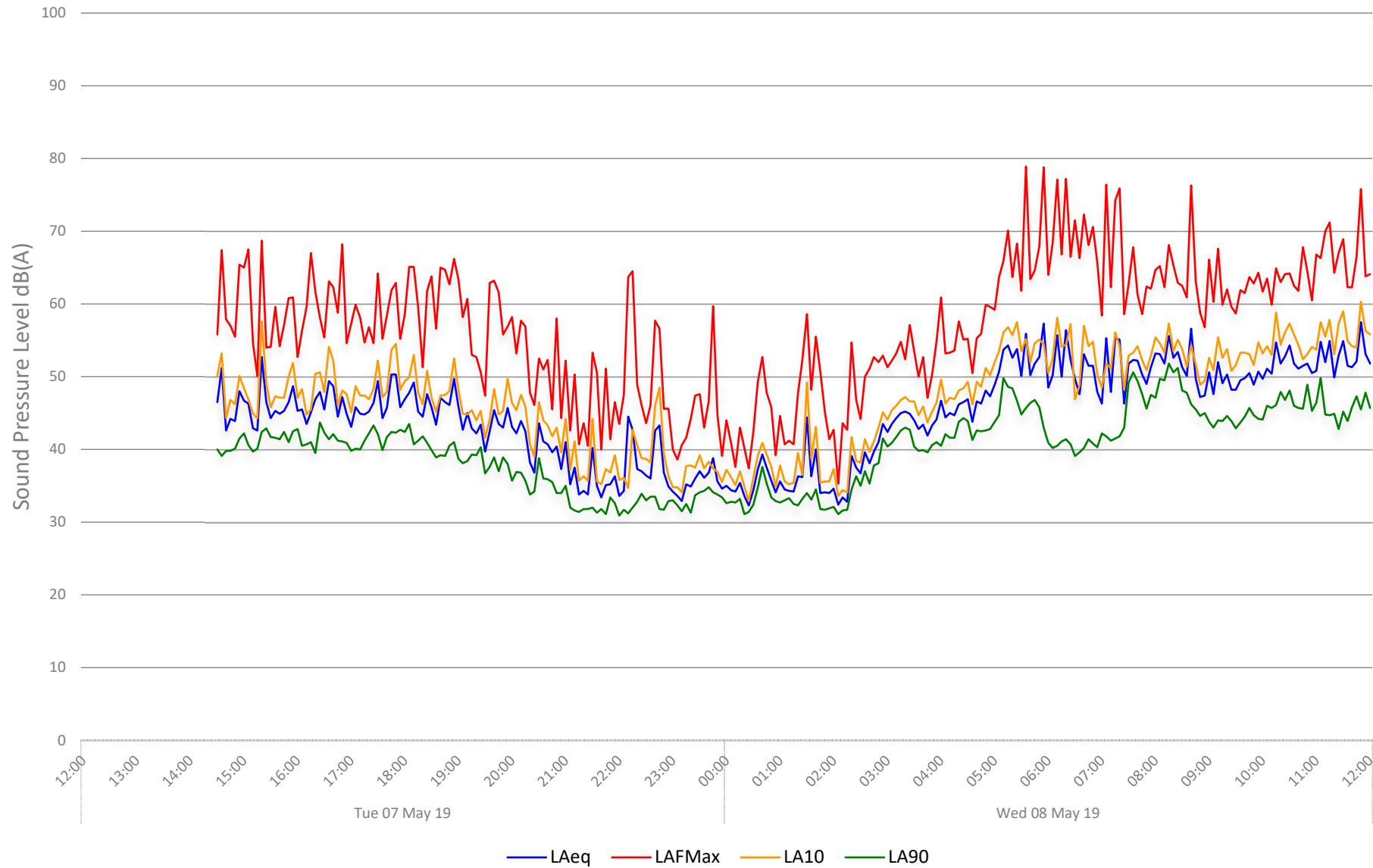
Page 120



10-12 Old Station Business Park, Compton  
Environmental Noise Time History: 1



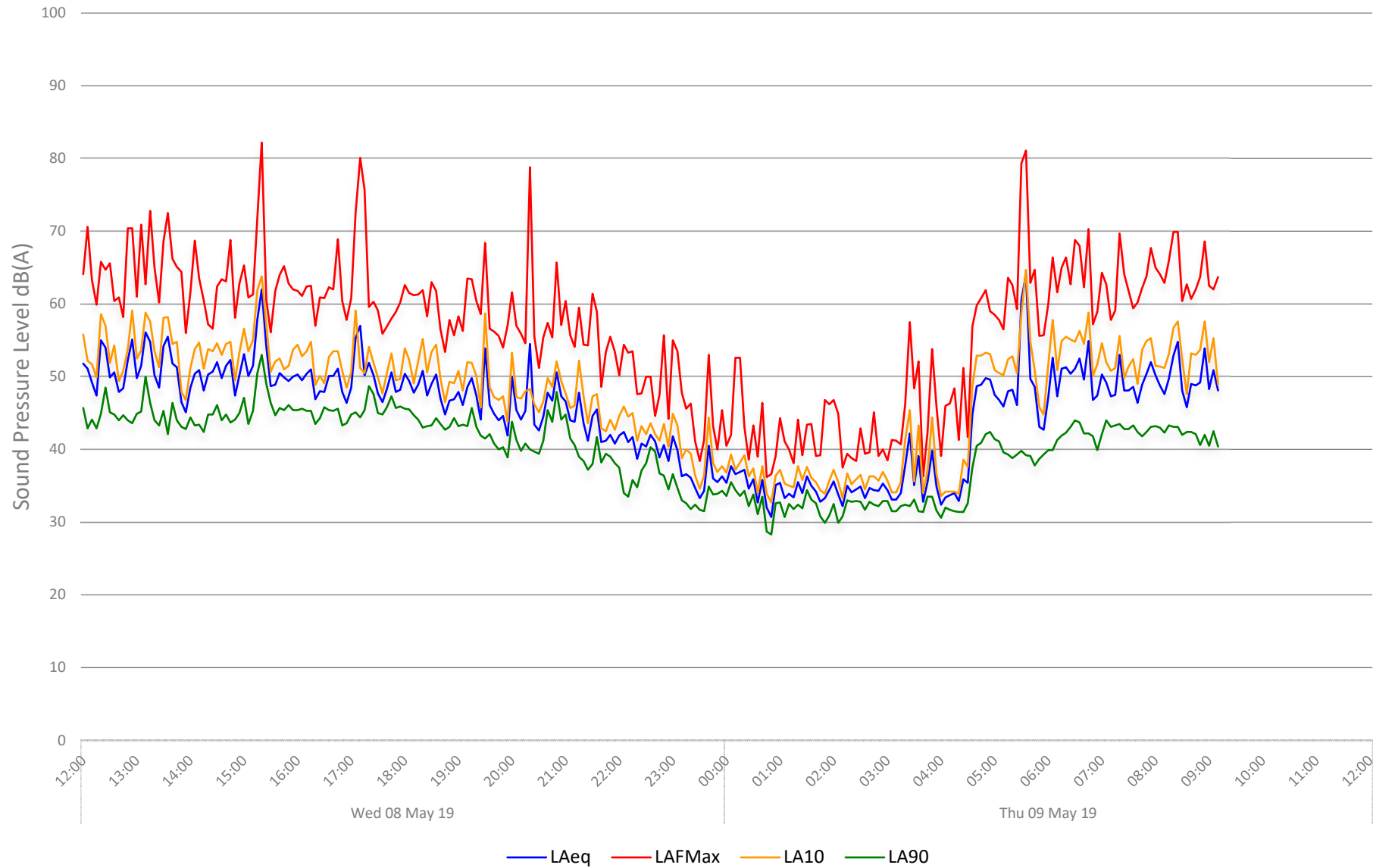
Figure VA2752/TH1



10-12 Old Station Business Park, Compton  
Environmental Noise Time History: 2



Figure VA2752/TH2



## Acoustic Terminology & Human Response to Broadband Sound

### 1.1 Acoustic Terminology

The human impact of sounds is dependent upon many complex interrelated factors such as 'loudness', its frequency (or pitch) and variation in level. In order to have some objective measure of the annoyance, scales have been derived to allow for these subjective factors.

<b>Sound</b>	Vibrations propagating through a medium (air, water, etc.) that are detectable by the auditory system.
<b>Noise</b>	Sound that is unwanted by or disturbing to the perceiver.
<b>Frequency</b>	The rate per second of vibration constituting a wave, measured in Hertz (Hz), where 1Hz = 1 vibration cycle per second. The human hearing can generally detect sound having frequencies in the range 20Hz to 20kHz. Frequency corresponds to the perception of 'pitch', with low frequencies producing low 'notes' and higher frequencies producing high 'notes'.
<b>dB(A):</b>	Human hearing is more susceptible to mid-frequency sounds than those at high and low frequencies. To take account of this in measurements and predictions, the 'A' weighting scale is used so that the level of sound corresponds roughly to the level as it is typically discerned by humans. The measured or calculated 'A' weighted sound level is designated as dB(A) or $L_A$ .
<b><math>L_{eq}</math> :</b>	A notional steady sound level which, over a stated period of time, would contain the same amount of acoustical energy as the actual, fluctuating sound measured over that period (e.g. 8 hour, 1 hour, etc). The concept of $L_{eq}$ (equivalent continuous sound level) has primarily been used in assessing noise from industry, although its use is becoming more widespread in defining many other types of sounds, such as from amplified music and environmental sources such as aircraft and construction. Because $L_{eq}$ is effectively a summation of a number of events, it does not in itself limit the magnitude of any individual event, and this is frequently used in conjunction with an absolute sound limit.
<b><math>L_{10}</math> &amp; <math>L_{90}</math> :</b>	Statistical $L_n$ indices are used to describe the level and the degree of fluctuation of non-steady sound. The term refers to the level exceeded for n% of the time. Hence, $L_{10}$ is the level exceeded for 10% of the time and as such can be regarded as a typical maximum level. Similarly, $L_{90}$ is the typical minimum level and is often used to describe background noise. It is common practice to use the $L_{10}$ index to describe noise from traffic as, being a high average, it takes into account the increased annoyance that results from the non-steady nature of traffic flow.
<b><math>L_{max}</math> :</b>	The maximum sound pressure level recorded over a given period. $L_{max}$ is sometimes used in assessing environmental noise, where occasional loud events occur which might not be adequately represented by a time-averaged $L_{eq}$ value.

### 1.2 Octave Band Frequencies

In order to determine the way in which the energy of sound is distributed across the frequency range, the International Standards Organisation has agreed on "preferred" bands of frequency for sound measurement and analysis. The widest and most commonly used band for frequency measurement and analysis is the Octave Band. In these bands, the upper frequency limit is twice the lower frequency limit, with the band being described by its "centre frequency" which is the average (geometric mean) of the upper and lower limits, e.g. 250 Hz octave band extends from 176 Hz to 353 Hz. The most commonly used octave bands are:

Octave Band Centre Frequency Hz | 63 | 125 | 250 | 500 | 1000 | 2000 | 4000 | 8000

## 1.3 Human Perception of Broadband Noise

Because of the logarithmic nature of the decibel scale, it should be borne in mind that sound levels in dB(A) do not have a simple linear relationship. For example, 100dB(A) sound level is not twice as loud as 50dB(A). It has been found experimentally that changes in the average level of fluctuating sound, such as from traffic, need to be of the order of 3dB before becoming definitely perceptible to the human ear. Data from other experiments have indicated that a change in sound level of 10dB is perceived by the average listener as a doubling or halving of loudness. Using this information, a guide to the subjective interpretation of changes in environmental sound level can be given.

Change in Sound Level dB	Subjective Impression	Human Response
0 to 2	Imperceptible change in loudness	Marginal
3 to 5	Perceptible change in loudness	Noticeable
6 to 10	Up to a doubling or halving of loudness	Significant
11 to 15	More than a doubling or halving of loudness	Substantial
16 to 20	Up to a quadrupling or quartering of loudness	Substantial
21 or more	More than a quadrupling or quartering of loudness	Very Substantial

## 1.4 Earth Bunds and Barriers - Effective Screen Height

When considering the reduction in sound level of a source provided by a barrier, it is necessary to establish the "effective screen height". For example if a tall barrier exists between a sound source and a listener, with the barrier close to the listener, the listener will perceive the sound as being louder if he climbs up a ladder (and is closer to the top of the barrier) than if he were standing at ground level. Equally if he sat on the ground the sound would seem quieter than if he were standing. This is explained by the fact that the "effective screen height" is changing with the three cases above. In general, the greater the effective screen height, the greater the perceived reduction in sound level.

Similarly, the attenuation provided by a barrier will be greater where it is aligned close to either the source or the listener than where the barrier is midway between the two.

# APPENDIX B

## VA2752 - 10-12 Old Station Business Park, Compton

### Noise Impact Assessment - Daytime

<b>Extract Fans - Discharge</b>		<b>63 Hz</b>	<b>125 Hz</b>	<b>250 Hz</b>	<b>500 Hz</b>	<b>1 kHz</b>	<b>2 kHz</b>	<b>4 kHz</b>	<b>8 kHz</b>	<b>dB(A)</b>
EF 1	Lw	98	95	94	92	83	80	75	97	97
EF 1 - Attenuator		-1	-2	-6	-15	-20	-15	-14	-13	
EF 1 Sound Power at discharge		97	93	88	77	63	65	61	84	
EF 2	Lw	71	75	77	75	76	69	62	55	79
EF 2 - Attenuator		-2	-3	-6	-15	-19	-14	-13	-10	
EF 2 Sound Power at discharge		69	72	71	60	57	55	49	45	
EF 3	Lw	71	75	77	75	76	69	62	55	79
EF 3 - Attenuator		-2	-3	-6	-15	-19	-14	-13	-10	
EF 3 Sound Power at discharge		69	72	71	60	57	55	49	45	
EF 4	Lw	62	66	68	66	67	60	53	46	70
EF 4 - Attenuator		-2	-3	-6	-15	-19	-14	-13	-10	
EF 4 Sound Power at discharge		60	63	62	51	48	46	40	36	
EF 5	Lw	90	93	93	89	82	77	73	69	90
EF 5 - Attenuator		-1	-2	-6	-15	-20	-15	-14	-13	
EF 5 Sound Power at discharge		89	91	87	74	62	62	59	56	
EF 6	Lw	59	64	65	62	65	63	55	45	69
EF 6 - Attenuator		-2	-3	-6	-15	-19	-14	-13	-10	
EF 6 Sound Power at discharge		57	61	59	47	46	49	42	35	
Cumulative Sound Power	Lw	98	95	90	79	67	67	64	84	<b>87</b>
Fans set to 80% speed		-1	-1	-1	-1	-1	-1	-1	-1	
End Reflection		-9	-5	-2	-1	0	0	0	0	
Directivity (Hor:100,Vert:0)		0	0	0	-2	-7	-8	-8	-8	
Distance Loss	To 150m	-44	-44	-44	-44	-44	-44	-44	-44	
Hemispherical Propagation		-11	-11	-11	-11	-11	-11	-11	-11	
<b>Level at receiver</b>		<b>33</b>	<b>35</b>	<b>33</b>	<b>22</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>21</b>	<b>27</b>

<b>Extract Fans - Breakout</b>		<b>63 Hz</b>	<b>125 Hz</b>	<b>250 Hz</b>	<b>500 Hz</b>	<b>1 kHz</b>	<b>2 kHz</b>	<b>4 kHz</b>	<b>8 kHz</b>	<b>dB(A)</b>
LP1	Lp @ 1m									88
LP2	Lp @ 1m									66
LP3	Lp @ 1m									65
LP4	Lp @ 1m									65
LP5	Lp @ 1m									85
LP6	Lp @ 1m									58
Cumulative										<b>90</b>
Fans set to 80% speed		-1	-1	-1	-1	-1	-1	-1	-1	-1
Distance Loss	To 150m									-44
Screening loss										-17
<b>Level at receiver</b>										<b>28</b>

