

Notice of Meeting



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Western Area Planning Committee

Wednesday 4 November 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 (“the Regulations”).

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 2 November 2020. Written submissions will be read aloud at the Planning Committee. Please e-mail your submission to 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) by no later than 4.00pm on Tuesday 3 November 2020 if they wish to attend the remote Planning Committee to answer any questions from Members of the Committee.

The Council will be live streaming its meetings.

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

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<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 on the link on the front page of the relevant report.



Agenda - Western Area Planning Committee to be held on Wednesday, 4 November 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

Further information, Planning Applications and Minutes are also available on the Council's website at 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

Date of despatch of Agenda: Tuesday, 27 October 2020



Agenda - Western Area Planning Committee to be held on Wednesday, 4 November 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**
Minutes of the meeting of this Committee held on 14 October 2020 will be published in the agenda for the next meeting, on 11 November 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: 20/01226/FUL, Land at Old Station Business Park, High Street, Compton** 7 - 62
- Proposal:** 20/01226/FUL
- 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.



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(continued)

- (2) **Application No. and Parish: 20/00761/FUL, Vine Cottage, Curridge Road, Curridge** 63 - 76
Proposal: Creation of ecological pond, bunds, soakaways. earthworks and a soft landscaping scheme
Location: Vine Cottage, Curridge Road, Curridge
Applicant: Mr S Fairhurst
Recommendation: To delegate to the Head of Development and Planning to **GRANT** planning permission.
- (3) **Application No. and Parish: 20/01924/HOUSE, The Bungalow, Downend, Chieveley** 77 - 84
Proposal: Section 73A: Variation of Condition 1 (Rooflight windows) of previously approved application 10/02895/HOUSE: Retrospective – Velux rooflights to the east and west elevations(to comply with Condition 3 of approved permission 09/02148/HOUSE
Location: The Bungalow, Downend, Chieveley
Applicant: Mr and Mrs Pearce
Recommendation: To DELEGATE to the Head of Development and Planning to **GRANT** planning permission subject to conditions

Items for Information

5. **Appeal Decisions relating to Western Area Planning Committee** 85 - 92
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)

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(continued)

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 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/01226/FUL Compton	4 August 2020 ¹	<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>

¹ 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>.

Recommendation Summary:	That the Head of Planning and Development be authorised to GRANT planning permission.
Ward Member(s):	Councillor C. Culver.
Reason for Committee Determination:	Ward Member call in if recommendation for approval.
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:	Lydia Mather
Job Title:	Senior Planning Officer
Tel No:	01635 519111
Email:	Lydia.mather@westberks.gov.uk

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.

Compton Parish Council:	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.
WBC Highways:	Following receipt of amended block plan for parking no objection subject to condition.
Environmental Health:	No objection subject to condition.
Tree Officer:	Request for planting on site of 20 trees and 5 metres of hedging and condition requested for their maintenance.
Public Rights of Way:	No comments received.
Ramblers' Association:	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;

- Request air handling units have timers which switch off the units outside normal business hours and additional acoustic fencing is added to block noise whilst operating.

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 Environmental Health Officers have further reviewed the submitted noise impact assessment and contacted the consultant who undertook the assessment. It is the air handling unit which is the primary source of noise associated with units 10-12 that impacts on residents. They consider noise mitigation conditions would be sufficient to ensure additional measures are installed and would be effective.
- 5.24 It is noted that the other application within the business park, reference 20/01685/FUL, includes additional noise conditions for details to be submitted. These are not required for this application for two reasons: this site does not include any chilled container units; and the original noise impact assessment for units 10-12 alone, dated December 2019, included specific measures and noise limits.
- 5.25 Additional conditions restricting any additional lighting or plant machinery are recommended. This is to protect residents from any future amenity impacts that might otherwise not need full planning permission due to the potential for cumulative adverse impacts.
- 5.26 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. 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

- 5.27 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.
- 5.28 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.
- 5.29 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

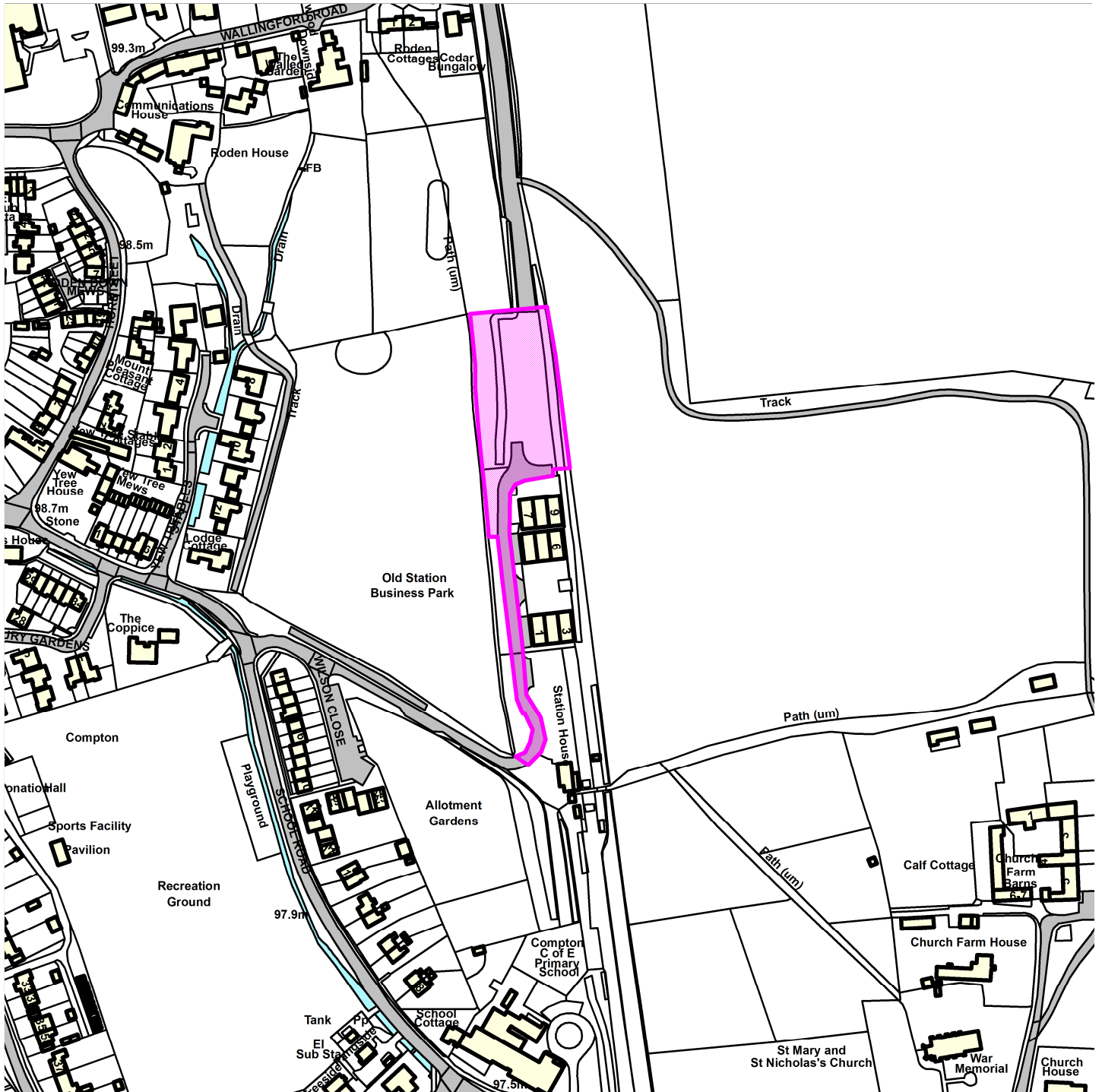
- 7.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below. The usual commencement condition has not been included as the development is retrospective.

Conditions

1.	<p>Approved plans 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 & 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>Landscaping Maintenance Any of the 20 trees planted as outlined in the letter from Jaymeni Patel Deign dated 6th August 2020 and Tree Officer's consultation response dated 7th July 2020 that</p>

	<p>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>Parking in accordance with plans</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.</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>
4.	<p>Ancillary to use of industrial building</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>
5.	<p>Noise mitigation</p> <p>All of the mitigation measures identified in section 5.2 of the Venta Acoustics Noise Impact Assessment VA2572.191211.NIA dated 11 December 2019 shall be installed within 1 month of this permission and thereafter retained and details confirming installation submitted to an approved in writing by the Local Planning Authority. The plant noise emissions shall not exceed, when measured at the eastern boundary of the residential properties off Yew Tree Stables, 36dB between 07:00 – 19:00 hours and 27dB between 19:00 – 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 Core Strategy 2006-2026 and OVS.6 of the West Berkshire District Local Plan Saved Policies 2007.</p>
6	<p>Timer system</p> <p>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>
7.	<p>External lighting (new)</p>

	<p>No additional external lighting shall be installed on site without the prior approval in writing from the Local Planning Authority by way of a formal planning application made for that purpose.</p> <p>Reason: To protect the amenities of adjoining land users and the character of the area in accordance with the National Planning Policy Framework and policies OVS.5 of the West Berkshire District Local Plan Saved Policies 2007 and CS14 of the West Berkshire Core Strategy 2006-2026.</p>
8.	<p>Plant machinery and containers (new)</p> <p>No additional extractor units, ducts or other mechanical plant shall be fixed to the external faces or roof of the building or ancillary structures without the prior approval in writing from the Local Planning Authority by way of a formal planning application made for that purpose.</p> <p>Reason: To protect the amenities of adjoin land users and the character of the area 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>

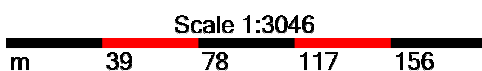


Map Centre Coordinates :

Scale : 1:3046

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	05 October 2020
SLA Number	0100024151

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Report VA2752.191211.NIA

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

Noise Impact Assessment

11 December 2019

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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 7th and Thursday 9th 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 ¹ $L_{A90,5min}$
07:00 – 19:00 hours	41 dB
23:00 – 07:00 hours	32 dB

Table 4.2 – Typical background noise levels [dB ref. 20 µPa]

¹ The typical L_{A90} value is taken as the 90th 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 _{Aeq})
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 _p @1m, L _w (dB)								
	63	125	250	500	1k	2k	4k	8k	
Chiller – L _p @10m	49	48	39	43	44	45	41	36	50
AHU – induct - L _w	80	80	82	69	62	60	55	58	75
Solvent Storage Fans- L _p @1m	31	31	43	46	44	44	41	33	50
EF1 - L _w & dB(A) @ 1m	98	95	94	92	83	80	75	97	88
EF2- L _w & dB(A) @ 1m	71	75	77	75	76	69	62	55	66
EF3- L _w & dB(A) @ 1m	71	75	77	75	76	69	62	55	65
EF4- L _w & dB(A) @ 1m	62	66	68	66	67	60	53	46	65
EF5- L _w & dB(A) @ 1m	90	93	93	89	82	77	73	69	85
EF6- L _w & 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/m². 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 _{Aeq} 31dB	L _{Aeq} 36 dB
19:00hour – 07:00 hours	L _{Aeq} 26dB	L _{Aeq} 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