<b>AHU</b>		<b>63 Hz</b>	<b>125 Hz</b>	<b>250 Hz</b>	<b>500 Hz</b>	<b>1 kHz</b>	<b>2 kHz</b>	<b>4 kHz</b>	<b>8 kHz</b>	<b>dB(A)</b>
Sound Power (atmosphere side)	Lw	80	80	82	69	62	60	55	58	<b>75</b>
Attenuator		-4	-5	-13	-33	-13	-10	-8	-6	
Geometric propagation	Q=2	-8	-8	-8	-8	-8	-8	-8	-8	
Distance Loss	To 125m	-42	-42	-42	-42	-42	-42	-42	-42	
Directivity (Hor:100,Vert:0)		-2	-3	-7	-9	-8	-8	-8	-8	
<b>Level at receiver</b>		<b>25</b>	<b>22</b>	<b>12</b>	<b>-22</b>	<b>-9</b>	<b>-8</b>	<b>-11</b>	<b>-6</b>	<b>9</b>

<b>Chiller</b>		<b>63 Hz</b>	<b>125 Hz</b>	<b>250 Hz</b>	<b>500 Hz</b>	<b>1 kHz</b>	<b>2 kHz</b>	<b>4 kHz</b>	<b>8 kHz</b>	<b>dB(A)</b>
Sound Pressure	Lp @ 10m	49	48	39	43	44	45	41	36	<b>50</b>
Screening		-5	-6	-7	-8	-10	-12	-15	-17	
Distance Loss	To 125m	-22	-22	-22	-22	-22	-22	-22	-22	
<b>Level at receiver</b>		<b>22</b>	<b>20</b>	<b>10</b>	<b>13</b>	<b>12</b>	<b>11</b>	<b>4</b>	<b>-3</b>	<b>17</b>

<b>Solvent Storage Fans</b>		<b>63 Hz</b>	<b>125 Hz</b>	<b>250 Hz</b>	<b>500 Hz</b>	<b>1 kHz</b>	<b>2 kHz</b>	<b>4 kHz</b>	<b>8 kHz</b>	<b>dB(A)</b>
Sound Power (atmosphere side)	Lp @ 1m	31	31	43	46	44	44	41	33	<b>50</b>
Number of Plant	2	3	3	3	3	3	3	3	3	
Distance Loss	To 125m	-42	-42	-42	-42	-42	-42	-42	-42	
<b>Level at receiver</b>		<b>-8</b>	<b>-8</b>	<b>4</b>	<b>7</b>	<b>5</b>	<b>5</b>	<b>2</b>	<b>-6</b>	<b>11</b>

**Cumulative Level at receivers 31dB(A)**

## APPENDIX B

### VA2752 - 10-12 Old Station Business Park, Compton

#### Noise Impact Assessment - Night Time

<b>Extract Fans - Discharge</b>		<b>63 Hz</b>	<b>125 Hz</b>	<b>250 Hz</b>	<b>500 Hz</b>	<b>1 kHz</b>	<b>2 kHz</b>	<b>4 kHz</b>	<b>8 kHz</b>	<b>dB(A)</b>
EF 1	Lw	98	95	94	92	83	80	75	97	97
EF 1 - Attenuator		-1	-2	-6	-15	-20	-15	-14	-13	
EF 1 Sound Power at discharge		97	93	88	77	63	65	61	84	
EF 2	Lw	71	75	77	75	76	69	62	55	79
EF 2 - Attenuator		-2	-3	-6	-15	-19	-14	-13	-10	
EF 2 Sound Power at discharge		69	72	71	60	57	55	49	45	
EF 3	Lw	71	75	77	75	76	69	62	55	79
EF 3 - Attenuator		-2	-3	-6	-15	-19	-14	-13	-10	
EF 3 Sound Power at discharge		69	72	71	60	57	55	49	45	
EF 4	Lw	62								36
EF 4 - Attenuator		-2	-3	-6	-15	-19	-14	-13	-10	
EF 4 Sound Power at discharge		60	-3	-6	-15	-19	-14	-13	-10	
EF 5	Lw	90	93	93	89	82	77	73	69	90
EF 5 - Attenuator		-1	-2	-6	-15	-20	-15	-14	-13	
EF 5 Sound Power at discharge		89	91	87	74	62	62	59	56	
EF 6	Lw	59	64	65	62	65	63	55	45	69
EF 6 - Attenuator		-2	-3	-6	-15	-19	-14	-13	-10	
EF 6 Sound Power at discharge		57	61	59	47	46	49	42	35	
Cumulative Sound Power	Lw	98	95	90	79	67	67	64	84	<b>87</b>
Fans set to 20% speed		-7	-7	-7	-7	-7	-7	-7	-7	
End Reflection		-9	-5	-2	-1	0	0	0	0	
Directivity (Hor:100,Vert:0)		0	0	0	-2	-7	-8	-8	-8	
Distance Loss	To 150m	-44	-44	-44	-44	-44	-44	-44	-44	
Hemispherical Propagation		-11	-11	-11	-11	-11	-11	-11	-11	
<b>Level at receiver</b>		<b>27</b>	<b>29</b>	<b>27</b>	<b>16</b>	<b>-2</b>	<b>-2</b>	<b>-6</b>	<b>15</b>	<b>21</b>

<b>Extract Fans - Breakout</b>		<b>63 Hz</b>	<b>125 Hz</b>	<b>250 Hz</b>	<b>500 Hz</b>	<b>1 kHz</b>	<b>2 kHz</b>	<b>4 kHz</b>	<b>8 kHz</b>	<b>dB(A)</b>
LP1	Lp @ 1m									88
LP2	Lp @ 1m									66
LP3	Lp @ 1m									65
LP4	Lp @ 1m									65
LP5	Lp @ 1m									85
LP6	Lp @ 1m									58
Cumulative										<b>90</b>
Fans set to 20% speed										-7
Distance Loss	To 150m									-44
Screening loss										-17
<b>Level at receiver</b>										<b>22</b>

<b>AHU</b>		<b>63 Hz</b>	<b>125 Hz</b>	<b>250 Hz</b>	<b>500 Hz</b>	<b>1 kHz</b>	<b>2 kHz</b>	<b>4 kHz</b>	<b>8 kHz</b>	<b>dB(A)</b>
Sound Power (atmosphere side)	Lw	80	80	82	69	62	60	55	58	<b>75</b>
Attenuator		-4	-5	-13	-33	-13	-10	-8	-6	
Geometric propagation	Q=2	-8	-8	-8	-8	-8	-8	-8	-8	
Distance Loss	To 125m	-42	-42	-42	-42	-42	-42	-42	-42	
Directivity (Hor:100,Vert:0)		-2	-3	-7	-9	-8	-8	-8	-8	
<b>Level at receiver</b>		<b>25</b>	<b>22</b>	<b>12</b>	<b>-22</b>	<b>-9</b>	<b>-8</b>	<b>-11</b>	<b>-6</b>	<b>9</b>

<b>Chiller</b>		<b>63 Hz</b>	<b>125 Hz</b>	<b>250 Hz</b>	<b>500 Hz</b>	<b>1 kHz</b>	<b>2 kHz</b>	<b>4 kHz</b>	<b>8 kHz</b>	<b>dB(A)</b>
Sound Pressure	Lp @ 10m	49	48	39	43	44	45	41	36	<b>50</b>
Screening		-5	-6	-7	-8	-10	-12	-15	-17	
Distance Loss	To 125m	-22	-22	-22	-22	-22	-22	-22	-22	
<b>Level at receiver</b>		<b>22</b>	<b>20</b>	<b>10</b>	<b>13</b>	<b>12</b>	<b>11</b>	<b>4</b>	<b>-3</b>	<b>17</b>

<b>Solvent Storage Fans</b>		<b>63 Hz</b>	<b>125 Hz</b>	<b>250 Hz</b>	<b>500 Hz</b>	<b>1 kHz</b>	<b>2 kHz</b>	<b>4 kHz</b>	<b>8 kHz</b>	<b>dB(A)</b>
Sound Power (atmosphere side)	Lp @ 1m	0	31	43	46	44	44	41	33	<b>50</b>
Number of Plant	2	3	3	3	3	3	3	3	3	
Distance Loss	To 125m	-42	-42	-42	-42	-42	-42	-42	-42	
<b>Level at receiver</b>		<b>-39</b>	<b>-8</b>	<b>4</b>	<b>7</b>	<b>5</b>	<b>5</b>	<b>2</b>	<b>-6</b>	<b>11</b>

**Cumulative Level at receivers 26dB(A)**



**Report VA2752.200710.NIA**

**10-12 Old Station Business Park,  
Compton**

Noise Impact Assessment

23 July 2020

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## 1. Introduction

Following complaints by neighbours relating to noise, Venta Acoustics has been appointed to investigate the noise issues at Carbosynth, 10-12 Old Station Business Park, Compton.

A set of measurements were undertaken to determine the primary sources of noise from the site and assess the impact at the neighbours. Outline mitigation measures are then discussed.

## 2. Design Criterion and Assessment Methodology

### 2.1 BS4142:2014

British Standard BS4142:2014 *Methods for rating and assessing industrial and commercial sound* describes a method for rating and assessing sound of an industrial and/or commercial nature, which includes sound from fixed installations comprising mechanical and/or electrical plant and equipment.

The assessment methodology considers the Specific Sound Level, as measured or calculated at a potential noise sensitive receptor, due to the source under investigation. A correction factor is added to this level to account for the acoustic character of the sound as follows:

**Tonality** – A correction of up to 6dB depending on the prominence of tones;

**Impulsivity** - A correction of up to 9dB depending on the prominence of impulsivity;

**Other sound characteristics** - A 3dB correction may be applied where a distinctive acoustic character is present that is neither tonal nor impulsive;

**Intermittency** - A 3dB correction may be applied where the specific sound has identifiable on/off conditions.

An estimate of the impact of the source is obtained by subtracting the typical background noise level from the corrected Specific Sound Level.

- Typically, the greater this difference, the greater the magnitude of the impact.
- A difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context.
- A difference of around +5 dB could be an indication of an adverse impact, depending on the context.
- The lower the rating level is relative to the measured background sound level, the less likely it is that there will be an adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound having a low impact, depending on the context.

## 2.2 NANR45 Criteria

In the report ‘Proposed criteria for the assessment of low frequency noise disturbance (2005)’ prepared by Salford University for DEFRA, a criteria for the assessment of low frequency noise is proposed based on laboratory measurements of participants threshold of hearing and response to low frequency sound.

The reference curve, which should not be exceeded as an  $L_{eq}$  level measured in rooms of concern, is as follows:

Freq Band (Hz)	25.0	31.5	40.0	50.0	63.0	80.0	100.0	125.0	160.0
NANR Reference Curve	64	56	49	43	42	40	38	36	34

**Table 2.1 – NANR low frequency assessment curve**

If the  $L_{eq}$ , taken over a time when the noise is said to be present, exceeds the values in the reference curve, it may indicate a source of low frequency noise that could cause disturbance.

If the sound only occurs during the day, then a 5dB relaxation may be applied to all third octave bands.

If the noise is steady, then a 5dB relaxation may be applied to all third octave bands.

## 3. Site Description

As illustrated on attached site plan VA2752/SP1, Carbosynth is located in a business park on the edge of Compton surrounding by agricultural fields.

The dwellings which have raised complaints regarding noise are located on Yew Tree Stables, at a distance of approximately 125m to the west.

Carbosynth operate out of an established warehouse and a newly constructed building, each of which have an air handing unit, a chiller and a collection of extract fans. There are also refrigeration units for the established warehouse located on the north west corner of the building. In addition to these, there are 4 free standing cold room containers located to the north of the established warehouse.

The Carbosynth site is at a lower level than the boundary to the field to the west, with a bank approximately 1.8m high between the access road and the field. The field then slopes down to the dwellings.

### 3.1 Nature of Complaints

From discussions with the neighbouring residents, there are two distinct issues reported.

At night there is a low frequency hum that is heard in the first floor bedrooms and is of an intrusive nature, albeit at a very low level.

In warm weather a more definitive sound is clearly heard in the gardens as well as in the houses when windows are open.

## 4. Environmental Noise Survey

### 4.1 Survey Procedure & Equipment

A noise survey a noise survey was carried out between Thursday 2<sup>nd</sup> and Monday 6<sup>th</sup> July 2020 at the front of the residential dwellings and on the edge of the Carbosynth site at the locations shown in site plan VA2752/SP1.

Continuous 5-minute samples of the  $L_{Aeq}$ ,  $L_{Amax}$ ,  $L_{A10}$  and  $L_{A90}$  sound pressure levels were undertaken at each of the measurement locations to capture source noise levels, the resultant noise levels at the dwellings as well as the background noise levels in the locality.

The weather during the survey period was variable. Thursday evening into Friday morning was generally fine and mild. However strong winds and rain were present through the remainder of the weekend. The noise levels measured on Thursday night into Friday morning are considered to provide a fair representation of the noise climate.

Measurements were made generally in accordance with ISO 1996 2:2017 *Acoustics - Description, measurement and assessment of environmental noise – Part 2: Determination of sound pressure levels*.

The following equipment was used in the course of the survey:

Manufacturer	Model Type	Serial No	Calibration	
			Certificate No.	Date
NTi Class 1 Integrating SLM	XL2	A2A-15993-E0	FL-19-122	14/3/19
NTi Class 1 Integrating SLM	XL2	A2A-15892-E0	FL-19-121	14/3/19
Larson Davis calibrator	CAL200	13069	UCRT20/1562	26/6/20

**Table 4.1 – Equipment used for the survey**

The calibration of the sound level meters was verified before and after use with no significant calibration drift observed.

### 4.2 Results

The measured sound levels are shown as time-history plots on the attached charts VA2752/TH1-4 for the location adjacent to the dwellings and VA2752/TH5-7 for the position at Carbosynth.

Review of the Carbosynth monitor (TH5-7) shows a fairly flat  $L_{A90}$  background sound level, indicative of continuously running plant. There are frequent peaks which are likely to be due to the nearby cold storage containers having their compressors turn on and off intermittently. It is expected that this would occur more frequently in warm weather. Two periods were noted when the sound levels

dropped off, on Thursday morning during testing of the various items of plant and on Saturday morning when power to the site is understood to have been cut off briefly.

At the residential monitor (TH1-4) a normal diurnal noise profile is seen with very low background noise levels at night down to  $L_{A90}$  25dB (seen on Thursday night / Friday morning). Over the weekend period the noise levels are considered to be influenced by weather. It is noted that the background noise levels on Friday morning during the survey were lower than measured during a previous survey. This is likely to be due to a combination of reduced traffic due to Covid19 and different weather patterns.

The noise levels measured at the dwellings do not follow those measured at the Carbosynth monitor, even during the early hours of Friday morning. This suggests that the plant noise from Carbosynth was below the background level at the dwellings and hence not measurable. This is supported by observations during the site visits that noise from Carbosynth was not evident.

## 5. Testing of Plant

In order to determine the noise contribution of each item of plant, an exercise was undertaken from 03:00 on Friday morning whereby the plant was turned off one by one, then individual items were operated briefly before the plant was brought back into operation in turn.

Short duration logging was activated on the monitors during this exercise to measure the changes in noise levels. The following programme is understood to have been implemented:

Event	Plant ID	Time Switched On/Off
1	Unit 10 -12 Chiller & Supply Fan	03:00 – Off
2	Unit 10-12 Extract Fans	03:10 – Off
3	Warehouse Extract Fan	03:18 – Off
4	Unit 7-9 Chiller and AHU supply	03:30 – Off
5	Unit 7-9 Chiller and AHU Extract	03:40 – Off
6	Container 1 – Left East Boundary	03:49 – Off
7	Warehouse Cold rooms	03:52 - Off
8	Container 2 – Centre East Boundary	04:00 – Off
9	Container 3 – Right East Boundary	04:09 – Off
10	Container 4 – West Single (All Plant Off)	04:20 - Off
11-12	Container 1	04:30 – On 04:40 – Off
13-14	Container 3	04:41 – On 04:47 – Off
15-16	Container 2	04:50 – On 04:55 – Off
17	Warehouse Cold rooms	04:57 - On
18	Warehouse Extract Fan	05:01 – On
19	Unit 7-9 Extract Fans	05:05 – On
20	Unit 7-9 Chiller	05:10 – On
21	Containers 1,2,3	05:19 – On
22	Container 4	06:16 - On
23	Units 10-12 Extract Fans	06:49 - On
24	Unit 10 -12 Chiller & Supply Fan	06:55 – On

**Table 5.1 – Schedule of Plant Switching On and Off**

The measured sound levels during the testing are shown in the following charts. The above switching times are also marked by vertical blue lines.

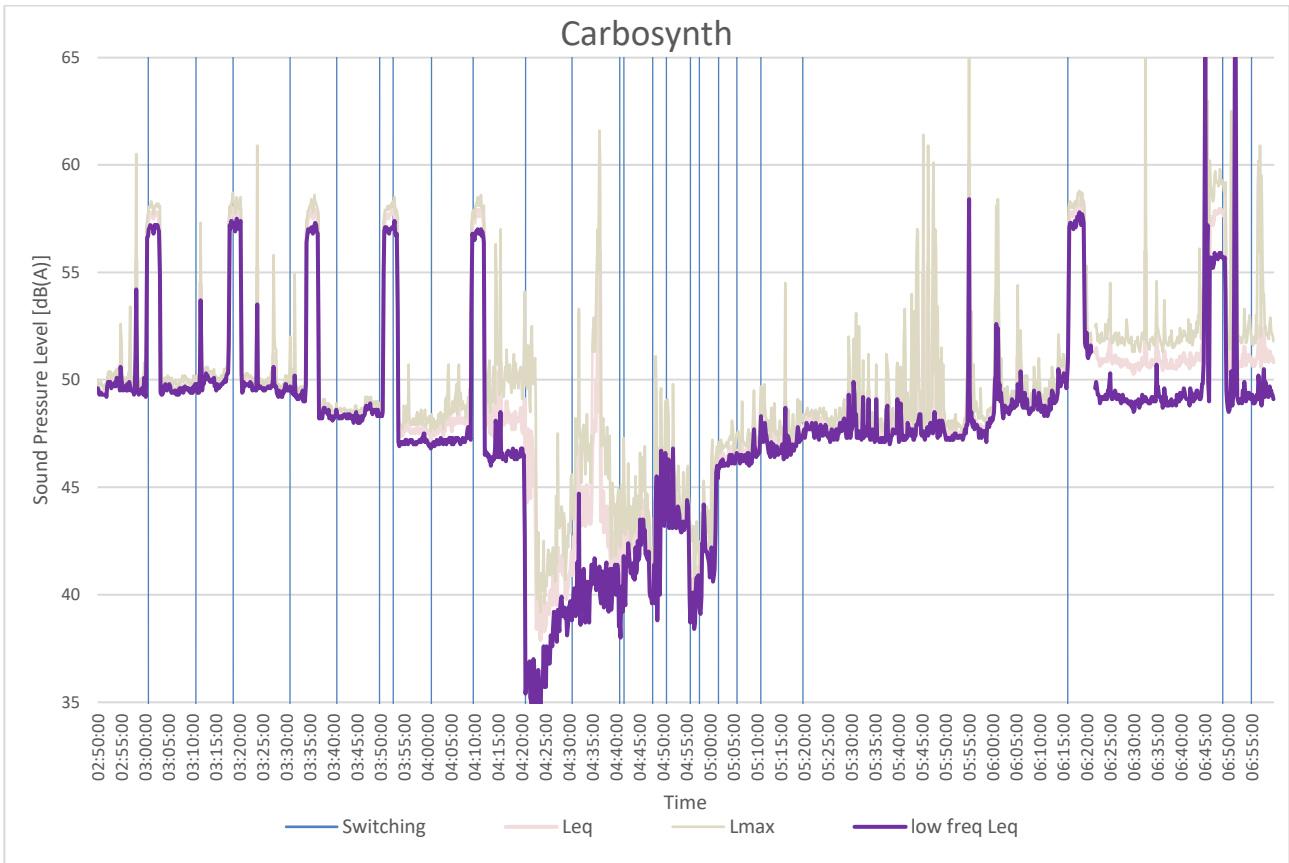


Figure 5.2 – Time history during testing – Carbosynth Monitor

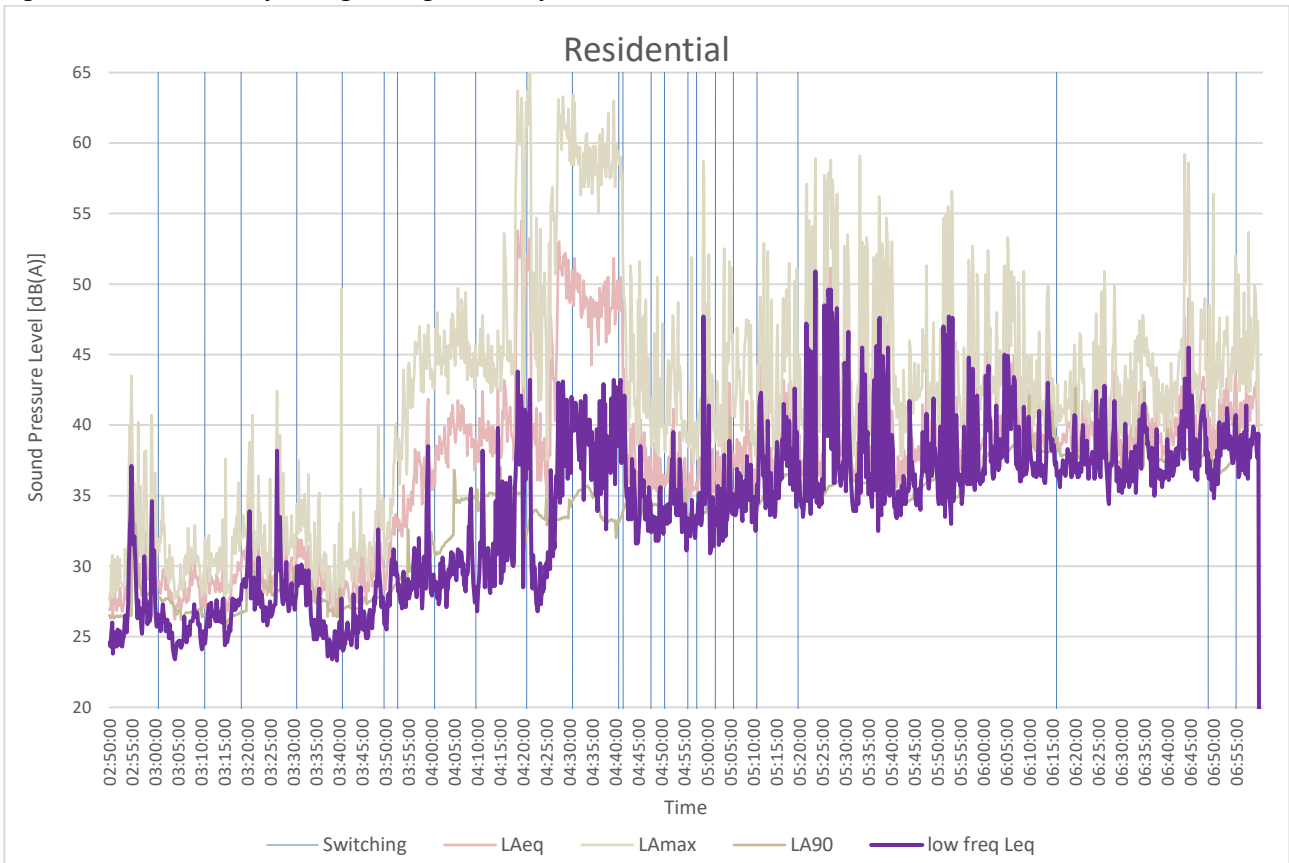


Figure 5.3 - Time history during testing – Residential Monitor

As the ‘dawn chorus’ begins at around 4:30 during the testing, the plots have used an A-weighted value summed between 50Hz and 1250Hz to reduce the influence of bird song and insects at higher frequencies.

At the Carbosynth monitor the intermittent peaks, expected to be from Container 4, are seen at levels of around  $L_{Aeq}$  58dB. Once Container 4 is turned on at 04:20 these do not appear again until it is turned on at 06:16.

Switching off of equipment is seen to have a relatively small effect except for when Container 4 (approx. 10m from the monitor) is switched off at 04:20. Switching on and off the other containers (approx. 30m) and turning on the warehouse extract fan at 05:01 are other notable changes in sound level at the Carbosynth monitor. Moderate changes in level are also noted when switching off the warehouse cold-rooms (approx. 10m) at 03:52 and turning off Unit 7-9 supply fan (approx. 15m) at 03:30.

No corresponding patterns are seen at the residential monitor. Specifically, low noise levels of under 30dB are present at the dwellings while all plant was operating prior to the testing from 03:00. Again, this indicates that at the time of testing, the sound levels from Carbosynth were below the background levels at the dwellings.

The low frequency sound components are investigated as single band (50Hz) plots in the following graphs:

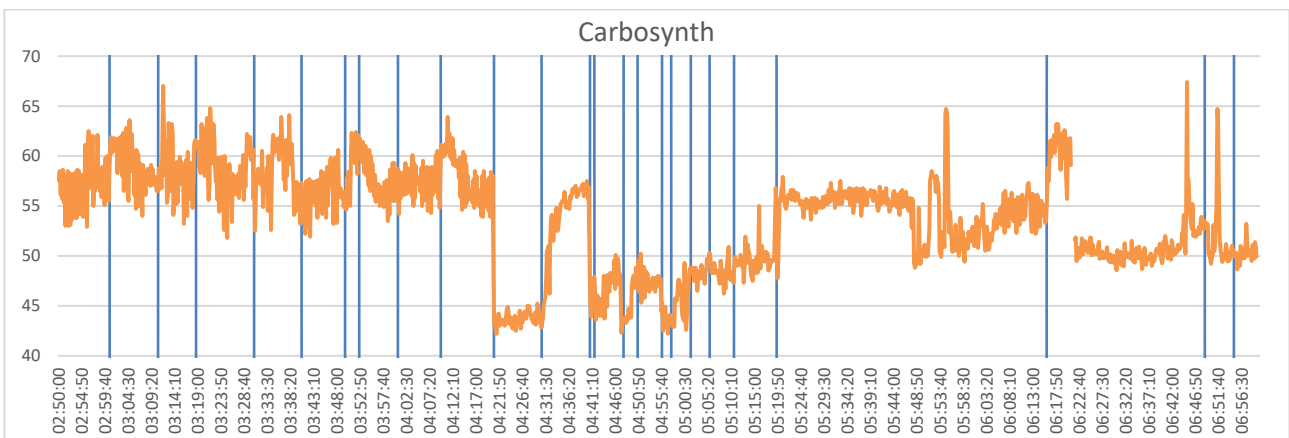


Figure 5.4 – Plot of 50Hz 1/3 octave band measured at Carbosynth

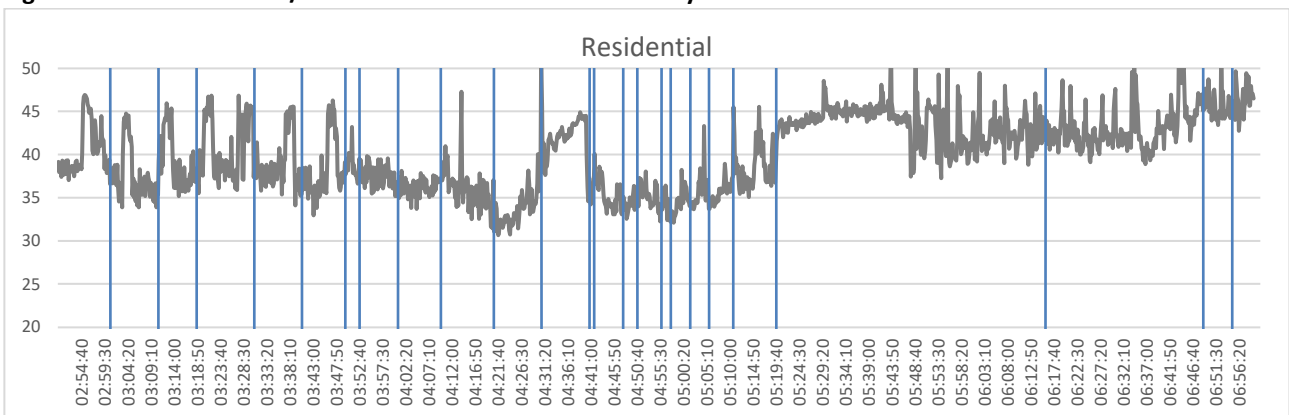


Figure 5.5 – Plot of 50Hz 1/3 Octave band measured at residential



It can be seen that the Containers have a strong low frequency component which is seen at both the source and at the residential dwellings. In particular, this can be attributed to Container 1 (which is turned on and off at 04:30-04:40) but may also be applicable to the other containers.

This is likely to be the cause of the low frequency complaints. The levels measured at ground floor at the residential units are above the NANR curve (43dB at 50Hz) and may be slightly higher at first floor level (benefit from less screening) and in bedrooms (where resonances may occur). This indicates a source of low frequency sound that could cause a disturbance.

## 6. Derived Source Sound Levels

The sound levels of the individual items of plant are derived based on the change in noise level measured as they are turned on and off. This is then corrected for distance from the monitor and normalised to a sound pressure level at 10m from each item of plant. No corrections for screening have been applied.

It should be noted that for the majority of the testing the sound from Container 4 dominated and so clear contributions from the other plant were not generally identified. The derived sound levels therefore have a significant margin of uncertainty.

Equipment	Measured Distance	dB(A)	63Hz	125Hz	250Hz	500Hz	1000Hz
Container 1	30m	52	65	50	53	41	40
Container 3	30m	49	57	57	61	46	48
Container 2	30m	51	55	62	52	53	44
Container 4 - continuous	10m	48	58	53	51	44	38
Container 4 – loud periods	10m	57	61	63	56	56	49
Unit 10-12 Chiller + Fan*	50m	52	65	57	54	53	50
Warehouse Cold Rooms	10m	39	48	45	46	43	31
Warehouse Extract Fan	15m	37	44	42	43	39	29
Unit 7-9 AHU Extract Fans*	40m	47	49	51	53	-	-
Unit 7-9 Chiller and supply*	15m	46	54	55	49	46	40
Units 10-12 Extract Fan*	50m	52	64	63	58	52	44

**Table 6.1 – Derived source sound pressure levels (normalised to 10m)**

\*Clear measurements of these items were not obtained, and a high uncertainty is attributed to the derived values, likely to significantly overestimate the noise levels.

## 7. Sound Levels at Dwellings

Based on the derived source sound levels, the following sound levels are calculated at the dwellings, some 125m to the west, for individual items of plant.

Equipment	Predicted Sound Level at Dwellings dB(A)	Note
Container 1	25	Low frequency Noise Significant – Confirmed in survey
Container 3	32	When Operating Loudly
Container 2	30	Significant 100Hz Tone – Confirmed in survey
Container 4 - continuous	19	
Container 4 – loud periods	29	
Unit 10-12 Chiller + Fan	31	Uncertainty in derived sound levels
Warehouse Cold Rooms	16	
Warehouse Extract Fan	22	
Unit 7-9 AHU Extract Fans	24	Uncertainty in derived sound levels
Unit 7-9 Chiller and supply	24	Uncertainty in derived sound levels
Units 10-12 Extract Fan	31	High uncertainty in derived sound levels Indicates 100Hz Tone – Not confirmed in survey

**Table 7.1 – Calculated sound pressure levels at dwellings**

These predicted levels are generally higher than measured at the dwellings during the survey and should be used to prioritise mitigation rather than confirm impacts. The calculations do not allow for wind direction or temperature inversions which may affect the sound propagation.