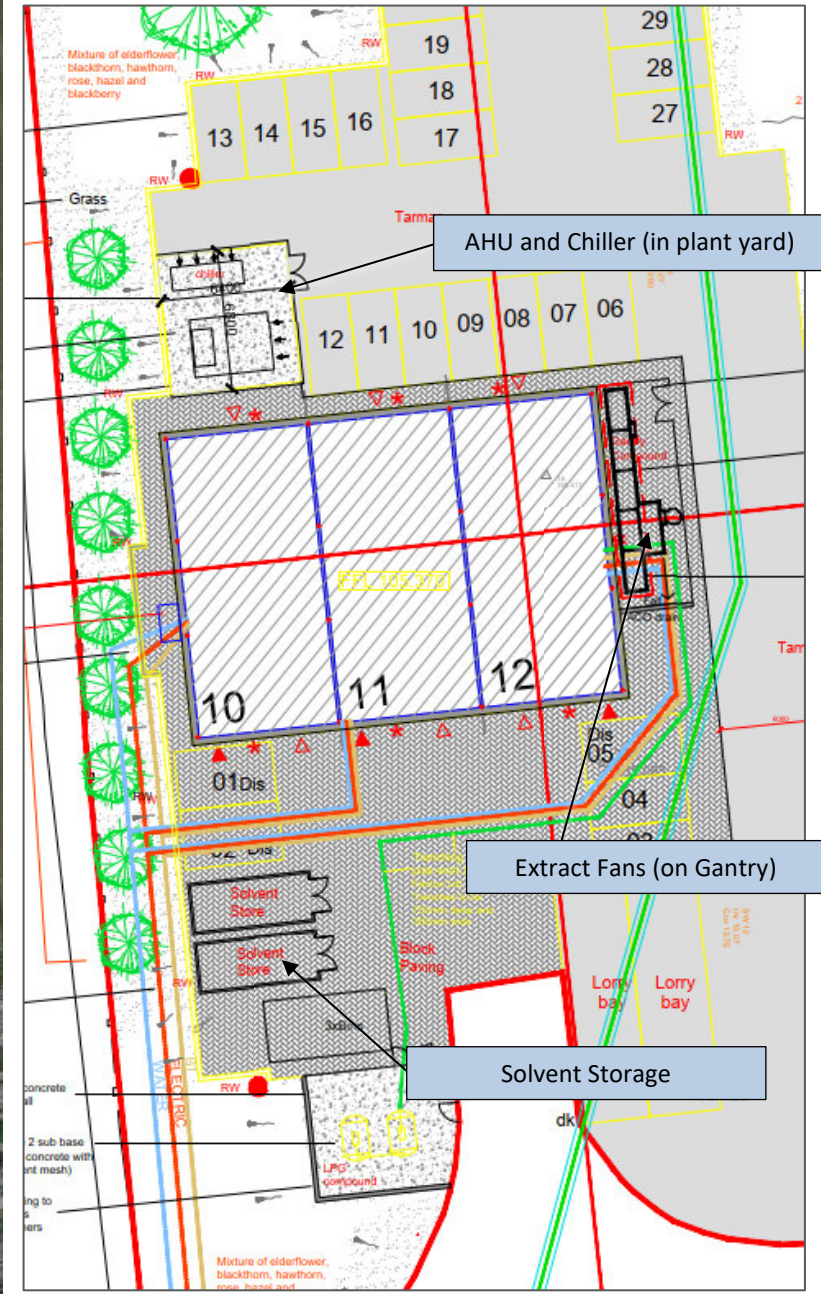
A baseline noise survey has been undertaken by Venta Acoustics to establish the background noise climate in the locality of 10-12 Old Station Business Park, Compton in support of a planning application for the proposed introduction of new building services plant.

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

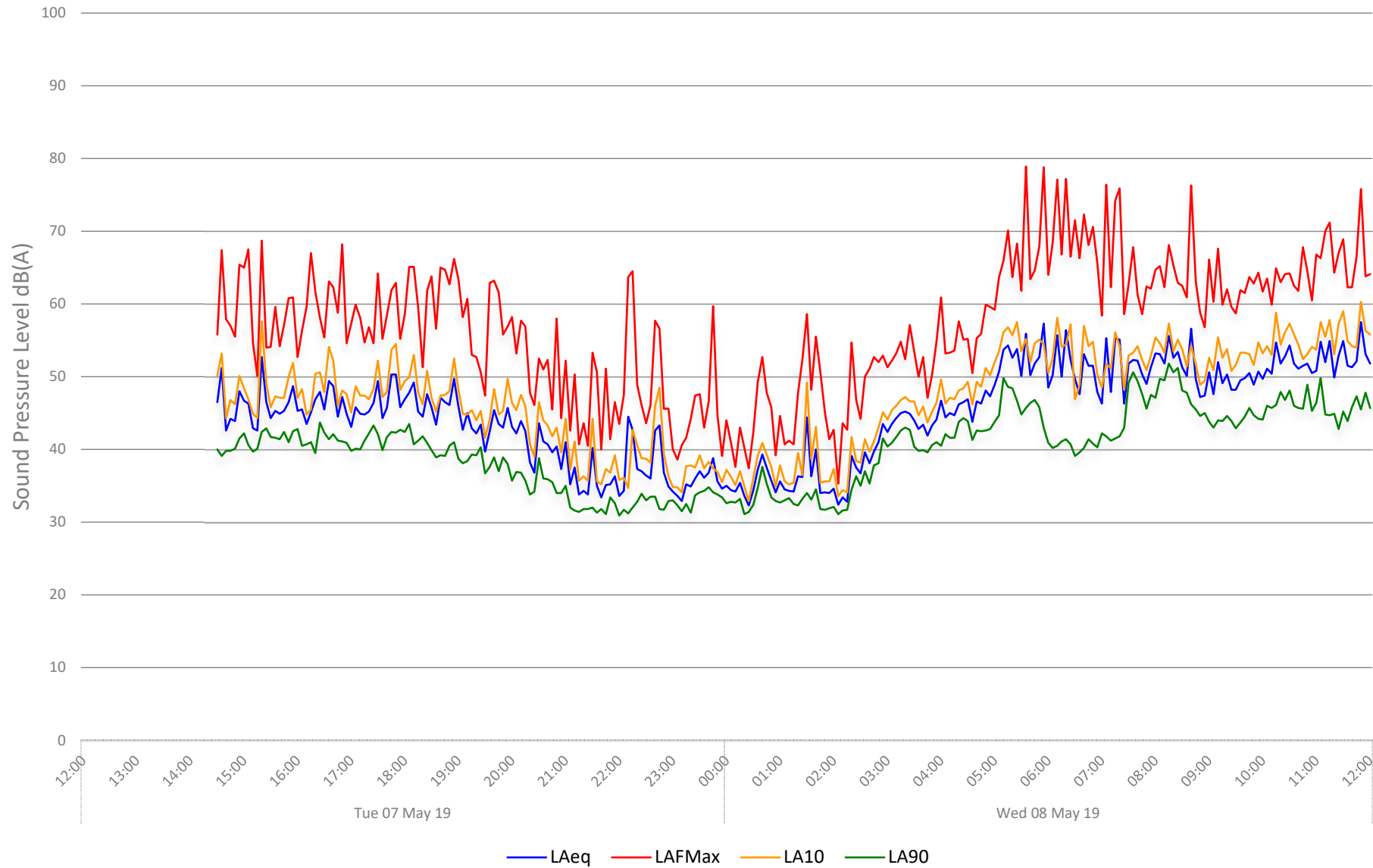


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10-12 Old Station Business Park, Compton
Environmental Noise Time History: 1



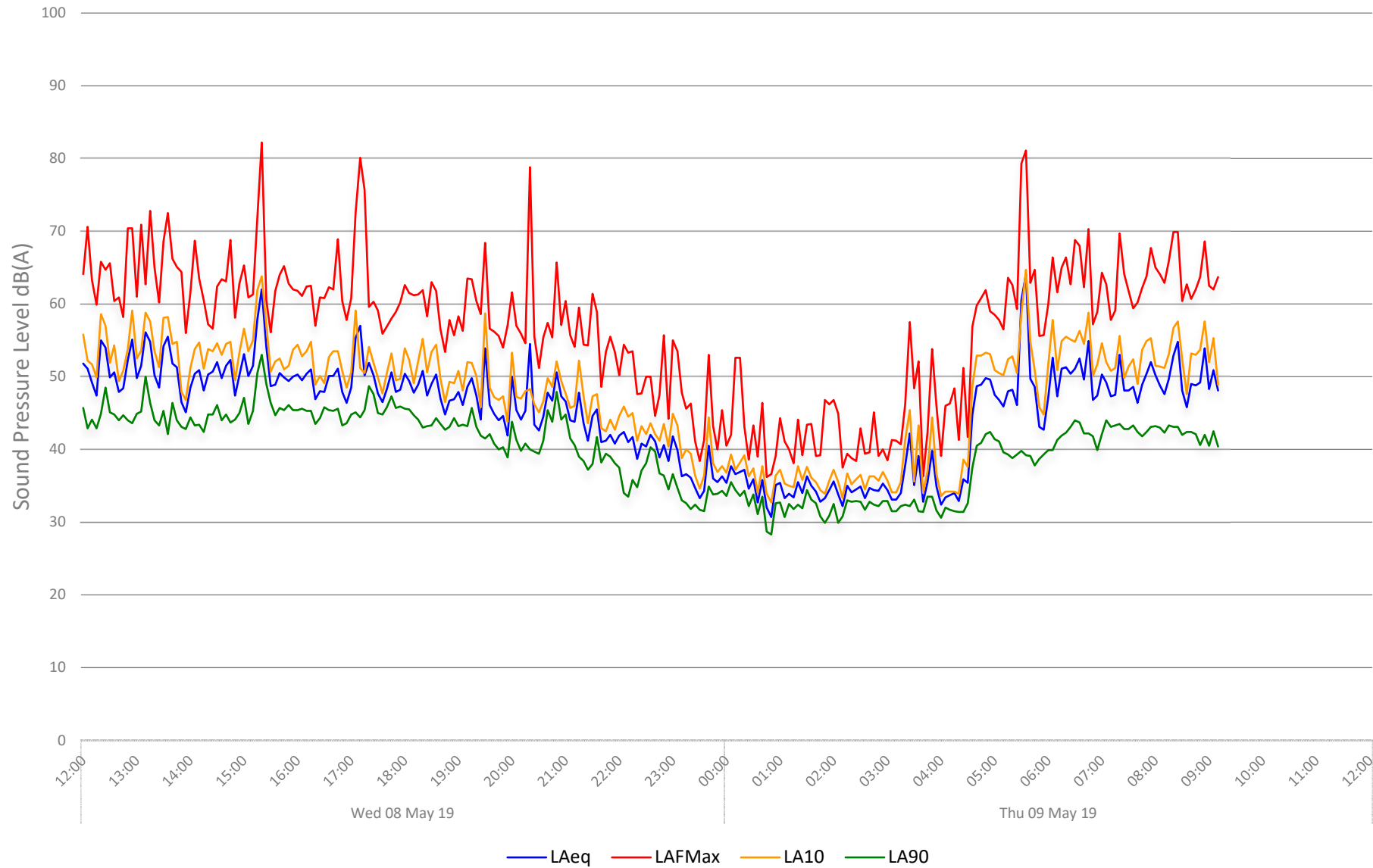
Figure VA2752/TH1



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.