The derived sound levels of 31dB the extract and supply fans from units 10-12 are higher than the levels previously calculated based on the product datasheets. Additionally, the calculated noise levels are higher than measured at the dwellings while the plant was running, These items were at a greater distance from the monitoring location and the measurements are not considered reliable.

The low frequency content of the Containers was identified at both monitoring locations and are considered the primary concern.

As discussed above, there is a level of uncertainty in the derived sound level of all plant. The items noted as uncertain in Table 7.1 did not show a clear step change in noise during the survey and so there is low confidence in the derived levels.

The cumulative levels with all plant running (e.g. on a warm day) are show below. The plant associated with units 10-12 have been excluded from this due to the low levels of confidence in those measurements.

Source	Predicted Sound Level at Dwellings dB(A)
Cumulative Level - Containers	36
Cumulative Level - Equipment Exclude Containers	30
Cumulative Level - All Equipment	37

**Table 7.2 – Cumulative noise levels (worst case)**

## 8. Impact Assessment

The background noise levels have been measured to be low in the locality, being around LA90 25dB at night and LA90 30-35 dB during the day. This occurs at the quietest times. Previous surveys have measured background noise levels approximately 5dB higher than these, possibly due to higher traffic flows under ‘normal’ times and different weather conditions.

During the testing noise from Carbosynth was not evident at the dwellings, indicating a low impact. However, this may not be representative of the worst case scenario of a hot, calm day.

Under worst case scenarios, the calculated noise level of up to 37dB would be clearly heard at the dwellings on still days when background noise levels are low.

Following the BS4142 assessment methodology, penalties are allocated to the specific sound level where tones are present, equipment operates intermittently or where there are other acoustic characteristics. Where the resulting noise level exceeds the local background, an adverse impact is indicated. The severity of the impact increases as the exceedance over the background increases.

Noise Source	Specific Sound Level	Character penalties			Rating Level	Difference from Background (35dB)
		Tonality	Impulsivity	Intermittency		
Cumulative Level - Containers	36 dB	2	0	3	41 dB	+6dB
Cumulative Level - Equipment Exclude Containers	30 dB	0	0	3	33 dB	-2 dB
Cumulative Level - All Equipment	37 dB	2	0	3	42 dB	+7dB

**Table 8.1 - BS4142 Summary Assessment - Daytime.**

Noise Source	Specific Sound Level	Character penalties			Rating Level	Difference from Background (25dB)
		Tonality	Impulsivity	Intermittency		
Cumulative Level - Containers	36 dB	4	0	3	43 dB	+18dB
Cumulative Level - Equipment Exclude Containers	30 dB	0	0	3	33 dB	+8dB
Cumulative Level - All Equipment	37 dB	4	0	3	44 dB	+19dB

**Table 8.2 - BS4142 Summary Assessment – Night time\*.**

\* It is understood that many items of plant are operate at a lower duty at night. The above assumes a worst case of all items operating at maximum measured noise levels simultaneously and is likely to overestimate the impact.

The BS4142 assessment indicates a significant adverse impact is likely during times when the background noise level is low (no wind and little traffic noise) and all equipment is operating at full

duty, particularly at night. During the day when background noise levels are towards 35dB, a low impact is likely if the containers are excluded.

The cumulative rating level of all plant excluding the containers of 30dB is considered quiet. Allowing a 10dB reduction for a partially open window, this would result in internal noise levels of around 20dB(A), well below the internal sound level of 30dB recommended within BS8233 for bedrooms.

The scenario of all equipment operating on full duty at the quietest periods is understood to be uncommon. During the site visits the background noise levels were in the mid-to high thirties on a mild day. Noise from the plant was not evident at the dwellings. However, it is recommended that mitigation is introduced to reduce the impact during those worst case scenarios.

Review of the low frequency components against the NANR45 curve indicates a low frequency impact at 50Hz and 100Hz from the containers. This is supported by the measurements which show the 50Hz tone to be up to 15dB above the background while the containers are operating.

## 9. Mitigation

It is recommended that in the first instance, mitigation is concentrated on the cold storage containers.

Mitigation of low frequency sound is notoriously challenging and will likely require a trial and error approach.

The measurements suggest that container 1 is of primary concern regarding low frequency sound although this may be equally applicable to all containers.

It is recommended that the units are serviced to ensure that all fans and reciprocating equipment is correctly balanced and running smoothly.

If possible, it is recommended that container 1 be turned off when not in use, with preference given to the other containers.

It is not believed that the containers can be attenuated at source through attenuation components. However, the suppliers may be able to advise if silencer kits are available.

The containers 1-3 back onto an earth bank. It is possible that low frequency sound is exacerbated by sound reflections between then containers and the bank. Container 4, which is not against a bank, showed less pronounced low frequency effects (although this may be a different model). Relocating the containers may reduce the effect of sound reflections off the bank, reducing low frequency sound and the over all noise levels.

Alternatively, rolls of mineral wool (in their plastic packaging) may be piled behind the containers at the base of the bank to absorb some of the reverberating low frequency sound.

Additionally, a screen may be introduced to reduce the line of sight sound transmission. Ideally, this would be as close to the source as possible, such as built over the containers 1-3. Alternatively, a

screen built at the top of the bank on the west boundary would provide a lower level of attenuation of low frequency sound. The screen could be an imperforate timber fence with a minimum superficial density of 12kg/m<sup>2</sup>.

To provide sound reduction at low frequencies of approximately 15dB it is likely that the containers would need to be placed in a brick/dense block building with a heavy roof. The building would need to be ventilated via attenuated air paths.

## 10. Conclusion

A survey of noise from the plant at Carbosynth, 10-12 Old Station Business Park, Compton and the impact on the nearby residents has been undertaken following noise complaints.

Although the weather during the survey was not suitable to show the worst case scenario of a warm day with no wind, the measurements provided an indication of the impact and the primary sources of noise.

During the surveys, noise from Carbosynth (understood to be operating normally, albeit under mild weather) was too low to be measurable at the nearby residential properties and was not evident during the site visits. However, a low frequency component, which was regularly present, was identified and associated with the cold containers. While the low frequency elements may be indicative of a disturbance, the overall noise levels during the survey did not indicate an adverse impact.

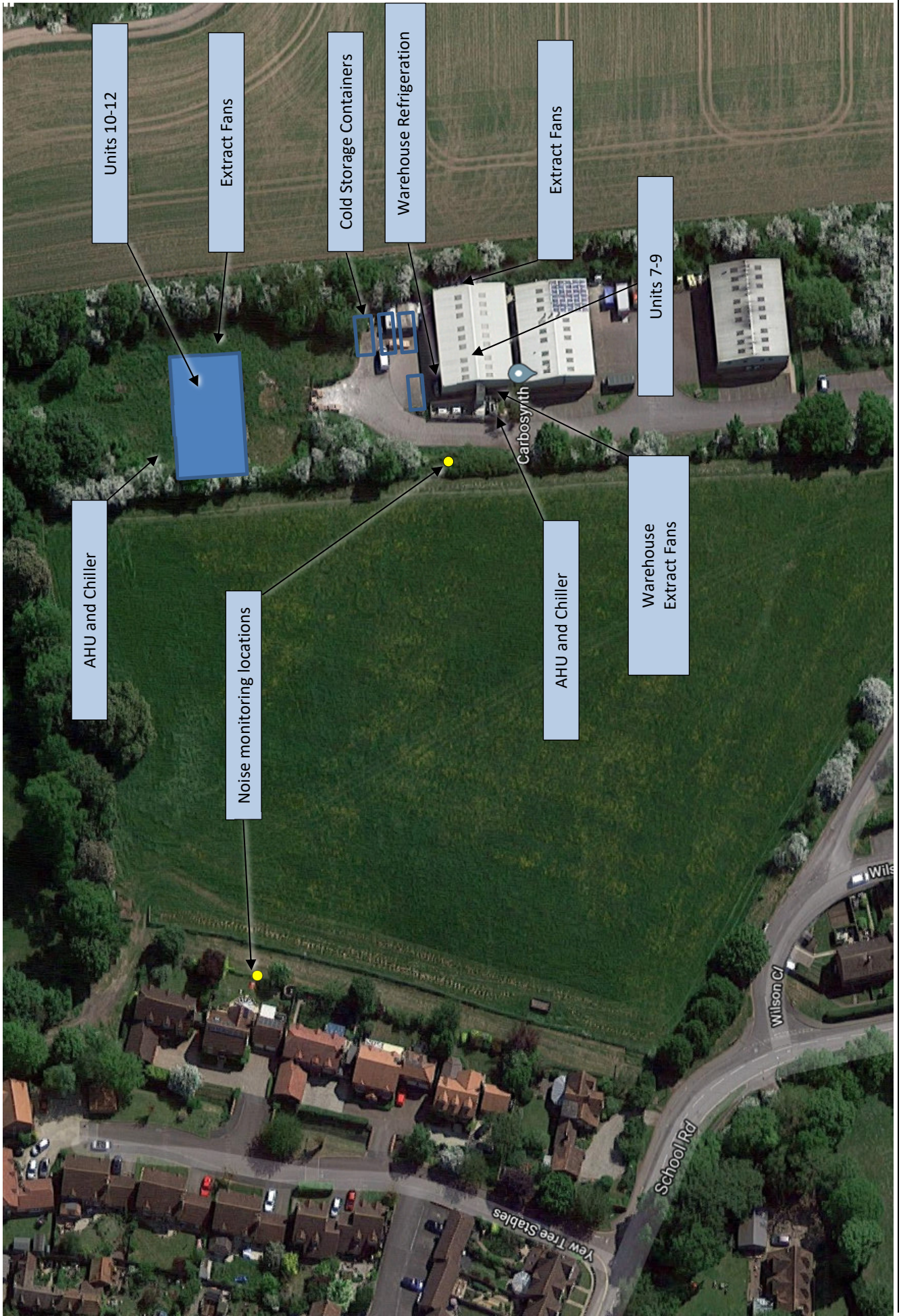
To understand the worst case scenario of all plant operating on a warm, still day, the maximum sound levels of individual plant was derived from measurements in close proximity to Carbosynth and summed in a theoretical manner to obtain a cumulative level. This exercise illustrated that under particular conditions, which are understood to be uncommon, a significant adverse impact can occur (when assessed following the BS4142:2014 methodology).

It is considered that the cold containers located outside the Carbosynth buildings are the primary source of noise with measurements and calculations indicating an adverse impact from low frequency sound and overall noise from this plant (under a worst case scenario).

The noise measurements of the remaining plant is indicative of a lower impact.

Outline mitigation has been discussed which focus on reducing the impact of the cold containers with a view of minimising the low frequency components and the overall noise levels.

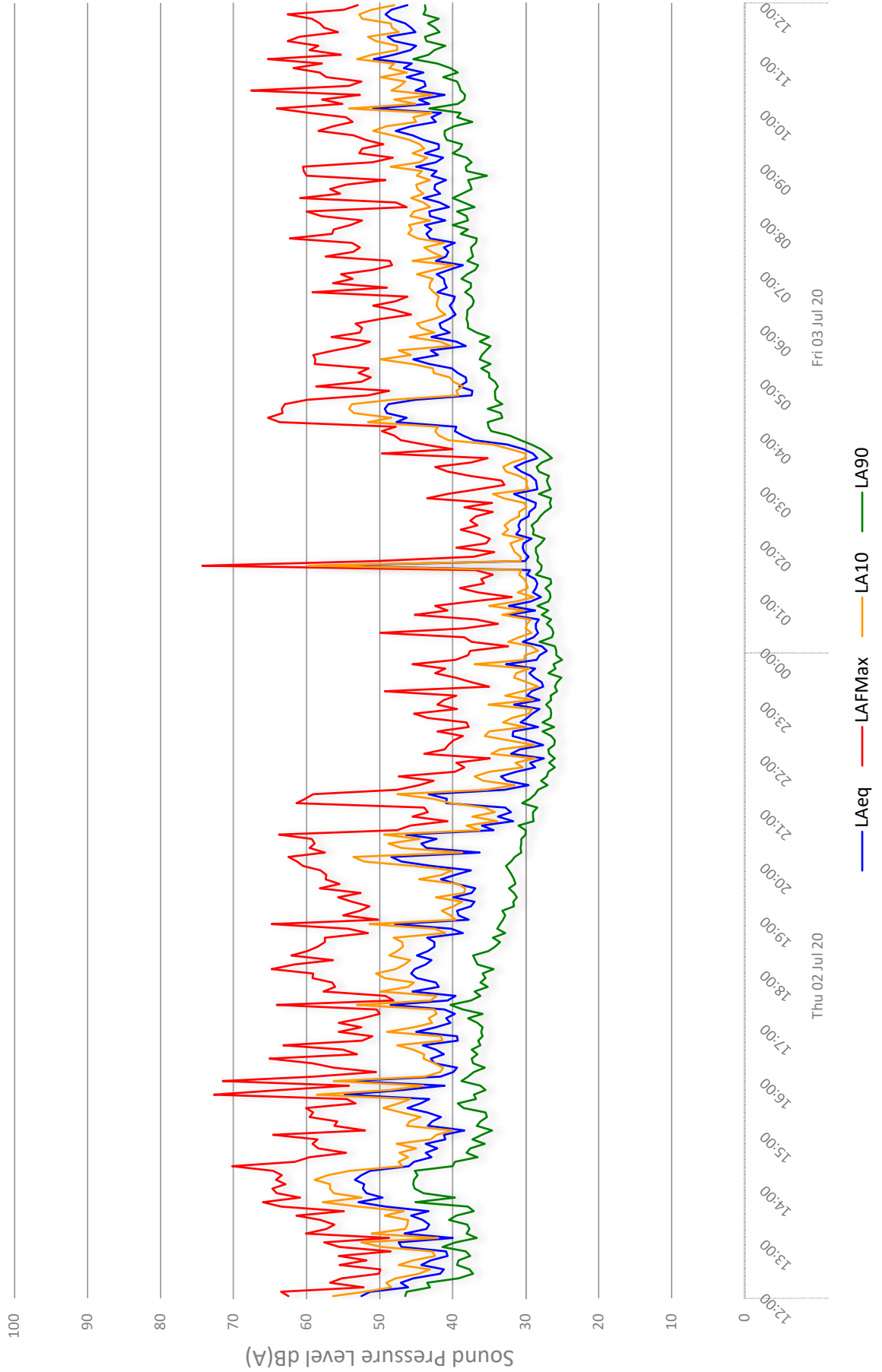
**Steven Liddell MIOA**



10-12 Old Station Business Park, Compton  
Environmental Noise Time History: 1  
Yew Tree Stables



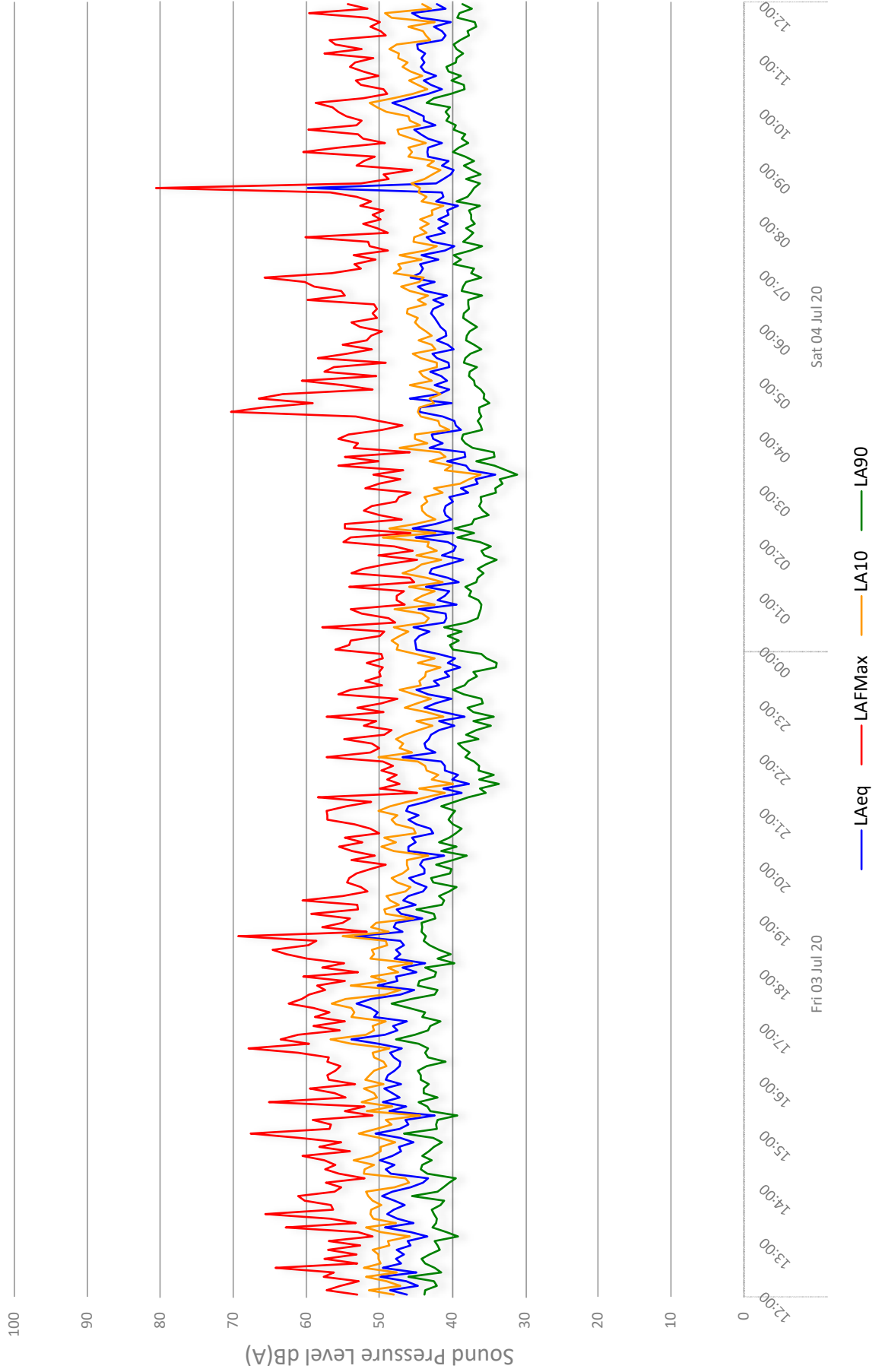
Figure VA2752/TH1



10-12 Old Station Business Park, Compton  
Environmental Noise Time History: 2  
Yew Tree Stables



Figure VA2752/TH2

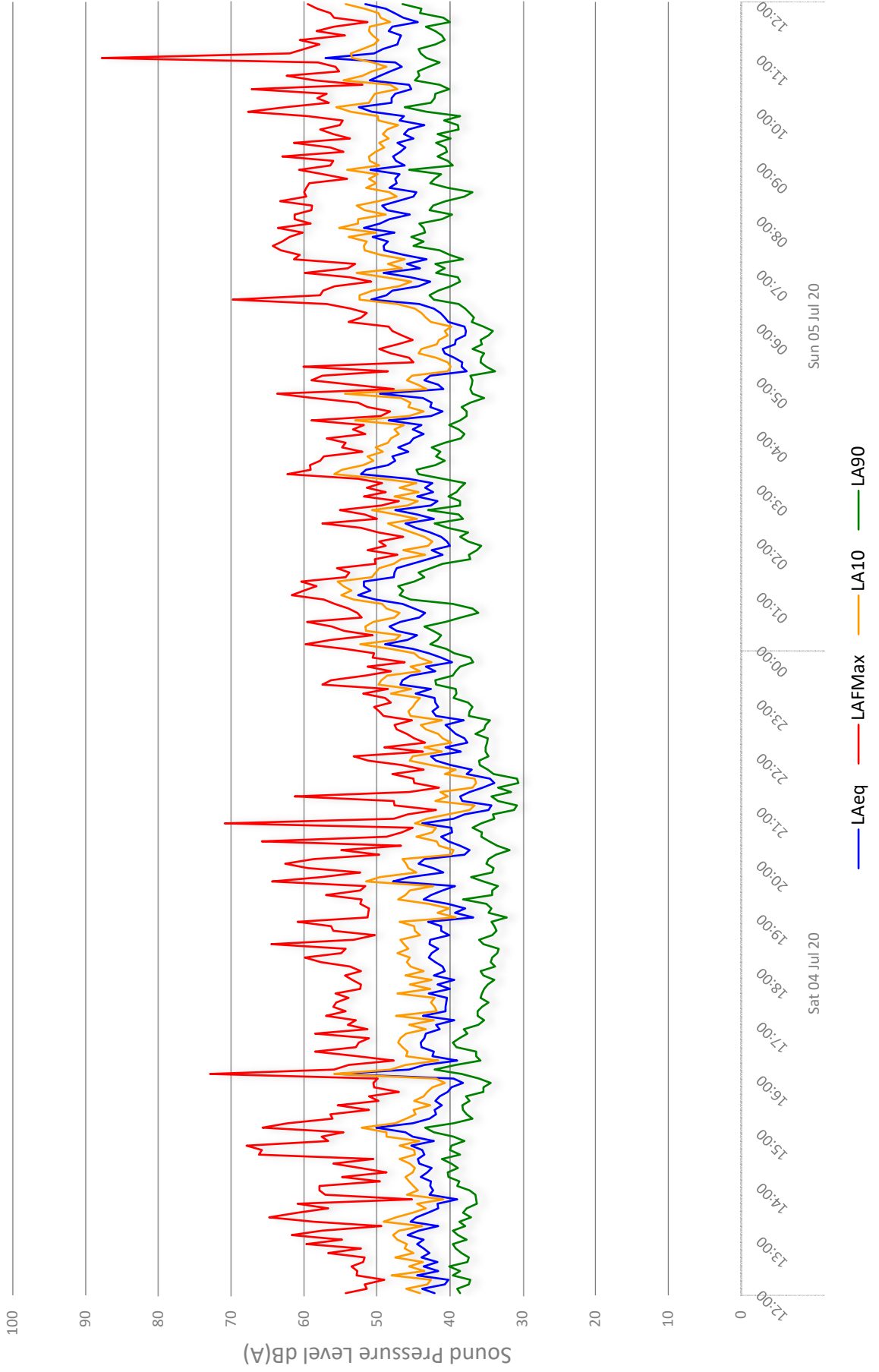




10-12 Old Station Business Park, Compton  
Environmental Noise Time History: 3  
Yew Tree Stables



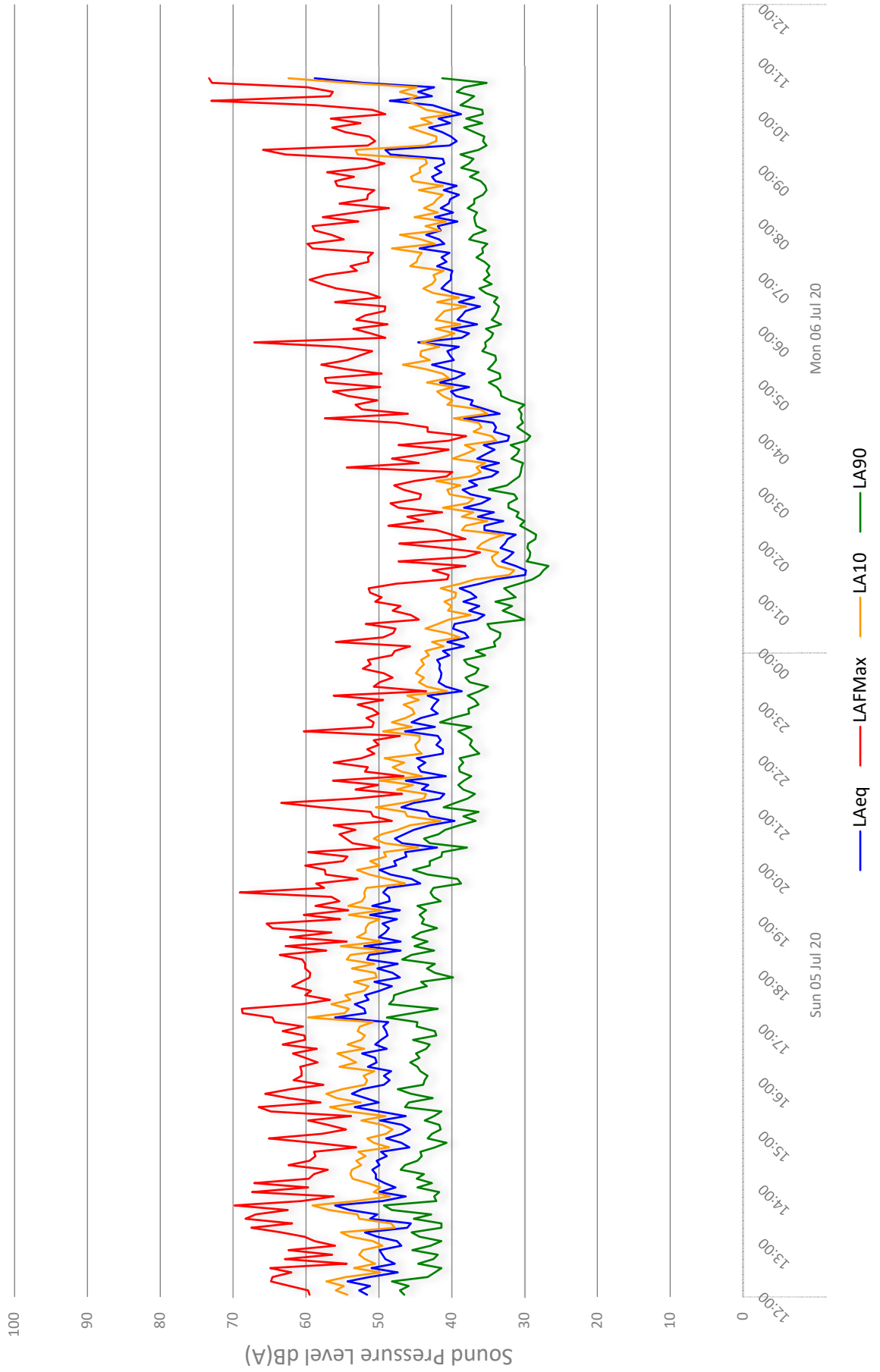
Figure VA2752/TH3



10-12 Old Station Business Park, Compton  
Environmental Noise Time History: 4  
Yew Tree Stables



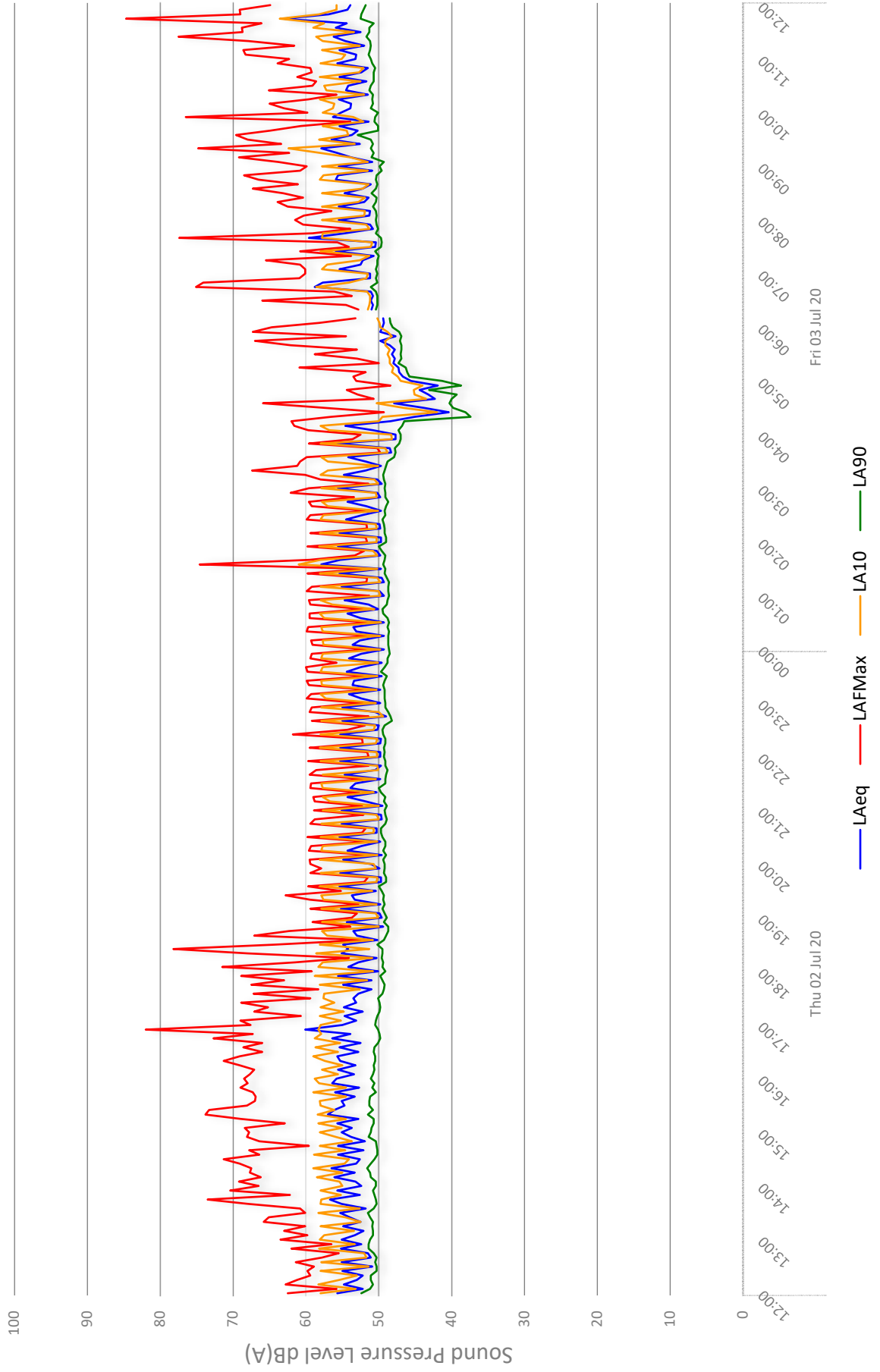
Figure VA2752/TH4



10-12 Old Station Business Park, Compton  
Environmental Noise Time History: 5  
Carbosynth