Sound	Vibrations propagating through a medium (air, water, etc.) that are detectable by the auditory system.
Noise	Sound that is unwanted by or disturbing to the perceiver.
Frequency	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'.
dB(A):	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 .
L_{eq} :	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.
L_{10} & L_{90} :	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.
L_{max} :	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

Extract Fans - Discharge		63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz	8 kHz	dB(A)
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	87
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	
Level at receiver		33	35	33	22	4	4	0	21	27

Extract Fans - Breakout		63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz	8 kHz	dB(A)
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										90
Fans set to 80% speed		-1	-1	-1	-1	-1	-1	-1	-1	-1
Distance Loss	To 150m									-44
Screening loss										-17
Level at receiver										28

AHU		63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz	8 kHz	dB(A)
Sound Power (atmosphere side)	Lw	80	80	82	69	62	60	55	58	75
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	
Level at receiver		25	22	12	-22	-9	-8	-11	-6	9

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

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

Cumulative Level at receivers 31dB(A)

APPENDIX B

VA2752 - 10-12 Old Station Business Park, Compton

Noise Impact Assessment - Night Time

Extract Fans - Discharge		63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz	8 kHz	dB(A)
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	87
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	
Level at receiver		27	29	27	16	-2	-2	-6	15	21

Extract Fans - Breakout		63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz	8 kHz	dB(A)
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										90
Fans set to 20% speed										-7
Distance Loss	To 150m									-44
Screening loss										-17
Level at receiver										22

AHU		63 Hz	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz	8 kHz	dB(A)
Sound Power (atmosphere side)	Lw	80	80	82	69	62	60	55	58	75
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	
Level at receiver		25	22	12	-22	-9	-8	-11	-6	9

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

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

Cumulative Level at receivers 26dB(A)

Report VA2752.200710.NIA

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

Noise Impact Assessment

23 July 2020

**Carbosynth
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VA2752/TH1-TH7	Environmental Noise Time Histories
Appendix A	Acoustic Terminology
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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 2nd and Monday 6th 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 LA90 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.

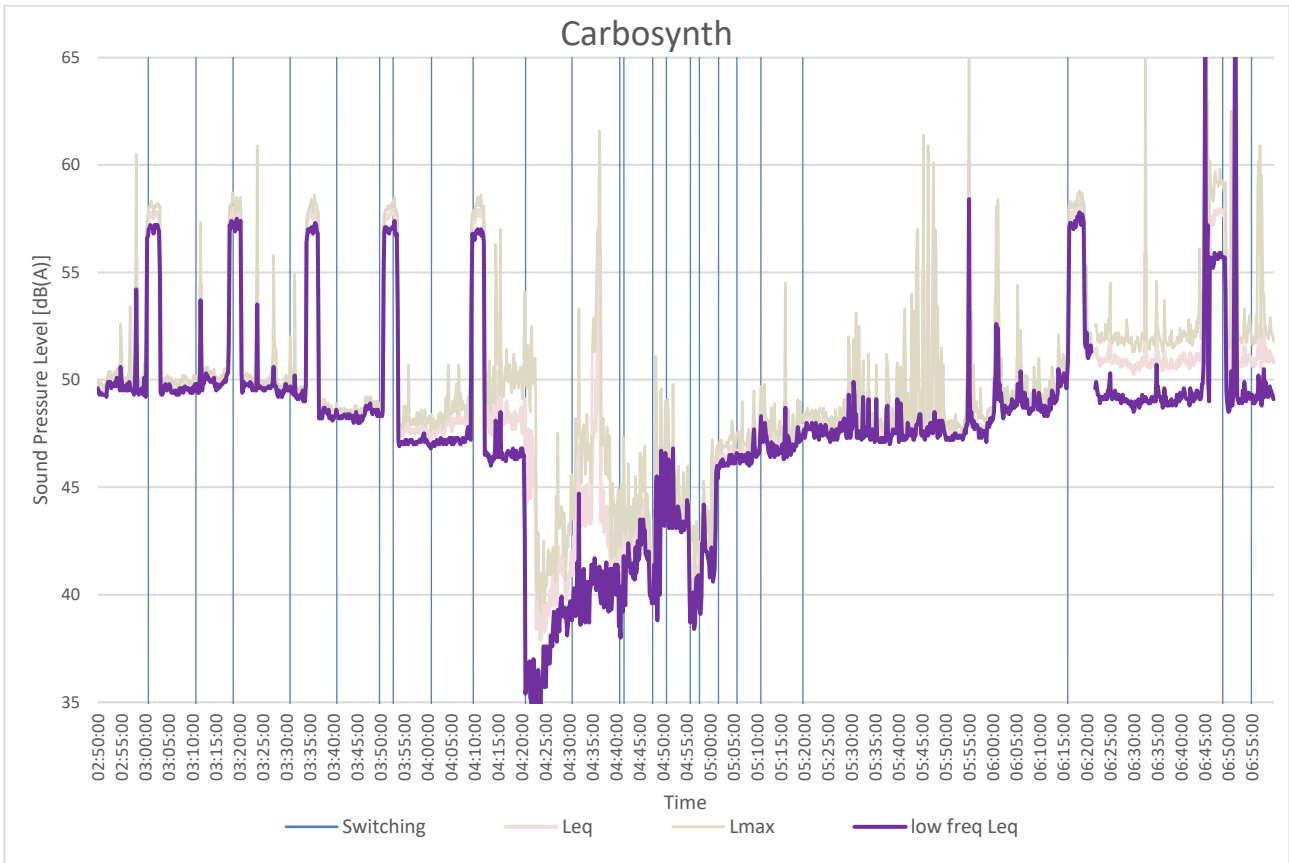


Figure 5.2 – Time history during testing – Carbosynth Monitor

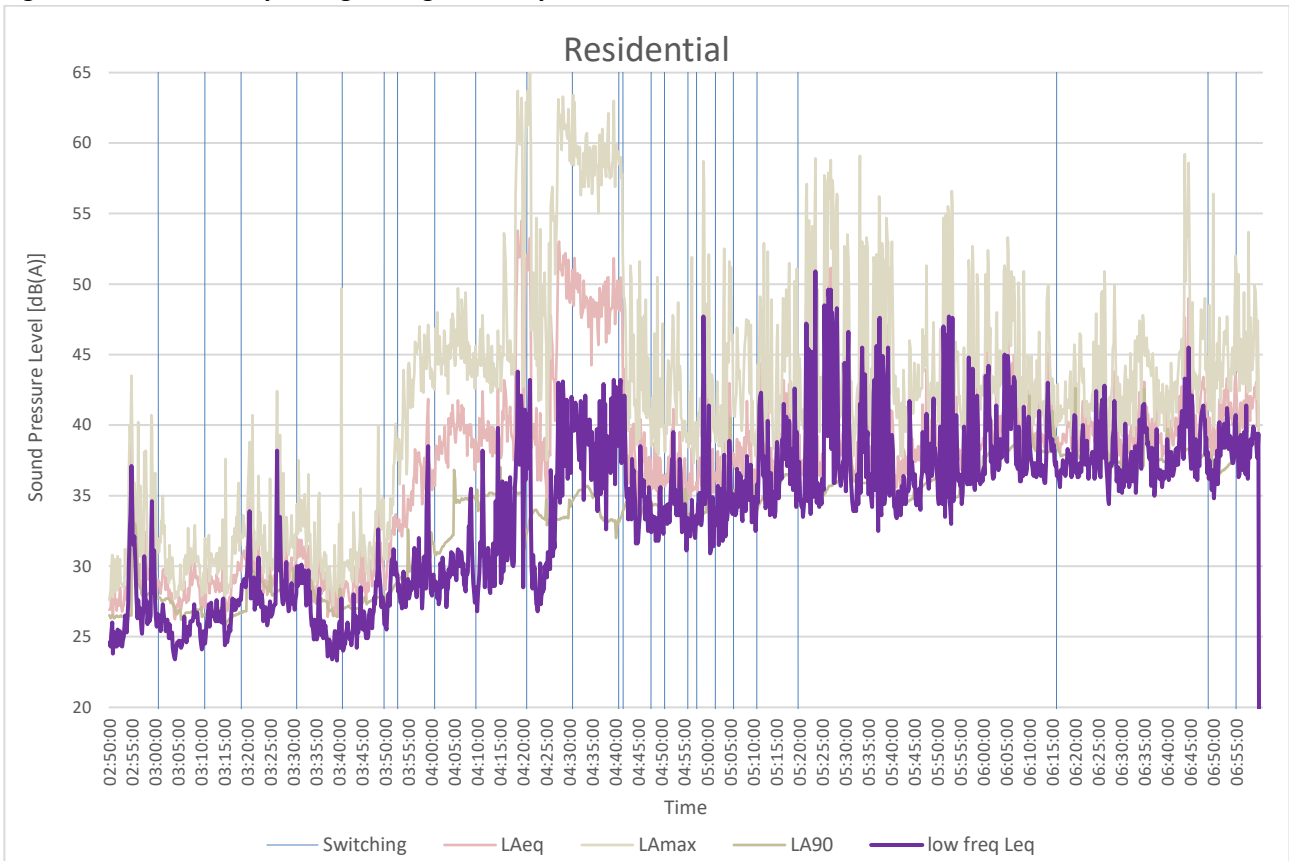


Figure 5.3 - Time history during testing – Residential Monitor

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:

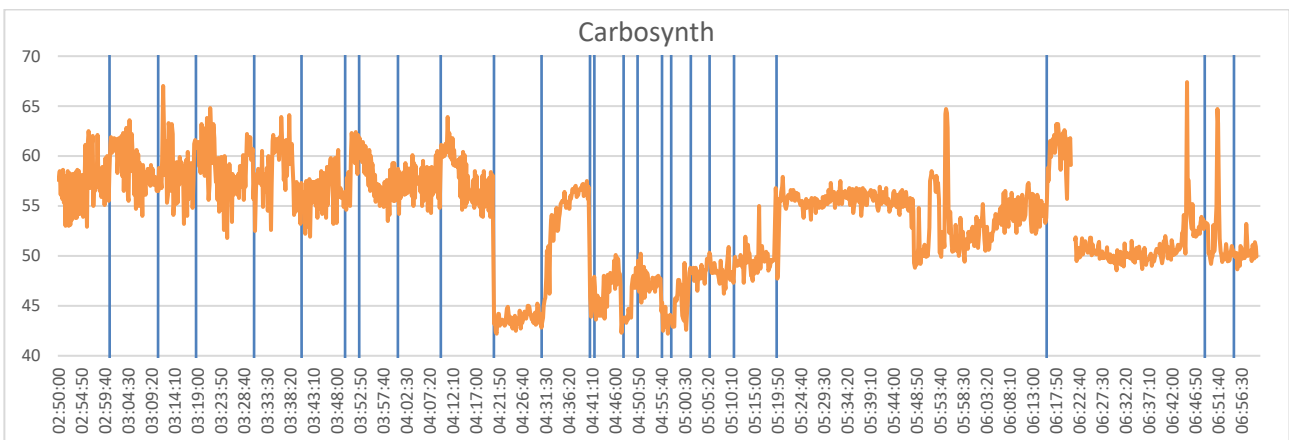


Figure 5.4 – Plot of 50Hz 1/3 octave band measured at Carbosynth

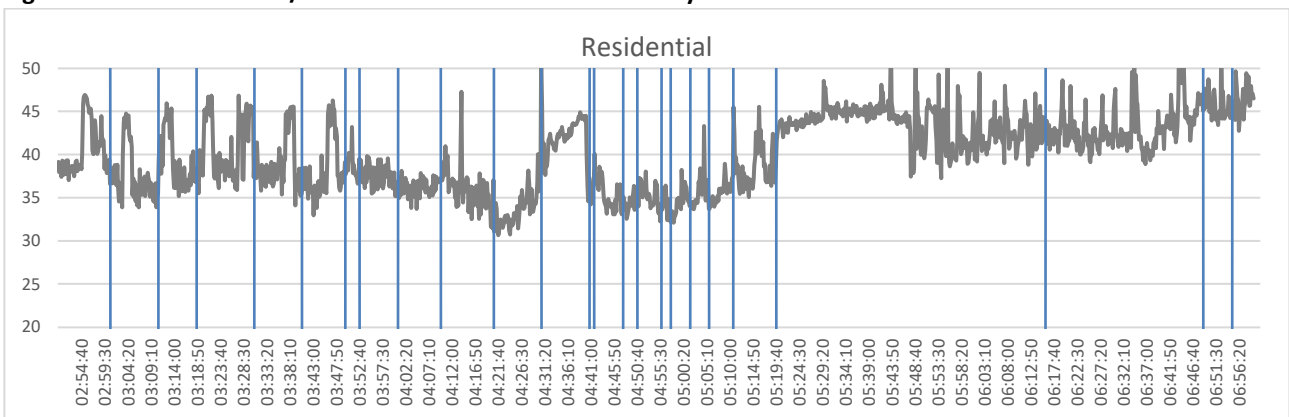


Figure 5.5 – Plot of 50Hz 1/3 Octave band measured at residential

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/m².

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.

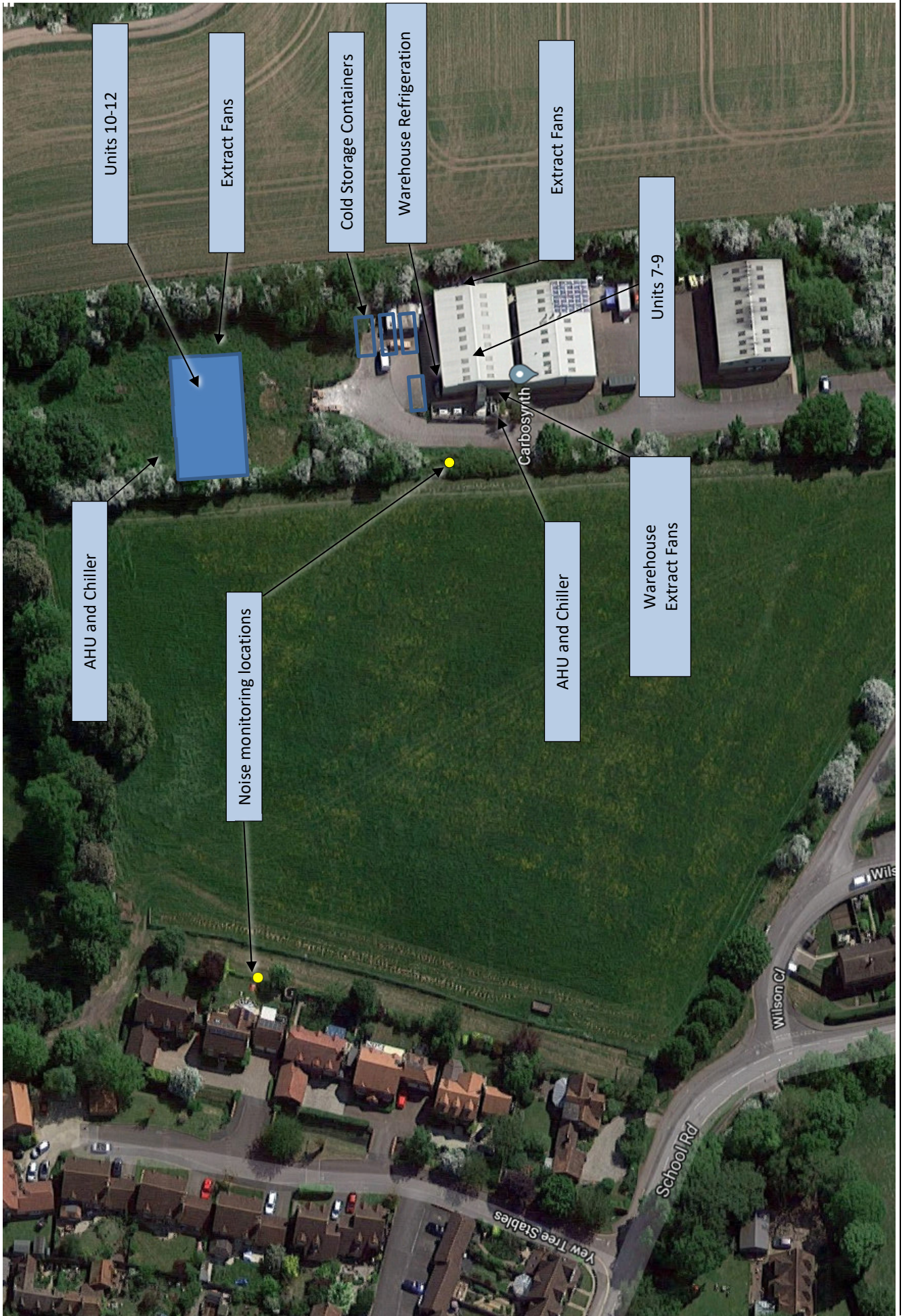
To understand the worst case scenario of all plant operating on a warm, still day, the maximum sound levels of individual plant was derived from measurements in close proximity to Carbosynth and summed in a theoretical manner to obtain a cumulative level. This exercise illustrated that under particular 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.

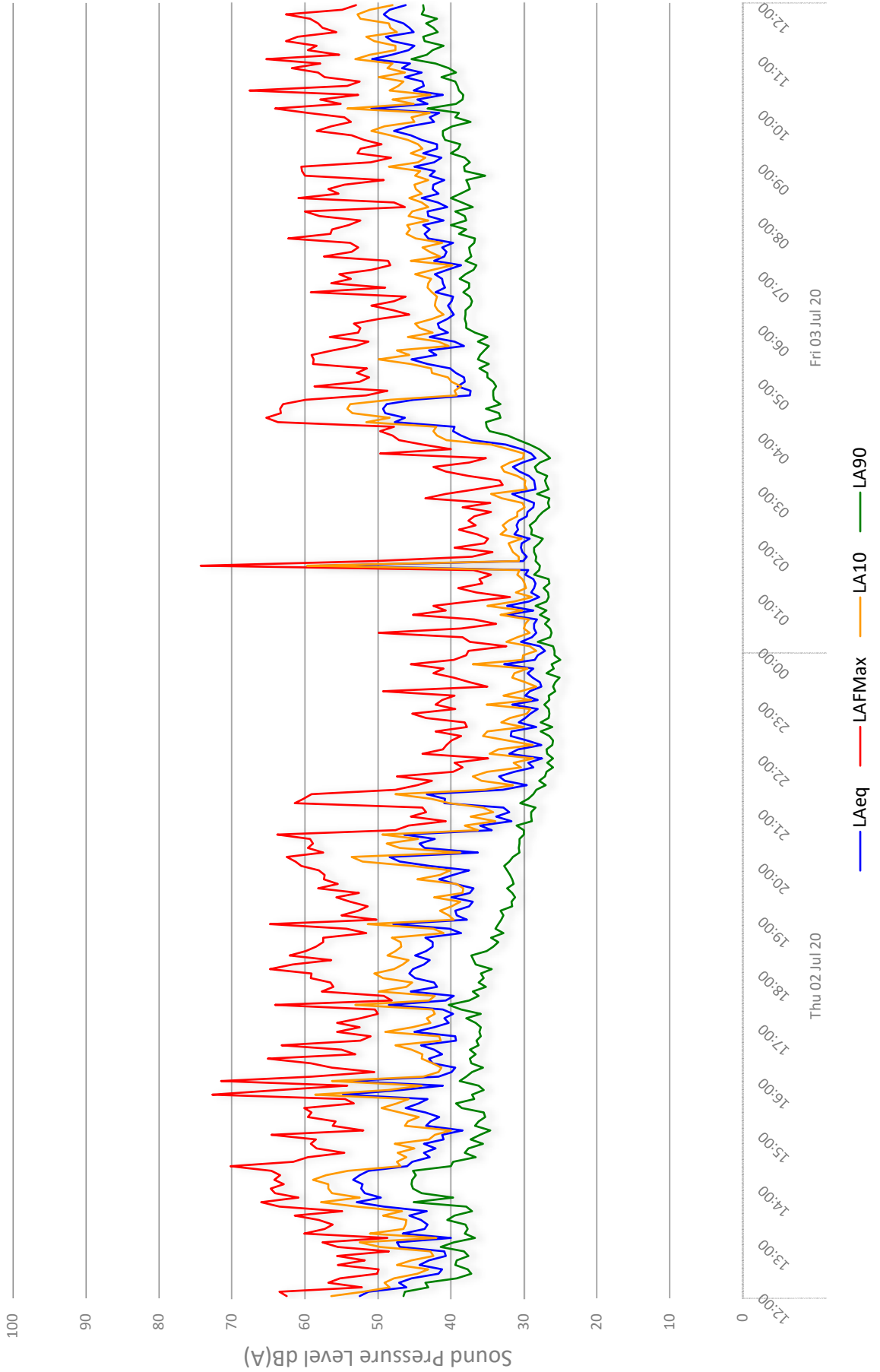
Steven Liddell MIOA



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



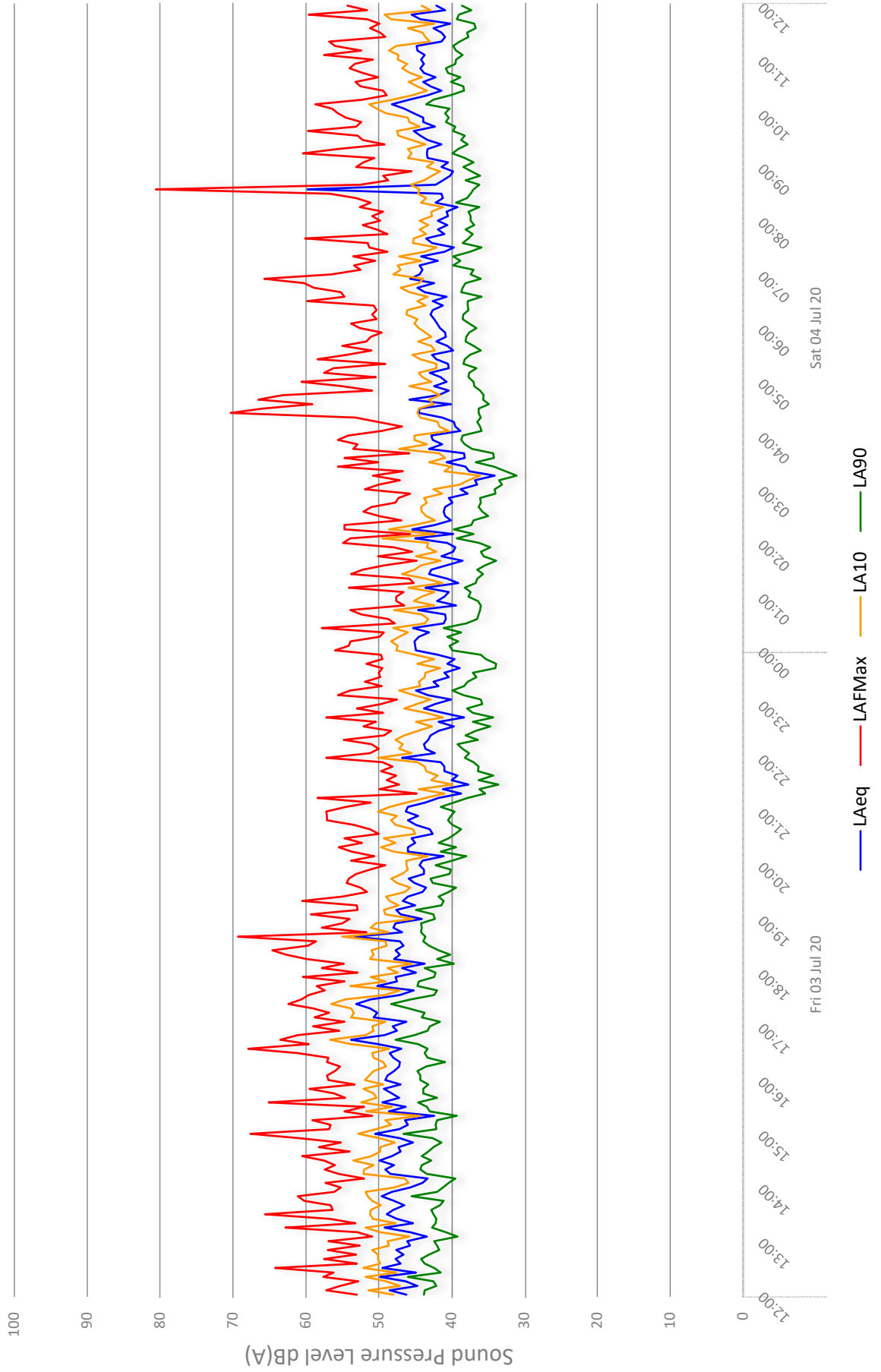
Figure VA2752/TH1



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



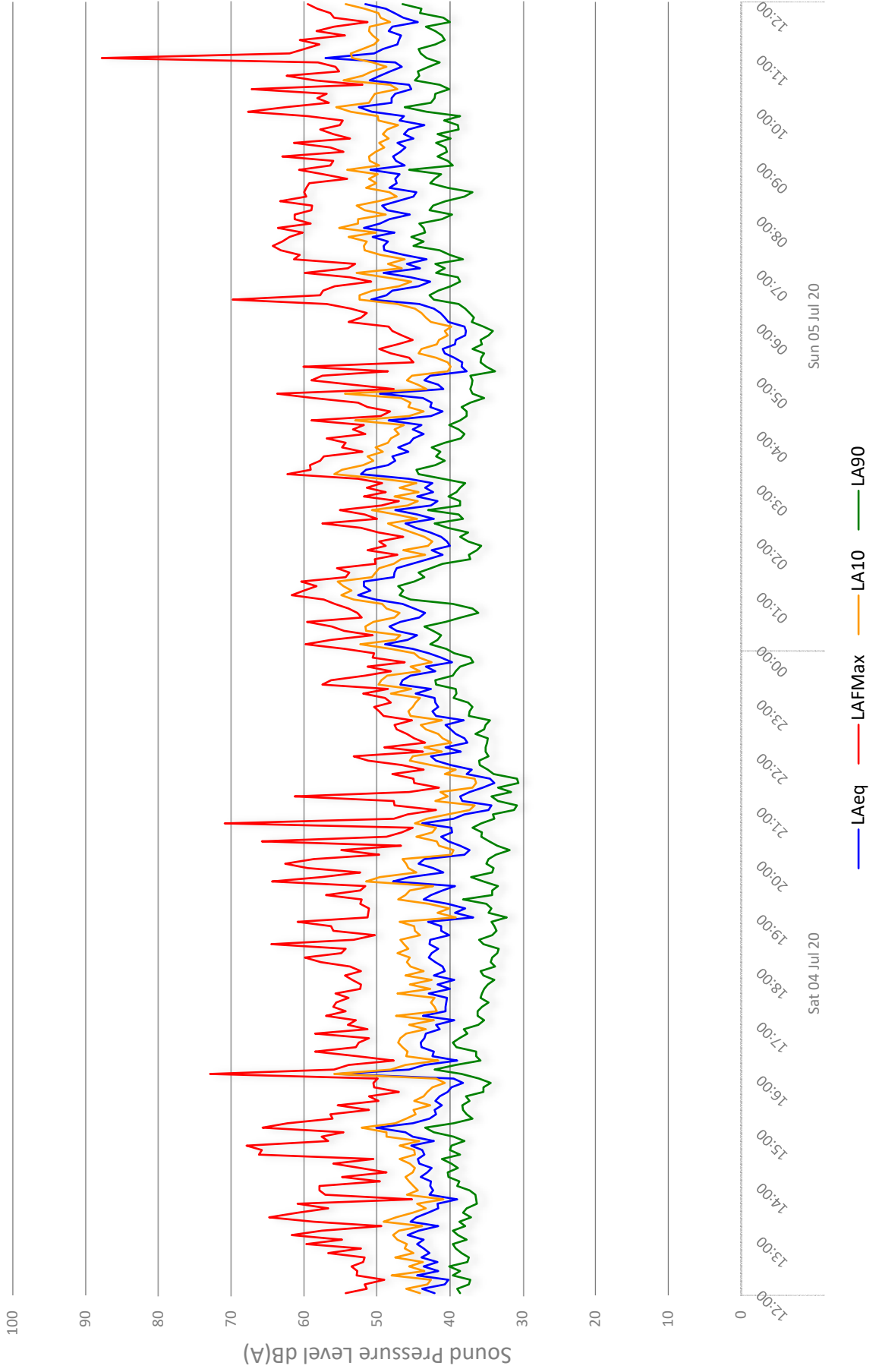
Figure VA2752/TH2



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