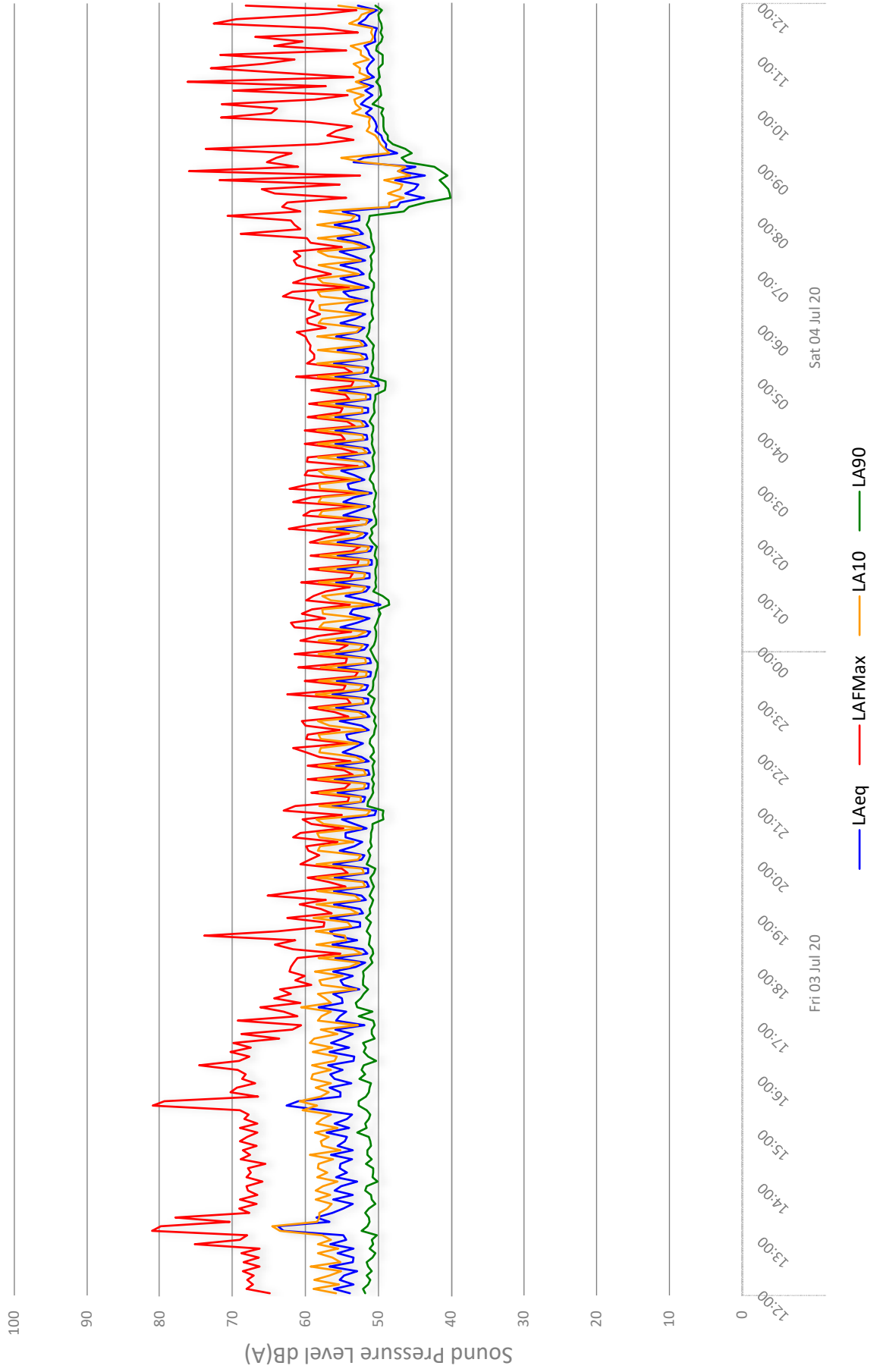
Figure VA2752/TH5



10-12 Old Station Business Park, Compton  
Environmental Noise Time History: 6  
Carbosynth



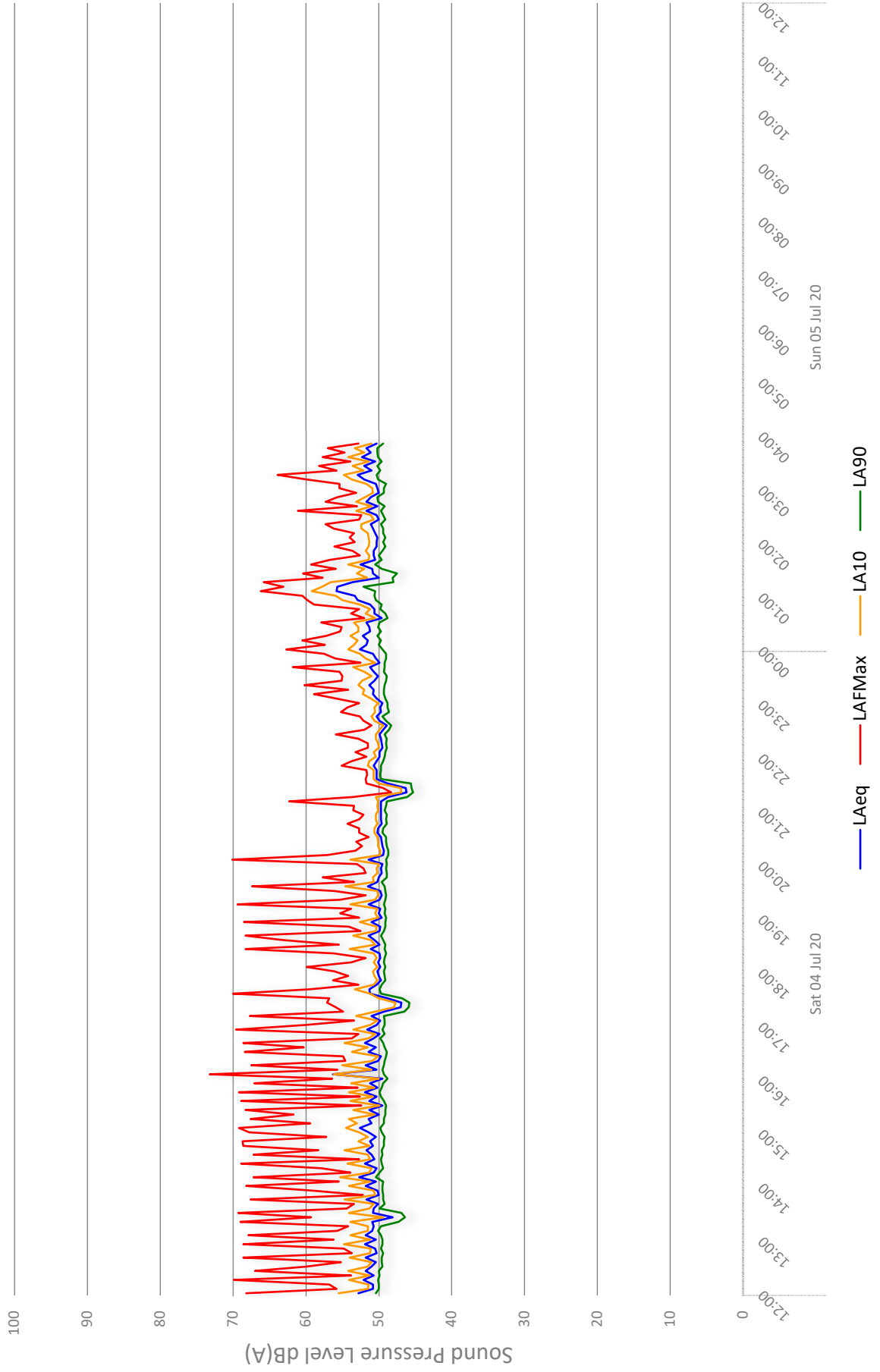
Figure VA2752/TH6



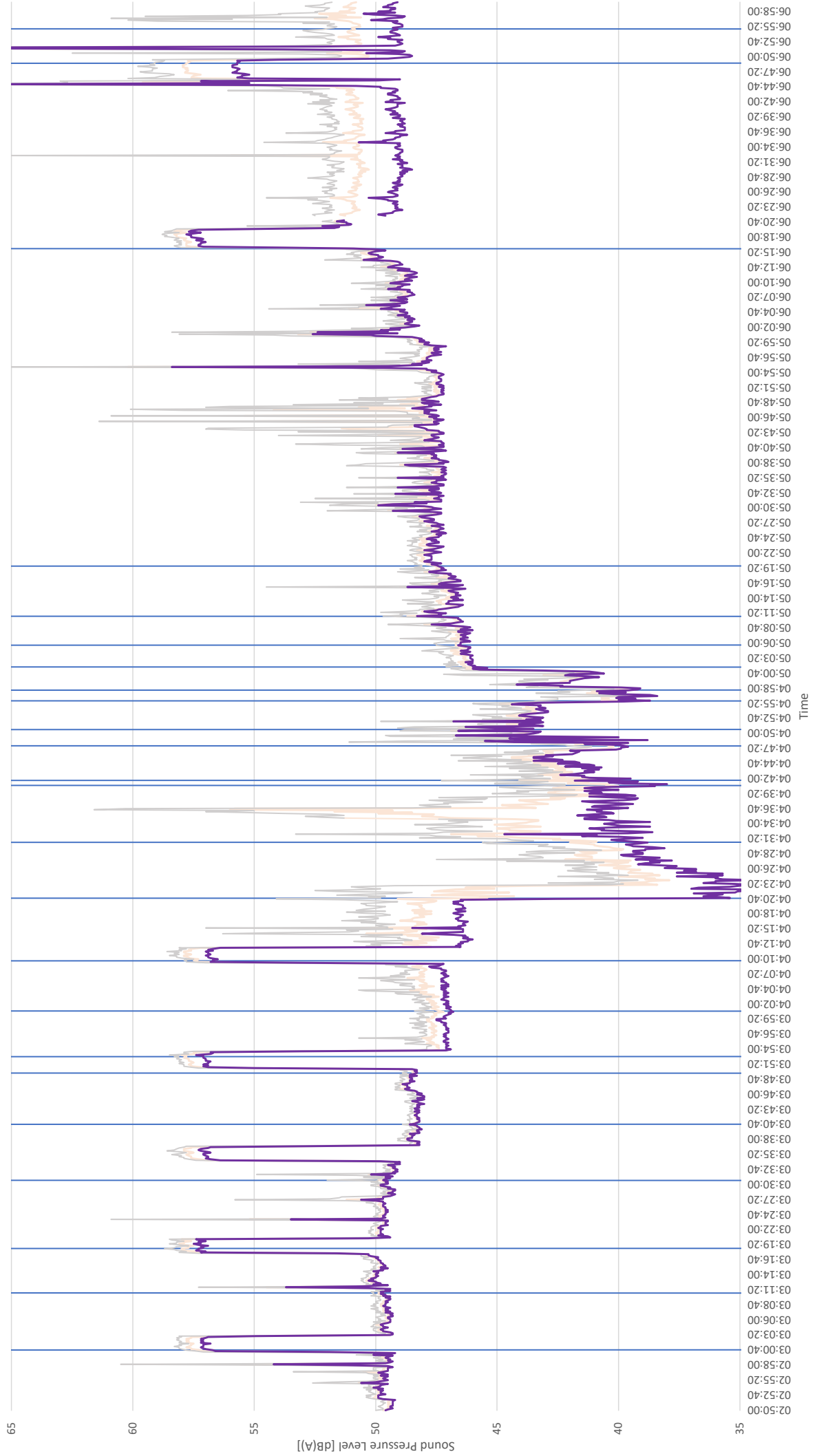
10-12 Old Station Business Park, Compton  
Environmental Noise Time History: 7  
Carbosynth

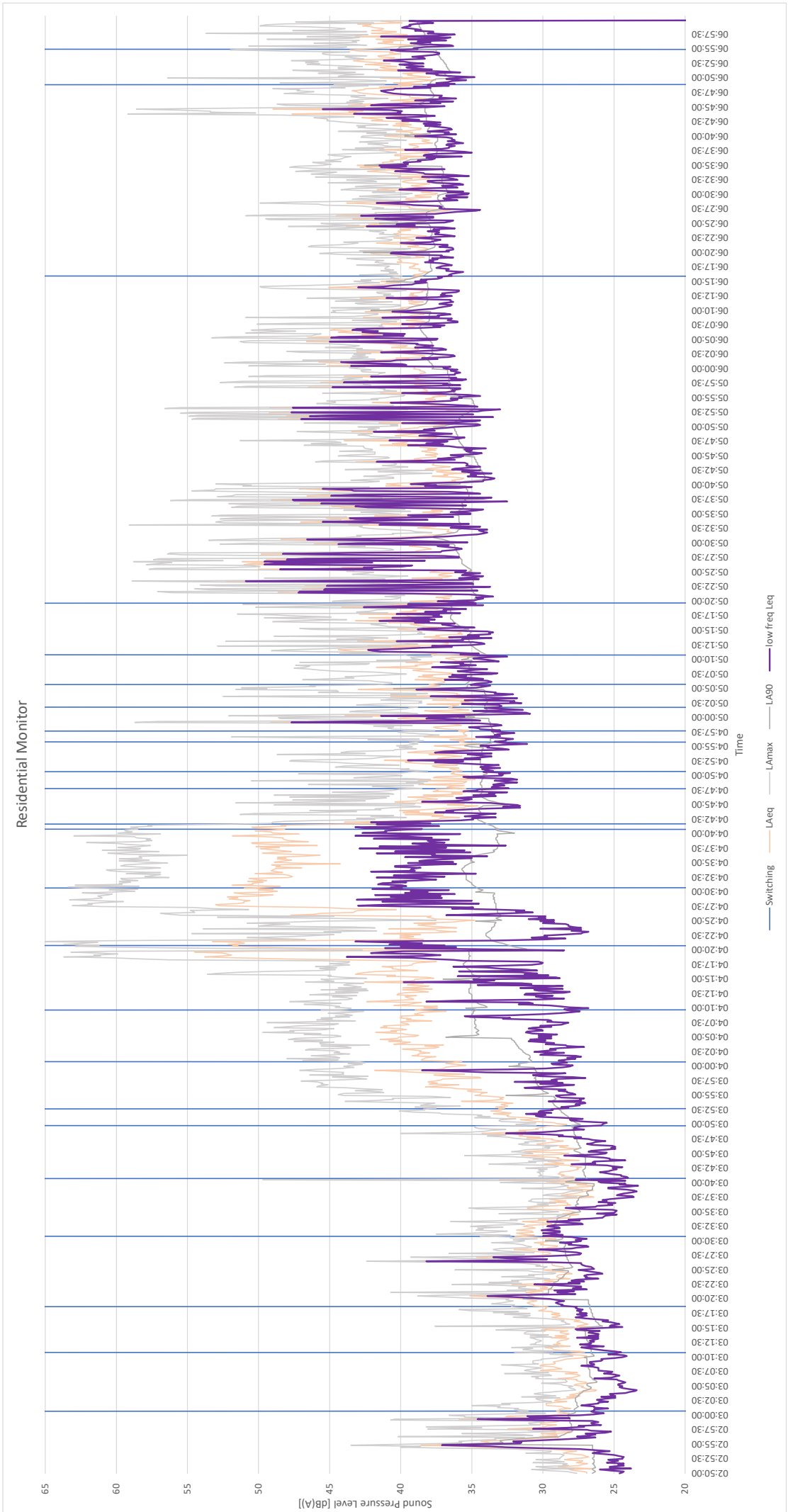


Figure VA2752/TH7



Carbosynth





# APPENDIX B

## VA2752 - 10-12 Old Station Business Park, Compton

### Noise Impact Assessment

	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	dB(A)
Container 1	65	39	37	49	43	43	50	49	45	40	30	28	34	35	36	52
Distance Loss	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	
<b>Level at receiver</b>	<b>43</b>	<b>17</b>	<b>16</b>	<b>27</b>	<b>21</b>	<b>21</b>	<b>28</b>	<b>27</b>	<b>23</b>	<b>19</b>	<b>8</b>	<b>6</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>25</b>

	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	dB(A)
Container 3	52	54	48	49	55	49	50	59	55	40	41	43	38	44	44	49
Distance Loss	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	
<b>Level at receiver</b>	<b>30</b>	<b>33</b>	<b>26</b>	<b>27</b>	<b>33</b>	<b>27</b>	<b>28</b>	<b>37</b>	<b>33</b>	<b>18</b>	<b>19</b>	<b>21</b>	<b>16</b>	<b>22</b>	<b>22</b>	<b>32</b>

	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	dB(A)
container 2	55	39	47	61	31	48	49	45	45	51	47	45	41	37	39	51
Distance Loss	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	
<b>Level at receiver</b>	<b>33</b>	<b>17</b>	<b>25</b>	<b>40</b>	<b>9</b>	<b>26</b>	<b>27</b>	<b>23</b>	<b>23</b>	<b>29</b>	<b>25</b>	<b>23</b>	<b>19</b>	<b>15</b>	<b>17</b>	<b>30</b>