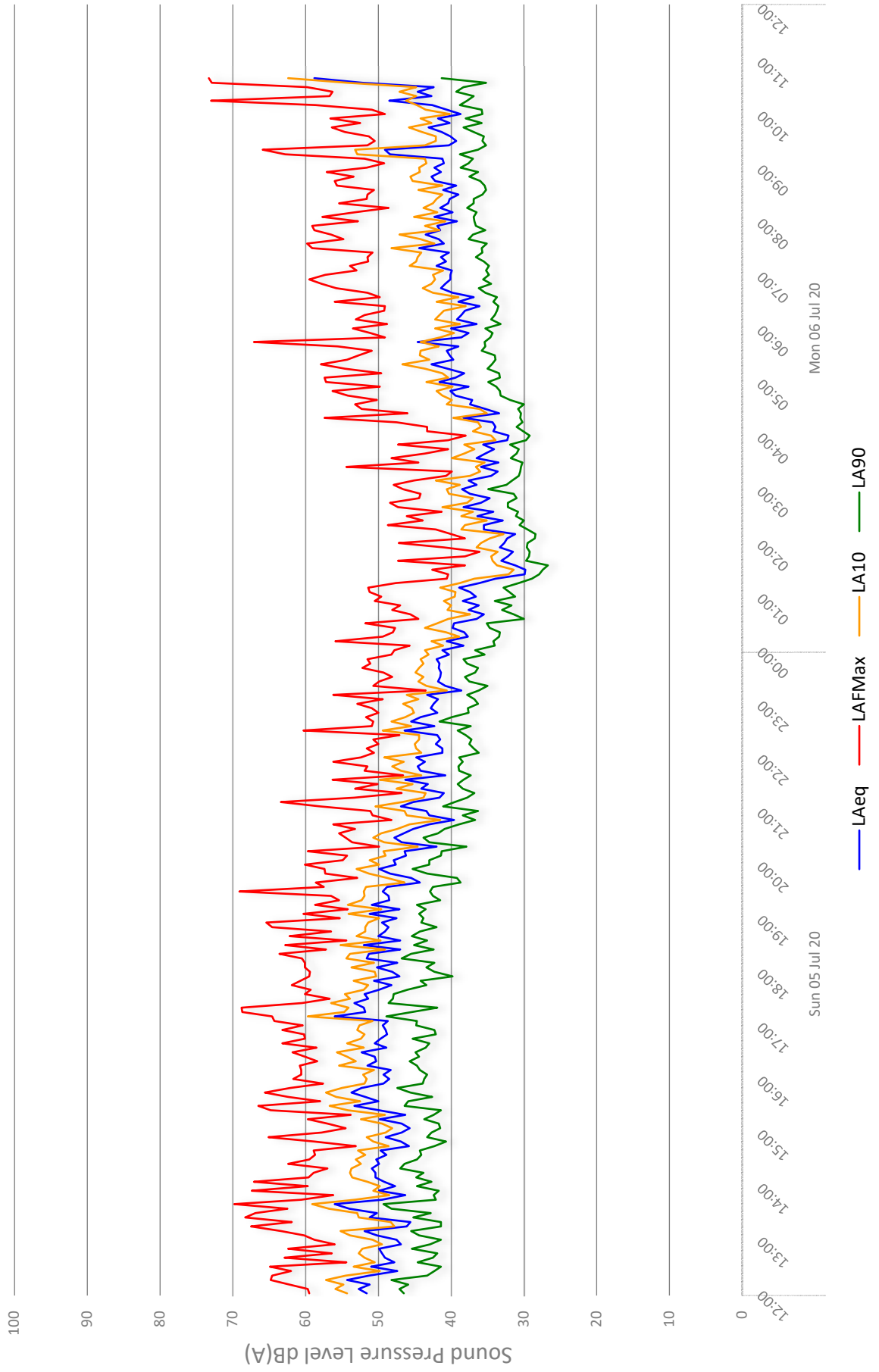
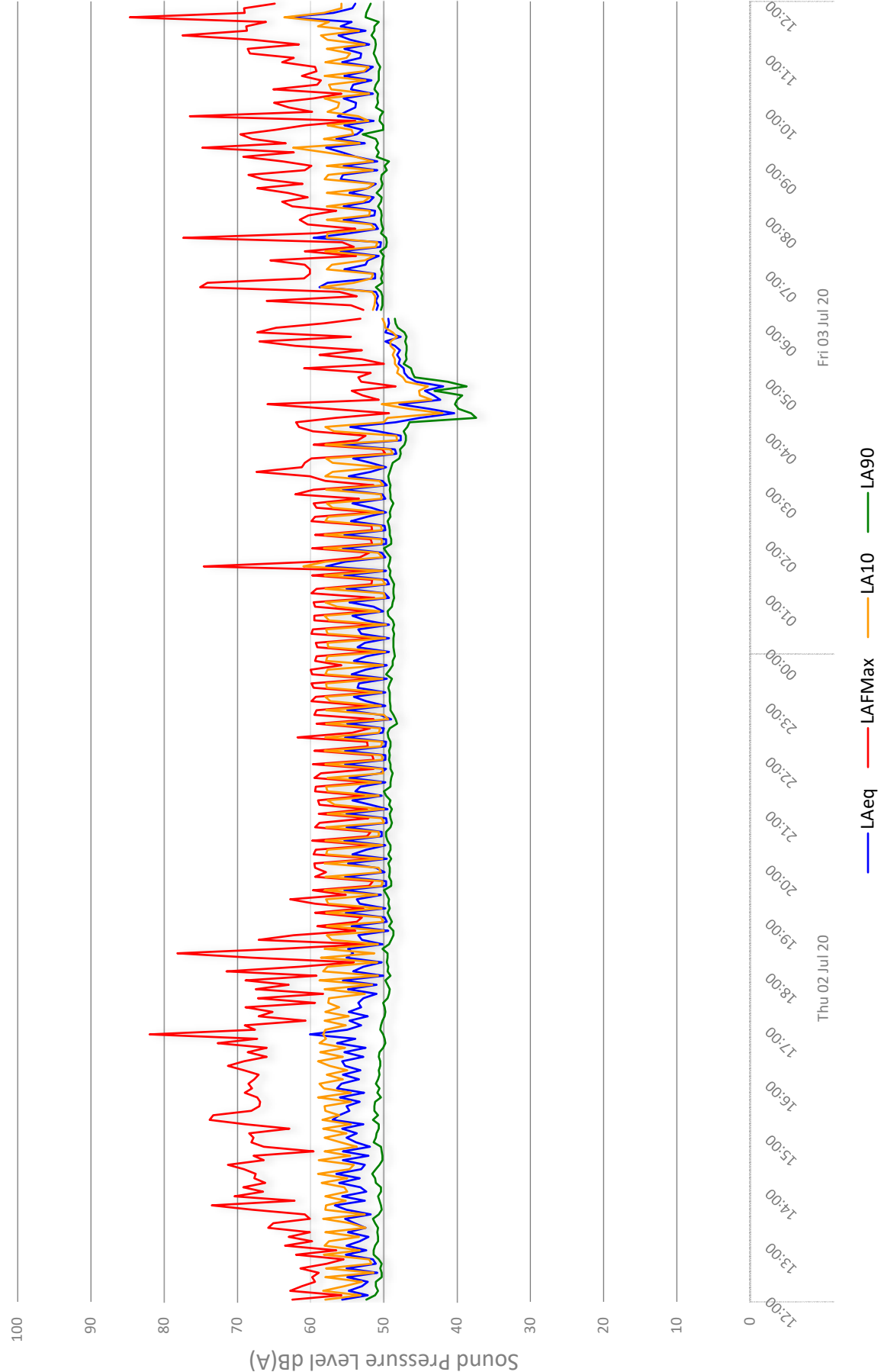


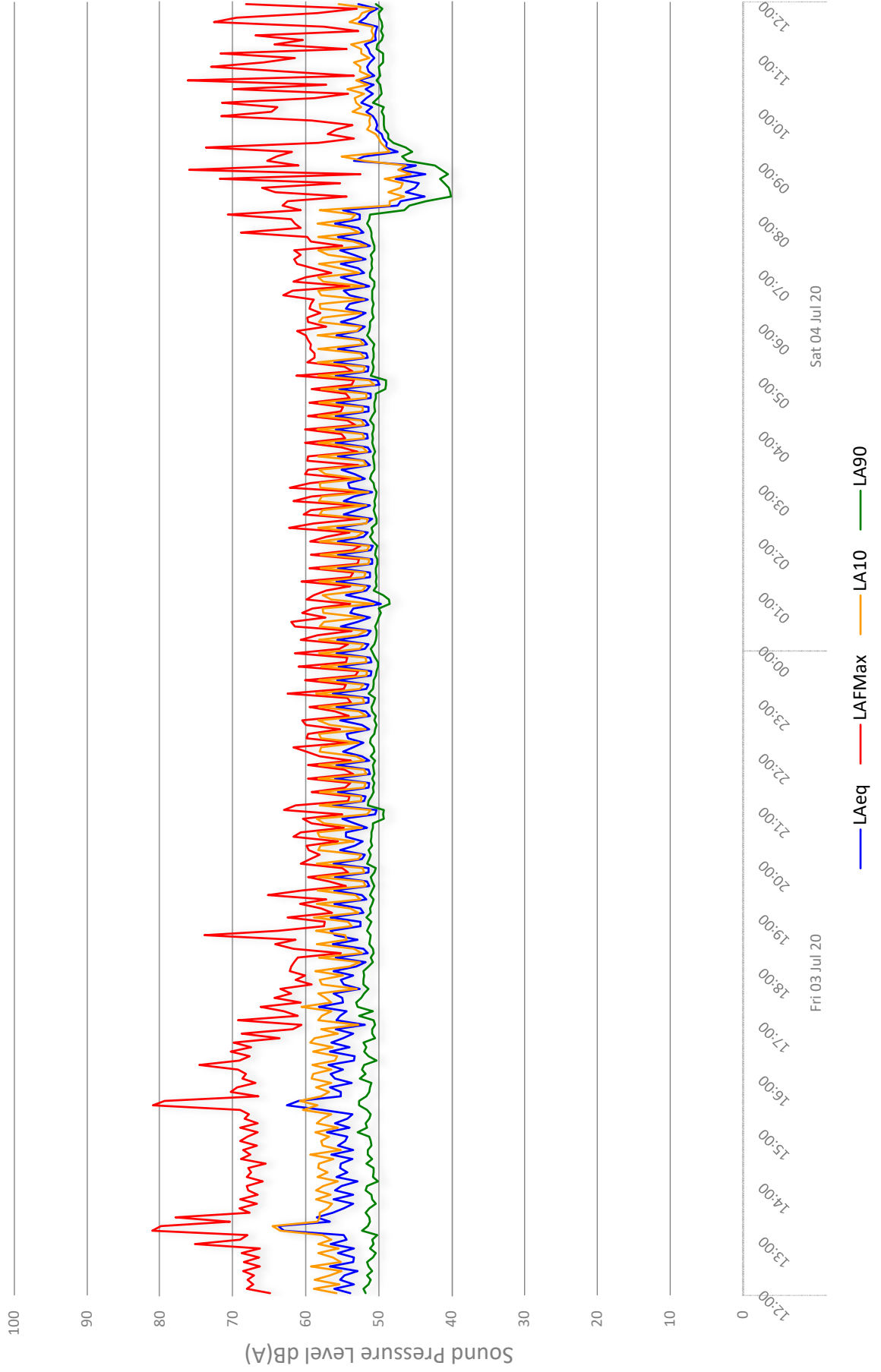
Figure VA2752/TH5



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



Figure VA2752/TH6



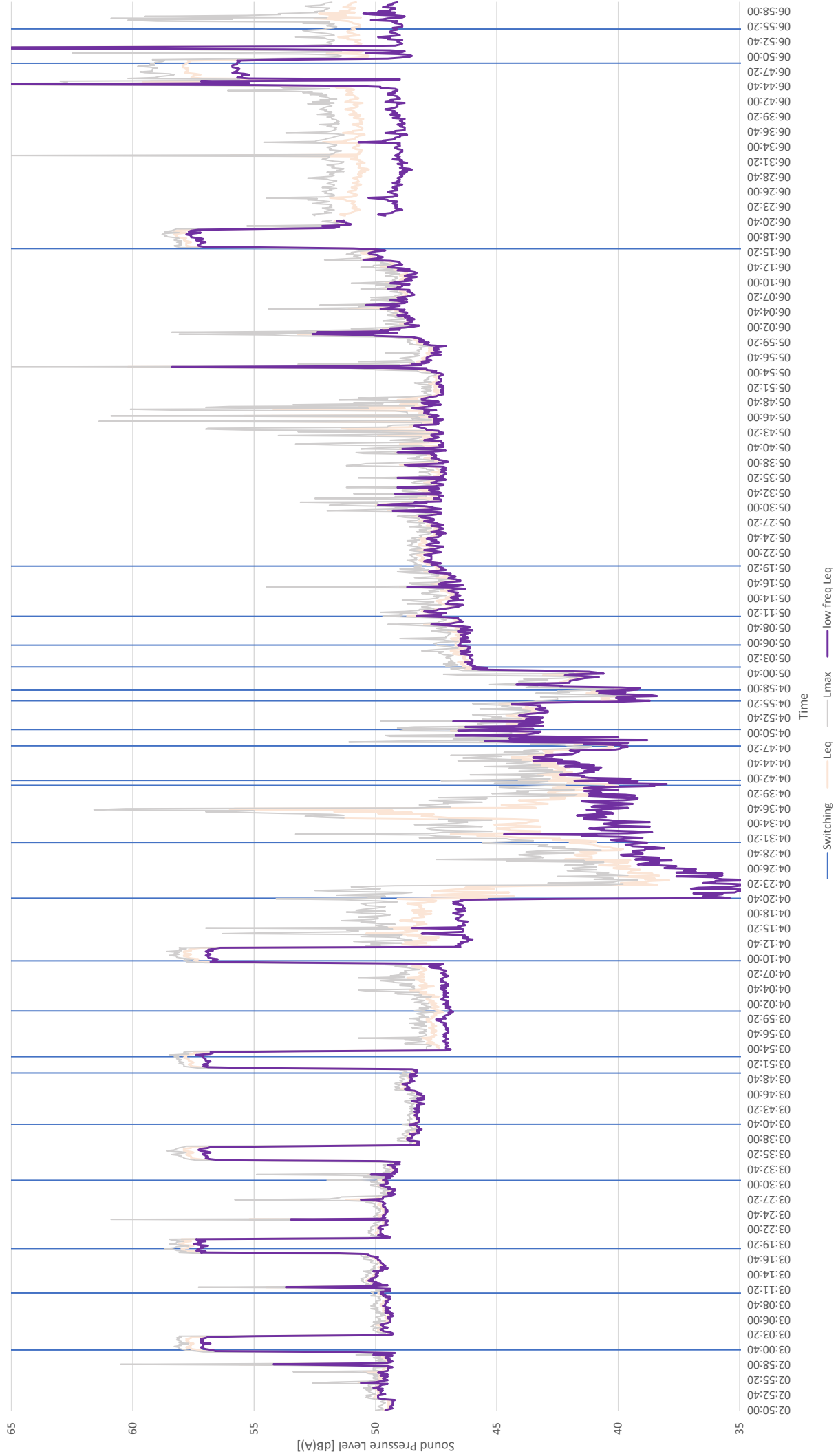
10-12 Old Station Business Park, Compton
Environmental Noise Time History: 7
Carbosynth