	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	dB(A)
Container 4 - continuous	56	38	53	52	44	44	47	48	45	38	41	38	34	31	33	48
Screening (by bank)	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	
Distance Loss	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	
<b>Level at receiver</b>	<b>29</b>	<b>11</b>	<b>26</b>	<b>25</b>	<b>17</b>	<b>17</b>	<b>20</b>	<b>21</b>	<b>18</b>	<b>11</b>	<b>14</b>	<b>11</b>	<b>7</b>	<b>4</b>	<b>6</b>	<b>19</b>

	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	dB(A)
Container 4 – loud periods	60	50	51	61	58	53	47	53	52	55	49	47	44	44	43	57
Screening	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	
Distance Loss	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	
<b>Level at receiver</b>	<b>33</b>	<b>23</b>	<b>24</b>	<b>34</b>	<b>31</b>	<b>26</b>	<b>20</b>	<b>26</b>	<b>25</b>	<b>28</b>	<b>22</b>	<b>20</b>	<b>17</b>	<b>17</b>	<b>16</b>	<b>29</b>



	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	dB(A)
Unit 10-12 Chiller + Fan	63	56	57	55	49	49	49	49	49	51	43	46	49	42	38	52
Distance Loss	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	
<b>Level at receiver</b>	<b>41</b>	<b>34</b>	<b>35</b>	<b>33</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>30</b>	<b>21</b>	<b>24</b>	<b>27</b>	<b>20</b>	<b>17</b>	<b>31</b>

	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	dB(A)
Warehouse Cold Rooms	48	34	34	45	32	36	34	36	45	41	40	27	20	23	29	39
Screening (by bank)	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	-5	
Distance Loss	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	
<b>Level at receiver</b>	<b>21</b>	<b>7</b>	<b>7</b>	<b>18</b>	<b>5</b>	<b>9</b>	<b>7</b>	<b>9</b>	<b>18</b>	<b>14</b>	<b>13</b>	<b>0</b>	<b>-7</b>	<b>-4</b>	<b>2</b>	<b>16</b>

	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	dB(A)
Warehouse Extract Fan	48	48	36	52	48	42	41	52	45	43	38	37	36	37	38	46
Distance Loss	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	
<b>Level at receiver</b>	<b>26</b>	<b>26</b>	<b>14</b>	<b>30</b>	<b>26</b>	<b>20</b>	<b>19</b>	<b>30</b>	<b>23</b>	<b>21</b>	<b>16</b>	<b>15</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>26</b>

	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	dB(A)
Unit 7-9 AHU Extract Fans	44	42	46	50	42	44	43	45	52	46	34	-	30	-	-	47
Distance Loss	-23	-23	-23	-23	-23	-23	-23	-23	-23	-23	-23	-23	-23	-23	-23	
<b>Level at receiver</b>	<b>21</b>	<b>19</b>	<b>23</b>	<b>27</b>	<b>18</b>	<b>21</b>	<b>20</b>	<b>22</b>	<b>29</b>	<b>23</b>	<b>11</b>	<b>-23</b>	<b>7</b>	<b>-23</b>	<b>-23</b>	<b>24</b>

	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	dB(A)
Unit 7-9 Chiller and supply	51	46	49	55	38	42	43	43	45	44	37	37	37	34	31	46
Distance Loss	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	
<b>Level at receiver</b>	<b>29</b>	<b>24</b>	<b>27</b>	<b>33</b>	<b>16</b>	<b>20</b>	<b>21</b>	<b>21</b>	<b>23</b>	<b>22</b>	<b>15</b>	<b>15</b>	<b>15</b>	<b>12</b>	<b>9</b>	<b>24</b>

	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	dB(A)
Units 10-12 Extract Fan	61	54	59	62	49	54	54	48	54	50	46	42	41	38	39	52
Distance Loss	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	-22	
<b>Level at receiver</b>	<b>40</b>	<b>32</b>	<b>37</b>	<b>40</b>	<b>27</b>	<b>32</b>	<b>33</b>	<b>26</b>	<b>32</b>	<b>28</b>	<b>24</b>	<b>20</b>	<b>19</b>	<b>17</b>	<b>17</b>	<b>31</b>

	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz
<b>NANR Reference Curve</b>	<b>43</b>	<b>42</b>	<b>40</b>	<b>38</b>	<b>36</b>	<b>34</b>

	50Hz	63Hz	80Hz	100Hz	125Hz	160Hz	200Hz	250Hz	315Hz	400Hz	500Hz	630Hz	800Hz	1kHz	1.25kHz	dB(A)
<b>Cumulative Level - Containers</b>	<b>44</b>	<b>33</b>	<b>30</b>	<b>41</b>	<b>35</b>	<b>32</b>	<b>33</b>	<b>38</b>	<b>35</b>	<b>32</b>	<b>28</b>	<b>26</b>	<b>23</b>	<b>24</b>	<b>24</b>	<b>36</b>
<b>Cumulative Level - Equipment Exclude Containers</b>	<b>31</b>	<b>29</b>	<b>29</b>	<b>35</b>	<b>27</b>	<b>25</b>	<b>25</b>	<b>31</b>	<b>31</b>	<b>27</b>	<b>20</b>	<b>18</b>	<b>18</b>	<b>17</b>	<b>17</b>	<b>30</b>
<b>Cumulative Level - All Equipment</b>	<b>44</b>	<b>35</b>	<b>33</b>	<b>42</b>	<b>36</b>	<b>33</b>	<b>33</b>	<b>39</b>	<b>36</b>	<b>33</b>	<b>28</b>	<b>27</b>	<b>24</b>	<b>25</b>	<b>25</b>	<b>37</b>

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## ITEM FOR DECISION

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(4)	18/01657/COND1  Cold Parish  Council	18 <sup>th</sup> June 2018	Discharge of Conditions Application seeking approval of details reserved by Condition 4 - External Materials Schedule and samples, 7 - Construction Method Statement, 8 - Surfacing for driveways/access points, 10 - Vehicle parking and turning, 11 - Access details, 12 - Cycle storage, 13 - Refuse storage and 15 - Boundary hedge of planning permission reference 16/02529/OUTD.  Land Adjacent To Summerfield, The Ridge, Cold Ash, Thatcham, Berkshire  T A Fisher and Sons Ltd

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/01657/COND1>

**Recommendation Summary:** **DELEGATE** to the Head of Development & Planning to make representations at appeal to recommend a **SPLIT DECISION** comprising part approval and part refusal.

**Ward Member(s):** Councillor Garth Simpson  
Councillor Hilary Cole

**Reason for Committee Determination:** Reported to planning committee previously due to more than 10 letters of objection and the application is now subject to an appeal against non-determination by the Local Planning Authority.

**Committee Site Visit:** 25 October 2018.

### Contact Officer Details

**Name:** Jay Singh  
**Job Title:** Consultant Planner  
**Tel No:** 01635 519111  
**Email:** Jay.singh1@westberks.gov.uk

## 1. Introduction

- 1.1 This is an item for a decision in relation to an appeal against the non-determination of discharge of conditions application reference 18/01657/COND1 by the Local Planning Authority which sought approval of details reserved by Condition 4 (external materials), 7 (construction method statement), 8 (surfacing for driveways/access points), 10 (vehicle parking and turning), 11 (access construction details), 12 (cycle storage), 13 (refuse storage) and 15 (new boundary hedge) of planning permission reference 16/02529/OUTD on a site known as Land Adjacent To Summerfield, The Ridge, Cold Ash, Thatcham, Berkshire.
- 1.2 The applicant has exercised their ability to appeal against non-determination of the application, so the decision whether to approve the discharge of conditions application will now be made by the Planning Inspectorate, not the Local Planning Authority.
- 1.3 The decision of the Committee on this item will determine the position the Council adopts at the appeal (i.e. whether the Council supports/resists/part approves/refuses the granting of discharge of conditions).
- 1.4 **Background** - Outline planning permission 16/02529/OUTD granted permission on 24 October 2017 the change of use of part of existing agricultural field to residential and the erection of 5 no. detached dwelling houses with ancillary garages, access, parking, landscaping and associated works. This permission gave approval for matters relating to "Layout" and "Access".
- 1.5 Subsequently reserved matters application 18/01977/REM sought approval of matters relating to the 'Scale', 'Appearance' and 'Landscaping' pursuant to outline application 16/02529/OUTD. This application was refused on 09 October 2018. A further reserved matters application 19/00832/REM was submitted and sought approval of matters relating to the 'Scale', 'Appearance' and 'Landscaping' pursuant to outline application 16/02529/OUTD. This application was refused on 22 May 2020 for the reasons set out below. The application is currently subject to planning appeal.
- 1) *The proposal for five large two-storey dwellings, of largely uniform design and appearance that lacks sufficient variation in their individual design, in this prominent and open landscape setting, having regard to their scale (in particular height and bulk) and external appearance, would be out of character with existing housing on this part of 'The Ridge' introducing a dominant, urbanising and insensitive form of development. The development would fail to respect the prevailing character of the area and would detract from the local distinctiveness and spatial character of this part of this rural area to its detriment. Accordingly the proposal does not meet the requirements for high quality design that is sympathetic to local character, the nearby properties and the landscape setting.*
- For these reasons, the proposal is contrary to the provisions of policies CS14 and CS19 of West Berkshire Core Strategy (2006 - 2026), policy HSA7 of the Housing Site Allocations DPD (2006-2026), policies HOU1, HOU2, SPGR3, SGPR4, FT1 and SDM3 of the Cold Ash and Ashmore Green Village Design Statement (2002) and guidance contained within paragraph 127 of National Planning Policy Framework (2019).*
- 2) *This proposal has failed to satisfactorily address the requirement made in identifying the site for housing, for individually designed dwellings, or therefore the material concerns identified previously by the Local Planning Authority for a comparable proposal, within the same site by the same applicant, refused under reserved matters application reference 18/01977/REM dated 9 October*

2018, Therefore there remain substantial concerns over the inappropriate scale of the development in terms of the excessive height and bulk of the proposed dwellings. The proposal does not meet the requirements for a high quality design that is sympathetic to the existing local character, to the visual relationship to neighbouring residential properties or to the local landscape setting.

For these reasons, the proposal is contrary to the provisions of policies CS14 and CS19 of West Berkshire Core Strategy (2006 - 2026), policy HSA7 of the Housing Site Allocations DPD (2006-2026), policies HOU1, HOU2, SPGR3, SGPR4, FT1 and SDM3 of the Cold Ash and Ashmore Green Village Design Statement (2002) and guidance contained within paragraph 127 of National Planning Policy Framework (2019)

- 1.6 The application, the subject of this committee item, 18/01657/COND1 relating to the approval of details reserved by Condition 4 - External Materials, 7 - Construction Method Statement, 8 - Surfacing for driveways/access points, 10 - Vehicle parking and turning, 11 - Access details, 12 - Cycle storage, 13 - Refuse storage and 15 - Boundary hedge, of planning permission reference 16/02529/OUTD was submitted for consideration following the outline permission. A decision was not made by the council on this application.
- 1.7 Due to the number of objections received from members of the public, this discharge of conditions application (18/01657/COND1) was heard at the Western Area Planning Committee on 31 October 2018 where a split decision was recommended by Officers, with Conditions 4 (External Materials) and 12 (Cycle Storage) recommended not to be discharged. The remaining conditions were considered acceptable by Officers and were recommended to be discharged. The Officers reason for recommending not to discharge conditions 4 and 12 was that *“this relies on details either not yet agreed as part of the reserved matters application or not approved at outline stage.”*
- 1.8 Members of the Committee resolved to defer the determination application until the outstanding Reserved Matters (‘Appearance’, ‘Scale’ and ‘Landscaping’) had been agreed.
- 1.9 Following the refusal of the most recent reserved matters application 19/00832/REM on 22 May 2020 (which is currently subject to planning appeal), the applicant sought to appeal against the non-determination of this discharge of conditions application (18/01657/COND1). It has been requested that the Planning Inspectorate consider both appeals together as ‘conjoined’ appeals.

## 2. Planning History

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

Application	Proposal	Decision / Date
19/00832/REM	Approval of reserved matters following outline permission 16/02529/OUTD - Change of use of part of existing agricultural field to residential and the erection of 5 no. detached dwelling houses with ancillary garages, access, parking, landscaping and associated works. Matters seeking consent -	Refused - 22.05.2020  <b>Currently subject to planning appeal under reference</b>  <b>APP/W0340/W/20/3256565</b>

	Appearance, landscaping and scale.	
18/01977/REM	Approval of reserved matters following outline application 16/02529/OUTD. Matters to be considered: Scale, Appearance and Landscaping	Refused - 09.10.2018
18/02211/FUL	Erection of three detached garages only to be built and used to serve the dwellings granted under planning permission 16/02529/OUTD.	Refused - 01.10.2018
16/02529/OUTD	Outline application for change of use of part of existing agricultural field to residential and the erection of 5 no. detached dwelling houses with ancillary garages, access, parking, landscaping and associated works. Matters to be considered - Access and Layout.	24.10.2017 – Approved

### 3. Consultation

- 3.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

<b>Cold Ash Parish Council</b>	No comments
<b>WBC Highways:</b>	No objection to Conditions 7 (Construction Method Statement – amended), 8 (Surfacing), 10 (Vehicle Parking and Turning), 11 (Access Details) acceptable.  Details relating to Condition 12 (cycle storage) not acceptable as indicative garaging not approved.
<b>WBC Environmental Health</b>	No objection recommend condition 7 is discharged
<b>WBC Waste Management</b>	No objection recommend condition 13 is discharged
<b>WBC Landscape</b>	No objection recommend condition 15 is discharged

#### ***Public representations***

- 3.2 Representations have been received from approximately 47 individual contributors, all of which object to the application (although the representations mainly raise concerns in relation to Reserved Matters Application 18/01977/REM).

3.3 The full responses may be viewed with the application documents on the Council's website using the link at the start of this report. In summary, the following issues/points have been raised (in so far as they relate to this discharge of conditions application):

- Proposed external materials lack sufficient variation resulting in a similar appearance to all of the proposed houses resulting in a form of development that would not harmonise with the surroundings.
- Construction method statement would not mitigate construction impacts on the highway, neighbouring residential amenity including the occupiers of Ridge End Barn and Summerfield and local infrastructure.
- Appropriate surfacing materials should be used to assist drainage and ensure proposal the appearance is in keeping with this rural area.

#### **RELEVANT PLANNING POLICY**

3.4 The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADDP5, CS13, CS14, CS17, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies HSA7, C1, C3 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC Quality Design SPD Part 2 Residential Development (2006)
- Cold Ash and Ashmore Green Village Design Statement (2002)

## **4. Appraisal**

4.1 The application sought the approval of and discharge of the following conditions:

- Condition 4 – Materials;
- Condition 7 - Construction method statement;
- Condition 8 - Surfacing for driveways/access points;
- Condition 10 - Vehicle parking and turning;
- Condition 11 - Access details;
- Condition 12 - Cycle storage;
- Condition 13 - Refuse storage; and
- Condition 15 - Boundary hedge

4.2 The application was supported by the following information:

- Materials Schedule 18-P0023 (detailed below)
- Construction Method Statement Rev A
- Drawing no. 18-P0023-CMP Rev A – Construction Management Plan
- Drawing no. 18-P0023-01 Rev F – Proposed Site Information Plan
- Drawing no. 18-P0023-08 Rev A – Proposed garages Plots 1 and 2
- Drawing no. 18-P0023-09 Rev A – Proposed garages Plot 5

- Drawing no. 18-P0023-10 Rev E – Soft Landscaping Plan
- Drawing no. 18-P0023-11 Rev D – Hard Landscaping
- Drawing no. 18-P0023-12 Rev D – Access Arrangement Plots 1 and 2
- Drawing no. 18-P0023-13 Rev D – Access Arrangement Plots 3 and 4
- Drawing no. 18-P0023-14 Rev D – Access Arrangement Plot 5
- Drawing no. 18-P0023-15 – Proposed Entrance Gates

#### 4.2 Condition 4 – External Materials

4.3 Condition 4 of planning permission reference 16/02529/OUTD stated:

4.4 *'No development of the new dwellings shall commence until samples and an accompanying schedule of all external materials (brick, roof coverings, windows and doors) have been submitted to and approved in writing by the Local Planning Authority. These samples should be made available on site. All materials incorporated in the work shall match the approved samples, unless alternative materials are first agreed in writing by the local planning authority.'*

4.5 *Reason: To ensure that the materials are appropriate to the character of the area, adjacent to open countryside and the North Wessex Downs AONB. 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).'*

4.6 The applicant has provided the following schedule of materials:

Plot 1	Facing Brick - Michelmersh Freshfield Lane First Quality Multi facings Timber Boarding - Black Roof Tile - Marley Acme Red Sandfaced plain tile Windows and Doors - Timber painted RAL 7015 Slate Grey Fascias, Soffits & Bargeboards - Timber painted RAL 9005 Jet Black
Plot 2	Facing Brick - Michelmersh Freshfield Lane First Selected Light Hanging Tile - Marley Acme Heather Sandfaced Roof Tile - Marley Acme Farmhouse Brown plain tile Windows and Doors - Natural Timber Fascias, Soffits & Bargeboards - Natural Timber
Plot 3	Facing Brick - Michelmersh Freshfield Lane First Quality Multi facings Roof Tile - Marley Acme Red Sandfaced plain tile Windows and Doors - Timber painted RAL 7032 Pebble Grey Fascias, Soffits & Bargeboards - Timber painted RAL 7032 Pebble Grey
Plot 4	Facing Brick - Michelmersh Freshfield Lane First Selected Light Render - Monocouche Weber PRAL M Chalk & Timer Finish Roof Tile - Marley Acme Farmhouse Brown plain tile Windows and Doors - Timber painted RAL 7032 Pebble Grey Fascias, Soffits & Bargeboards - Timber painted RAL 7032 Pebble Grey
Plot 5	Facing Brick - Michelmersh Freshfield Lane First Quality Multi facings Render - Monocouche Weber PRAL M Chalk & Timber Finish Roof Tile - Marley Acme Red Sandfaced plain tile Windows and Doors - Natural Timber Fascias, Soffits & Bargeboards - Natural Timber
Others	Rainwater Goods- OSMA Deepflow black Upvc gutters and downpipes Access Roads - Bitumal surfacing with PCC edging Private Driveways - Permeable block paving Paths and Patios - Marshalls Argent Light



- 4.7 The outline permission approved matters relating to means of access and layout only, with all other matters (including 'Appearance', 'Scale' and 'Landscaping') being reserved.
- 4.8 Whilst the proposed mix and palette of materials, when considered on their own could be considered appropriate within the context of materials found within the wider village, these details are considered to relate to matters of 'Appearance'. Therefore, in light of reserved matters application 19/00832/REM being refused on 22 May 2020, where the 'Appearance' of the proposed housing was not considered acceptable by Western Area Planning Committee (and now subject to planning appeal), it is considered that these details cannot be approved until reserved matters relating to 'Appearance' are agreed as external materials are considered integral to 'Appearance' in the specific circumstances of this case.
- 4.9 Accordingly, the Planning Inspector is requested to not discharge condition 4.
- 4.10 **Condition 7 - Construction Method Statement;**
- 4.11 Condition 7 of planning permission reference 16/02529/OUTD states:
- 4.12 *'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*
  - (g) A scheme for recycling/disposing of waste resulting from demolition and construction works*
- 4.13 *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).'*
- 4.14 The applicant has provided the following information:
- Condition Method Statement Rev A
  - Drawing no. 18-P0023-CMP Rev A – Construction Management Plan
  - Confirmation all parking and deliveries shall take place within the site
- 4.15 The Construction Method Statement including a plan setting out measures to deal with site operatives parking, materials storage, wheel-washing and controlling dust/dirt, amongst other measures.
- 4.16 The information has been carefully considered by your Highways and Environmental Health Officers and is considered to meet the objectives of Condition 7.
- 4.17 Accordingly, the Planning Inspector is requested to discharge condition 7.
- 4.18 **Condition 8 - Surfacing for Driveways/Access Points;**

4.19 Condition 8 of planning permission reference 16/02529/OUTD states:

4.20 *'No development shall take place until details of the surfacing arrangements for the vehicular access(es) to the highway have been submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that bonded material is used across the entire width of the access(es) for a distance of 3 metres measured back from the carriageway edge. Thereafter the surfacing arrangements shall be constructed in accordance with the approved details.'*

4.21 *Reason: To avoid migration of loose material onto the highway in the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).'*

4.22 The applicant has provided the following information:

- Drawing no. 18-P0023-11 Rev D – Hard Landscaping

4.23 The details provide for a tarmac drive and shared access to the highway with the main driveway area surfaced with permeable block paving.

4.24 The information has been carefully considered by your Highways Officers and is considered to meet the objectives of Condition 8.

4.25 Accordingly, the Planning Inspector is requested to discharge condition 8.

#### 4.26 **Condition 10 - Vehicle parking and turning**

4.27 Condition 10 of planning permission reference 16/02529/OUTD states:

4.28 *'No development shall take place until details of the vehicle parking and turning space/areas have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the parking spaces are to be surfaced and marked out. No dwelling shall be occupied until the vehicle parking and turning spaces/areas have been provided in accordance with the approved details. 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 which 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).'*

4.29 The applicant has provided the following information:

- Drawing no. 18-P0023-11 Rev D – Hard Landscaping

4.30 Each property is to be provided with a driveway constructed using permeable block paving. The driveways would be sufficiently large to enable turning within the curtilage, so vehicles can enter and leave the site in a forward gear. Each property would include at least 3 car parking spaces, two of which would be external parking spaces and one space located within a car port or garage.

4.31 The information has been carefully considered by your Highways Officers and is considered to meet the objectives of Condition 10.

4.32 Accordingly, the Planning Inspector is requested to discharge condition 10.

**4.33 Condition 11 - Access Construction Details;**

4.34 Condition 11 of planning permission reference 16/02529/OUTD states:

4.35 *'No development shall take place until details of all access(es) into the site have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the access has been constructed in accordance with the approved details.'*

4.36 *Reason: In the interest 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).'*

4.37 The applicant has provided the following information:

- Drawing no. 18-P0023-12 Rev D – Access Arrangement Plots 1 and 2
- Drawing no. 18-P0023-13 Rev D – Access Arrangement Plots 3 and 4
- Drawing no. 18-P0023-14 Rev D – Access Arrangement Plot 5
- Drawing no. 18-P0023-11 Rev D – Hard Landscaping
- Drawing no. 18-P0023-15 – Proposed Entrance Gates

4.38 Three access points have been approved through the Outline Permission. In accordance with Condition 11, details of each approved access are provided. The plans show the details of the width of each access point and the required visibility splays. The boundary hedge along the site frontage will need to be removed in places to create the access points and trimmed back to achieve the required splays as shown on the approved visibility splay plan. The principle of this was established through the Outline Application in the approval of “access” to the site.

4.39 The access gates are set back from the highway edge, to enable vehicles to pull clear of the highway before entering the driveways of each property. The surfacing materials for the access are shown on drawing no. 18-P0023-12 Rev D and considered separately under Condition 8.

4.40 The information has been carefully considered by your Highways Officers and is considered to meet the objectives of Condition 11.

4.41 Accordingly, the Planning Inspector is requested to discharge condition 11.

**4.42 Condition 12 - Cycle Storage;**

4.43 Condition 12 of planning permission reference 16/02529/OUTD states:

4.44 *'No development shall take place until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.'*

4.45 *Reason: To ensure that there is adequate and safe cycle storage space 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).'*

4.46 The applicant has provided the following information:

- Drawing no. 18-P0023-08 Rev A – Proposed garages Plots 1 and 2

- Drawing no. 18-P0023-09 Rev A – Proposed garages Plot 5

4.47 The plan show garages/carports to the proposed dwelling. The form of these garages/carports and details ('Appearance' and 'Scale') do not form part of the outline planning permission or reserved matters submission). It is therefore considered that these details cannot be approved until reserved matters relating to 'Appearance' and 'Scale' are agreed.

4.48 Accordingly, the Planning Inspector is requested to not discharge condition 12.

4.49 **Condition 13 - Refuse storage;**

4.50 Condition 13 of planning permission reference 16/02529/OUTD stated:

4.51 *'No development shall take place until details of the provision for the storage of refuse and recycling materials for the dwellings has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the refuse and recycling facilities have been provided in accordance with the approved details and shall be retained for this purpose thereafter.'*

4.52 *Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).'*

4.53 The applicant has provided the following information:

- Drawing no. 18-P0023-11 Rev D – Hard Landscaping
- Drawing no. 18-P0023-101 Rev E – Site Information Plan

4.54 Refuse and recycling bins will be stored within the curtilage of each property to the side of each house. On collection days, bins will be placed to the front of the access adjacent to the highway. The plans show sufficient space within the site for the storage of waste.

4.55 The information has been carefully considered by your Waste Management Officer and is considered to meet the objectives of Condition 13.

4.56 Accordingly, the Planning Inspector is requested to discharge condition 13.

4.57 **Condition 15 - Boundary hedge**

4.58 Condition 15 of planning permission reference 16/02529/OUTD stated:

4.59 *'No development shall take place until details of a new boundary hedgerow along the southern boundary have been submitted to and approved in writing by the Local Planning Authority. The new hedgerow shall be designed to create and enhance bat foraging and commuting habitat on site using native species and retained in accordance with the recommendations as set out in Appendix J of Phase II Bat and Reptile Report, PV Ecology, Sept 2016.'*

4.60 *Reason: To ensure the protection of protected 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.'*

4.61 The applicant has provided the following information:

- Drawing no. 18-P0023-10 Rev E – Soft Landscaping Plan

- 4.62 The plan provides the soft landscaping scheme for the development which includes details of the location of the new southern boundary hedge (which includes heavy standard trees), along with details of the species to be planted.
- 4.63 The information has been carefully considered by your Landscape Officer and is considered to meet the objectives of Condition 15.
- 4.64 Accordingly, the Planning Inspector is requested to discharge condition 15.

## 5. Conclusion

- 5.1 Having taken account of all the relevant planning policy considerations and other material considerations set out above, it is considered that details pursuant to conditions 7, 8, 10, 11, 13 and 15 of planning permission 16/02529/OUTD are acceptable.
- 5.2 However, details pursuant to Condition 4 (External Materials) and Condition 12 (Cycle Storage) are not agreed as these elements are integral to matters of 'Appearance' and 'Scale' considered most recently under reserved matters application 19/00832/REM which was refused on 22 May 2020 and is currently subject to planning appeal under appeal reference APP/W0340/W/20/3256565.

## 6. Full Recommendation

- 6.1 The purpose of this item for decision is not to determine the planning application, but to determine the Council's position at the appeal. For the reasons detailed above, it is recommended that a split decision is made.
- 6.2 The full recommendation is as follows:
- 6.3 To **DELEGATE** to the Head of Planning & Planning to make representations at appeal to recommend a **SPLIT DECISION** as follows:
1. Details pursuant to Conditions 7, 8, 10, 11, 13 and 15 of Planning Permission 16/02529/OUTD can be **APPROVED** subject to full implementation in accordance with the details submitted and wording of each condition;

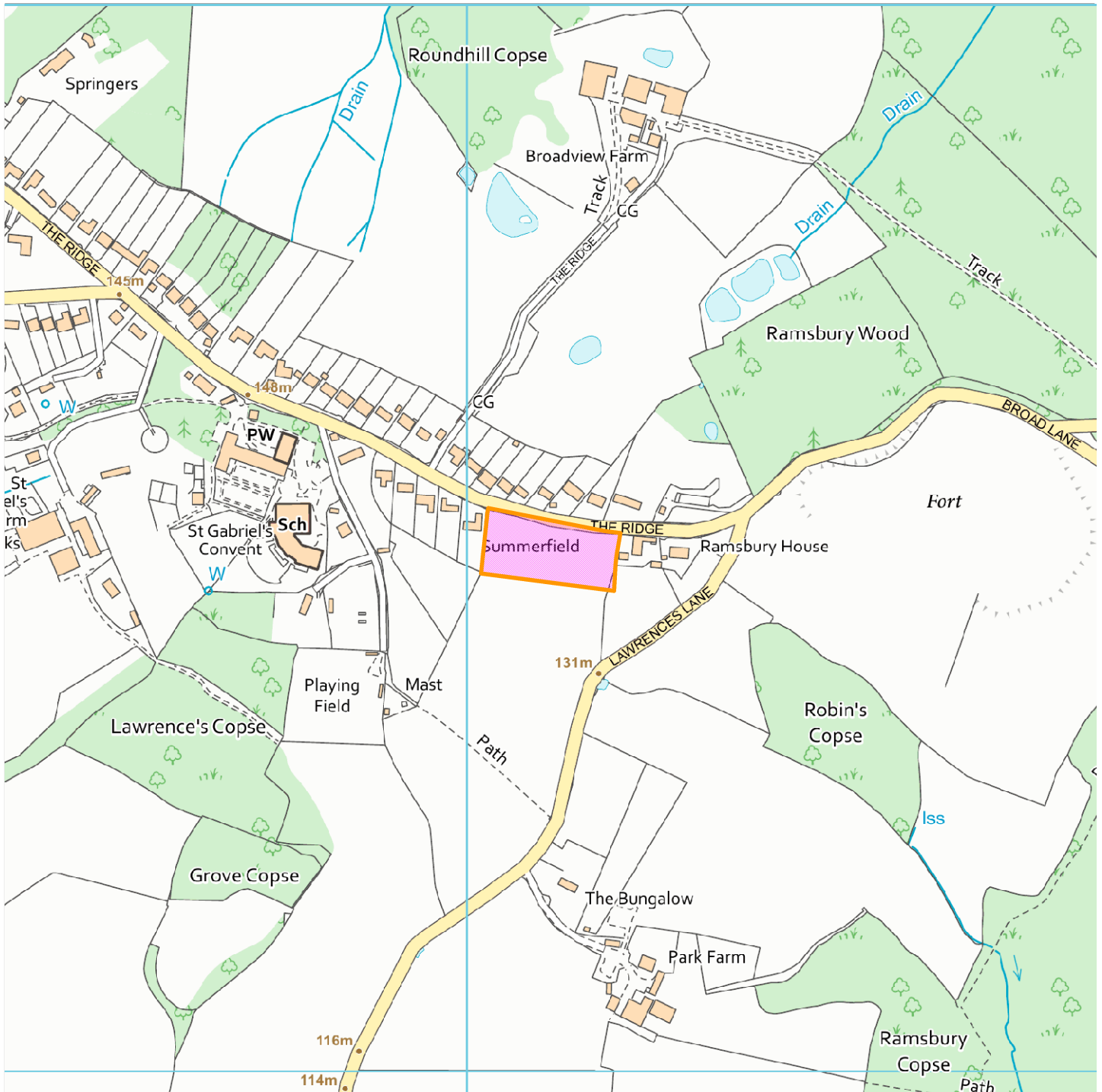
AND

2. Details pursuant to Condition 4 (Materials) and Condition 12 (Cycle Storage) are **REFUSED** as these elements are integral to matters of 'Appearance' and 'Scale' considered most recently under reserved matters application 19/00832/REM which was refused on 22 May 2020 and is currently subject to planning appeal under appeal reference APP/W0340/W/20/3256565\*.

*\*The Planning Inspectorate have been invited to consider both planning appeals together.*

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Land Adjacent To Summerfield The Ridge Cold Ash

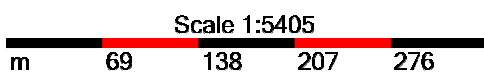


Map Centre Coordinates :

Scale : 1:5405

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	02 October 2020
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