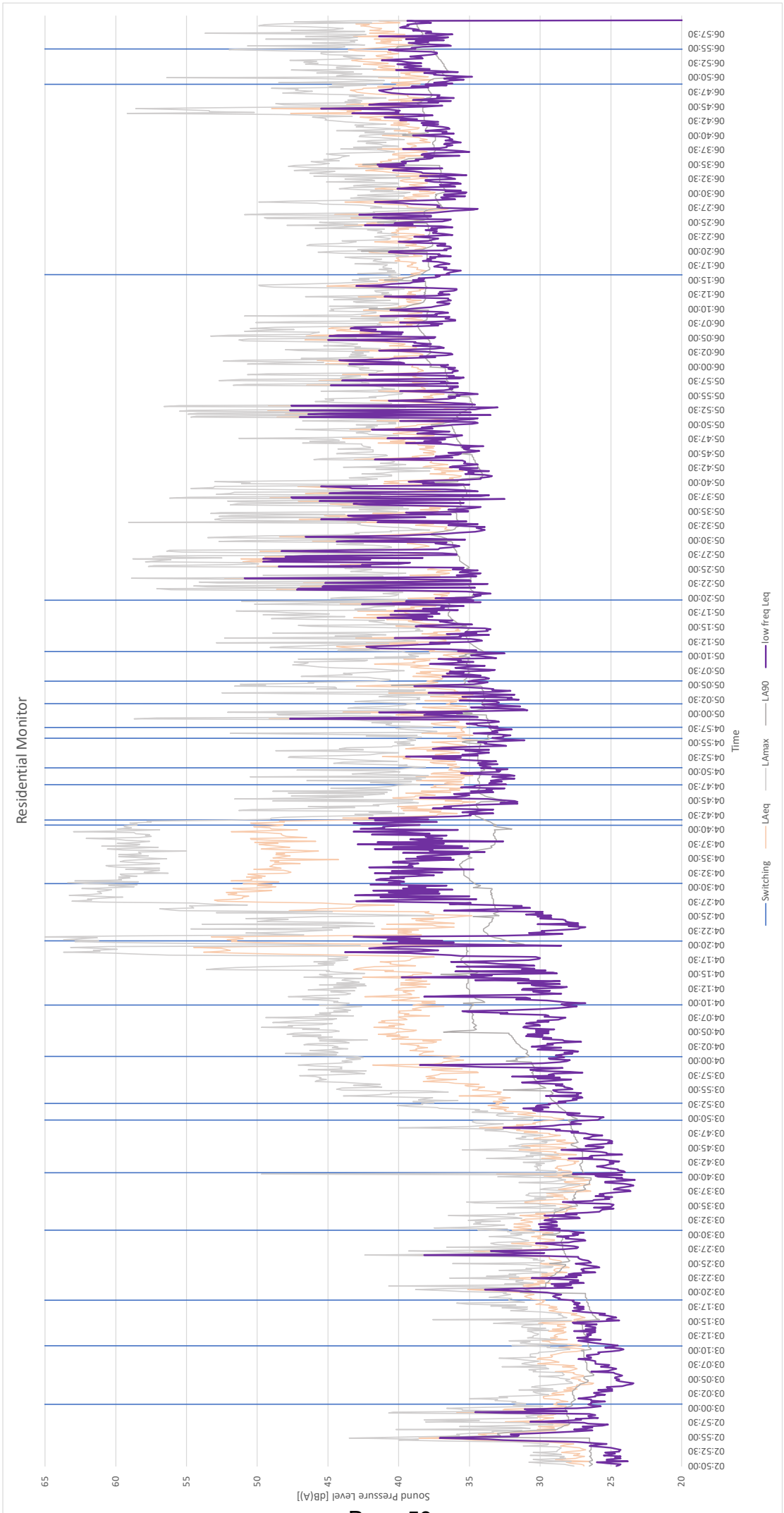


Figure VA2752/TH7



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	
Level at receiver	43	17	16	27	21	21	28	27	23	19	8	6	12	13	14	25

	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	
Level at receiver	30	33	26	27	33	27	28	37	33	18	19	21	16	22	22	32

	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	
Level at receiver	33	17	25	40	9	26	27	23	23	29	25	23	19	15	17	30

	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	
Level at receiver	29	11	26	25	17	17	20	21	18	11	14	11	7	4	6	19

	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	
Level at receiver	33	23	24	34	31	26	20	26	25	28	22	20	17	17	16	29

	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	
Level at receiver	41	34	35	33	27	27	27	27	27	30	21	24	27	20	17	31

	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	
Level at receiver	21	7	7	18	5	9	7	9	18	14	13	0	-7	-4	2	16

	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	
Level at receiver	26	26	14	30	26	20	19	30	23	21	16	15	14	15	16	26

	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	
Level at receiver	21	19	23	27	18	21	20	22	29	23	11	-23	7	-23	-23	24

	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	
Level at receiver	29	24	27	33	16	20	21	21	23	22	15	15	15	12	9	24

	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	
Level at receiver	40	32	37	40	27	32	33	26	32	28	24	20	19	17	17	31

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

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

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Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	20/00761/FUL Chieveley	19 th May 2020 ¹	Creation of ecological pond, bunds, soakaways. earthworks and a soft landscaping scheme Vine Cottage Curridge Road Curridge Mr S Fairhurst

¹ Extension of time agreed with applicant until 6th November 2020

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/00761/FUL>

Recommendation Summary: To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION.

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

Reason for Committee Determination: Called in by Ward Member
10 or more objections received

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: Sian Cutts
Job Title: Senior Planning Officer
Tel No: 01635 519111
Email: Sian.Cutts@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for the creation of an ecological pond, bunds, soakaways, earthworks and a soft landscaping scheme, on land at Vine Cottage Curridge Road. The application is partly retrospective, as there are bunds already on the site, however it is proposed to re-profile the bunds, and create new bunds, together with additional planting.
- 1.2 The application site is agricultural land situated to the west of a dwelling known as Vine Cottage. It is situated in the open countryside beyond any defined settlement boundary, and is within the North Wessex Downs Area of Outstanding Natural Beauty (NWD AONB). The site was previously used for sand extraction, and the land has been restored, there are a few mature trees within the site. The site is adjacent to Curridge Road, and to the north of the road is a group of 5 dwellings in Oaklands and to the east of the site are Foxford House and Galini Cottage, separated from the site by a track and the CHIE/32/1 Footpath a Public Right of Way.
- 1.3 The proposed pond will measure 21 metres, widening to 40 metres in width and 58 metres long. The depth of the pond will vary to provide for different habitats, with the western side of the pond being 0.5 metres deep, and the centre of the pond at 1.5 metres deep. The bunds on the north and eastern side will be re-profiled, to provide a slope of 1 in 3, the maximum height is 1.4 metres. At present there is a single bund, a parallel bund is proposed to be created. The bunds will be created from waste within the site.
- 1.4 The pond is proposed to be lined with a Terram geotextile separating layer, and sand layer and a HDPE geomembrane. The water level of the ponds is below the bottom of the bunds. The water level of the pond is approximately 114.06 AOD, the bottom of the bunds area at 115 AOD, the top of the bunds are 116.5 AOD. A silt trap is proposed, and an overflow pipe, which connects to the proposed soakaways to the north eastern corner of the site, in the form of two soakaway pits. The trenches will be lined and are 25 metres length, 3 metres wide and 2.2 metres deep. The soakaways will have four observation wells to allow for monitoring, and covered with topsoil and re-seeded with a wildflower mix and orchard planting. Additional planting and seeding of the bunds is proposed.

2. Planning History

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

Application	Proposal	Decision / Date
17/01829/CERTE	Excavation of water attenuation pond under Agricultural Permitted Development and creation of bunding with the excavated spoil	Refused 22/12/2017
19/00317/FUL	Creation of pond and embankment.	Refused 09/01/2020

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 The application was advertised by means of a site notice posted on 13th May 2020, on a gate at the entrance to the site. The deadline for representations expired on 4th June 2020. Following the submission of revised plans, those who had made representations on the application were notified of the amendments, and were able to make additional representations until 30th September 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). The proposed works are not with a class of development for which CIL is liable.]

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.

Chieveley Parish Council:	<p>Object.</p> <p>The question of the maintenance of the soakaways is raised as a concern. Keeping the soakaways clear is a manual task & dependant on dedicated maintenance regime. If this is neglected the cottages alongside footpath 32 could be subject to flood-risk. Water Resource Assoc LLP report has already highlighted concerns regarding the sizing & maintenance of the soakaways.</p> <p>The application includes a section on inspection of the soakaway arrangements, but no indication of how this maintenance of essential inspection and cleaning will be ensured. Should WBC be minded to approve this application this aspect requires the most stringent condition.</p> <p>Para 5.9 of the Planning , Design and Access Statement refers to NPPF Para 83 (re Business Use) as a relevant policy, but Para 6.39 suggests no commercial use is planned, so why is Para 83 of the NPPF relevant</p>
Shaw-cum-Donnington Parish Council (adjoining):	No objections
WBC Highways:	As with the previous planning application, there is no objection from a Highways DC point of view. However I do recall considerable concern from Sustainable Urban Drainage Systems colleagues regarding the previous proposal and the potential to flood the nearby public highway. I would oppose any

	<p>development that posed such a risk to the public highway and any users of it.</p> <p>Conditions with regards to a Construction Method Statement and parking for contractors would be appropriate</p>
Environmental Health:	No objections
SuDS	<p>Initial response: requested additional information and clarifications, including the removal of trees/shrubs from the bund.</p> <p>Second response: Additional information required about topography; bund stability calculations; should include a spillway; an update plan should show additional manholes; root protection zones should be included; the proposed grill should be refined to make it easier to maintain; trees and shrubs should be removed from the bund; confirmation required of the width of the crest of the bund.</p> <p>Third response: The revised drawings introduce additional tree planting adjacent to the soakaways and no assurances are provided that these will not impact on the soakaways. Significant planting is still proposed on the bund. Therefore, our previous comments would still remain outstanding.</p> <p>Final Response: Revised drawings have addressed previous comments about the landscaping</p>
Ecology:	<p>Require a bee bank, and reptile/amphibian refuge on the southern slope. Management of the vegetation and habitats will be detailed in a Landscape Environmental Management Plan (LEMP), as a pre-commencement condition.</p> <p>The Construction Environmental Management Plan (CEMP) must contain the details contained in the recommendations part of the ecology report, to include water quality and invasive species management and tree protection measures</p> <p>Following submission of additional information, the biodiversity enhancements are acceptable, and recommend conditions.</p>
Trees:	<p>Initial response: Further details of a landscape planting and management written strategy which would include details of planting times and long term management are required to properly assess the proposal.</p> <p>Second response: The updated landscape plan now identifies tree and plant species proposed, size of new trees and their location. I request the written landscape planting and 5 year management plan to accompany this updated plan.</p> <p>Third response: The written landscape management plan now provides a comprehensive management and planting plan for the site. No further objections. Please condition landscaping in accordance with the submitted details.</p>

Public Rights of Way	No response received
AONB Board	No response received
Environment Agency:	No response received
Minerals and Waste Team:	No response received
Ramblers Association:	No response received

Public representations

4.2 Representations have been received from 13 contributors, none of which support, and 13 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 definition of ecological is preservation of the environment and of natural resources, question a new lake lined with plastic
- Gorse, ferns, and felled trees have been removed, they should be replanted
- Waste has already been brought to the site to build the bunds
- Run-off has only occurred after trees have been felled in the surrounding area to alter the natural flows (google images sent to show extent of tree felling)
- There are existing ponds to meet ecological need
- Sceptical that there will be no commercial use of the pond
- Concern about impact on septic tanks
- The location is at odds with natural water flow of water and its proximity to housing and highway
- Risk of groundwater flooding, houses flooded with groundwater in 2007
- Size of the pond has never been justified, the size seems disproportionately large
- Body of water should be similar to Oaklands pond
- Water run-off has increased since trees have been removed
- Pond should be re-sited in a natural depression away from housing and the highway
- The soakaways should be reconfigured and relocated in the woods to the east/south-east away from houses, concerned about impact of subterranean water, overflow pipe should point north to overflow Curridge Road.
- How will maintenance, construction and wheel washing be overseen?
- Lack of consideration to the impact outside the Vine Cottage boundary
- Preferred option is for the existing bunds to be removed and land reinstated and trees re-planted
- New material will be required to be brought to the site for the bunds, and for the new planting, unclear what will happen to the waste material from the current bunds
- Unclear about gravel apron
- A Flood risk Assessment should be undertaken in accordance with policy CS16
- It is not a sustainable design in accordance with policy CS14 as it relies on a maintenance plan to clear debris from the soakaway, and seems unenforceable

- The pond is above ground level and an eyesore in the AONB
- Impact on the public footpath
- Location of the site notice

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, CS5, CS13 CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS5 and TRANS1 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)
- Sustainable Drainage Systems SPD (2018)
- Planning Obligations SPD (2015)
- Chieveley Village Design Statement (2002)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of the development
- Character and appearance of the AONB
- Flooding
- Ecology
- Highways

Principle of development

6.2 Policy ADPP1 defines the application site as being within the open countryside where only appropriate limited development will be allowed focused on addressing identified needs and maintaining a strong rural economy. Policy ADPP5 recognises the NWD AONB as a national landscape designation and states that development will conserve and enhance the local distinctiveness, sense of place and setting of the AONB, preserving the sense of remoteness and says that the development will respond positively to the local context. The application is proposing the continuation of construction works for the creation of an ecological pond and associated bunds, soakaways, earthworks and soft landscaping scheme. The Planning, Design and Access Statement submitted with the application indicates that the pond is to enhance biodiversity, provide flood alleviation and enhance the amenity of the landscape setting. The consideration of the application is based on the consideration of the following matters.

Character and appearance

- 6.3 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 considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Policy CS19 seeks to conserve and enhance the local distinctiveness of the landscape character of the District. The policy says that particular regard will be given to the sensitivity of the area to change and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.4 The application site is agricultural land within the NWD AONB. The site was historically used for sand extraction, and has been restored with a number of mature trees on the site. The land forms a transition between the open fields and sporadic dwellings to the west, and the densely wooded area of Snelmore Common East, as the site was previously used for sand extraction, and subsequently restored, it does not have the appearance of a traditional grazing or arable field. The bunds have been partially constructed on the site, and these are evident from Curridge Road. It is proposed to re-profile the bunds to reduce the external slopes from 1 in 4 to 1 in 3, which will make them appear more natural. It is proposed to sow the bunds with a wildflower mix, which will be extended to area around the pond, with a wildflower meadow seed mix to the east of the site close to the proposed soakaways. Additional marginal planting around the edge of the pond is proposed, with aquatic planting within the pond. The Tree Officer is satisfied with the tree protection measures which are proposed, and the planting and landscape management plans which have been submitted, and these can be secured through conditions. Whilst objections have been raised on the basis of the proposal being out of character with the area, there have been improvements proposed to the scheme, so that the bunds will appear more natural in the landscape. The presence of ponds is not an unusual feature within the countryside and there is a small natural pond in front of the houses on the opposite side of the road. Given that this is a transition area between the open fields around Curridge, and the wooded copse to the west of the site, and small groups of houses, the proposal is to be considered not to be harmful to the overall character and appearance of the site within the NWD AONB.

Flooding

- 6.5 The application site is within Flood Zone 1, and is not within an area at risk of groundwater or surface water flooding, and is not within a Critical Drainage Area. The Design and Access and Planning Statement indicates that one of the aims for the pond is to provide flood alleviation, through collecting water from the higher land to the south-west, and collect water surface water and which seeps into the application site. Further excavation will take place to create the pond, with soakaways to the east of the site. The bunds will be re-profiled with additional work added to them. The council's Drainage Officers have assessed the reports and drawings submitted with the application. There have been a number of amendments made to the application to the technical details of the bunds, the soakaway, silt traps, root barriers and landscaping. The drainage officer is satisfied with the plans which have been submitted.
- 6.6 The previous application for a pond on the site was refused because the proposals did not provide evidence that the development could be completed and maintained in a safe manner, and did not incorporate measures for the long term maintenance and management of flood protection and mitigation measures, and as such was contrary to policy CS16 of the Core Strategy. The previous concerns have been overcome with the additional information and revisions made to the proposals, and it is not considered that

the proposed pond will result in increased risk of surface water or groundwater flooding to the surrounding land and nearby residential dwellings.

Ecology

- 6.7 Policy CS17 says that biodiversity and geodiversity assets across the District will be conserved and enhanced. It goes on to say that all new development should maximise opportunities to achieve net gains in biodiversity and geodiversity. An Ecological Appraisal and Ecological Enhancement Strategy was submitted with the application. It is proposed to plant the bunds with a wildflower seeding, and meadow seeds, and aquatic planting within the pond together with additional tree planting, and native hedges. The plans have also been amended to include the inclusion of bee posts within the bunds, and reptile refuges. In addition there have been amendments to the proposed landscaping scheme in increase the biodiversity value, such as the replacement of laurel hedge with native species. The proposal includes biodiversity enhancements, and the landscape management can be secured through conditions.

Highway Safety

- 6.8 Policy CS13 refers to development which has an impact on the highway networks, and policy TRANS1 refers to meeting the parking requirements of new development. The proposed pond is not for public use, and so there are no requirements for parking beyond the construction phase of the proposal. The Highways Officer has not raised any objection to the proposal. When the previous application was considered concerns were raised about the potential for flooding onto the highways, as the Drainage Officers have not raised objections to the proposal, the Highways Officer has confirmed that there are no highway safety objections to the proposal. A Construction Method Statement would be appropriate to ensure that during the construction phase of the proposal that there are appropriate measures in place to deal with construction vehicles, wheel washing, and site deliveries. This can be secured through a condition.

7. Planning Balance and Conclusion

- 7.1 The application is proposing the retention, extension and re-modelling of the existing bunds on the site, and the creation of a pond, together with the associated earthworks, soakaways, and landscaping. The proposed pond will not increase the risk of flooding outside of the site, and will not be harmful to highway safety. The landscaping enhancements which are proposed in the form of a mix of seed planting, as well as native hedges and additional trees, will enable the pond to blend into the surrounding NWD AONB landscape, and will enhance the area of land which is of poor visual quality. The proposal also has wider public benefits through the ecological improvements which are incorporated into the proposal. The previous reasons for refusal have been overcome, and given the environmental benefits of the improved biodiversity, and management of flood risk the proposal is considered to accord with the relevant development plan policies and is recommended for approval.

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.	Commencement of development
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	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <ol style="list-style-type: none"> i. Location and Block Plan Drawing No BRU-VIN-LS-001 Rev B received on 9th September 2020; ii. Cross Sections Locations Drawing No BRU-VIN-LS-002 Rev B received on 9th September 2020; iii. Cross Section 50-80 Drawing No BRU-VIN-LS-003-2 Rev A received on 11th June 2020; iv. Cross Section 10-40 Drawing No BRU-VIN-LS-003-1 received on 23rd March 2020; v. Landscape Strategy with Management Codes 1 of 2 Drawing No BRU-VIN-LS-004 Rev E received on 9th September 2020; vi. Landscape Strategy with Management Codes 2 of 2 Drawing No BRU-VIN-LS-005 Rev E received on 9th September 2020; vii. General Arrangement Pond & Soakaway Details Drawing No BRU-VIN-LS-006 Rev A received on 11th June 2020; viii. General Arrangement Longitudinal Sections A-A & B-B Drawing No BRU-VIN-LS-007 Rev B received on 22nd July 2020; ix. Bund Level Analysis Drawing No BRU-VIN-LS-008 received on 22nd July 2020; x. Detailed Planting Scheme 1 of 2 Drawing No BRU-VIN-LS-010 Rev B received on 9th September 2020; xi. Detailed Planting Scheme 2 of 2 Drawing No BRU-VIN-LS-011 Rev B received on 9th September 2020; xii. General Arrangement Planting Schedule & Details Drawing No BRU-VIN-LS-012 Rev A received on 22nd July 2020; xiii. General Arrangement Landscape Strategy Drawing No BRU-VIN-LS-014 Rev B received on 9th September 2020; xiv. Landscape Management Plan Dated 08/09/2020 received on 9th September 2020; xv. Hy-Tex Root Barrier C3 Spec received on 30th July 2020; xvi. Geotechnical Assessment Dated 28/01/2019 received on 23rd March 2020; xvii. Technical Note: Hydrological Modelling and Soakaway Design September 2019 received on 23rd March 2020; xviii. Technical Note: Infiltration test April 2019 received on 23rd March 2020; xiv. Preliminary Ecological Appraisal and Ecological Enhancement Strategy received on 22nd July 2020; xx. Update Letter from Water Resource Assoc. LLP dated 26/02/2020 received on 23rd March 2020; and xxi. Planning Design and Access Statement by Bourne Rural Planning Consultancy Ltd dated 11th March 2020 received on 23rd March 2020. <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>Construction Method Statement</p> <p>No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:</p>

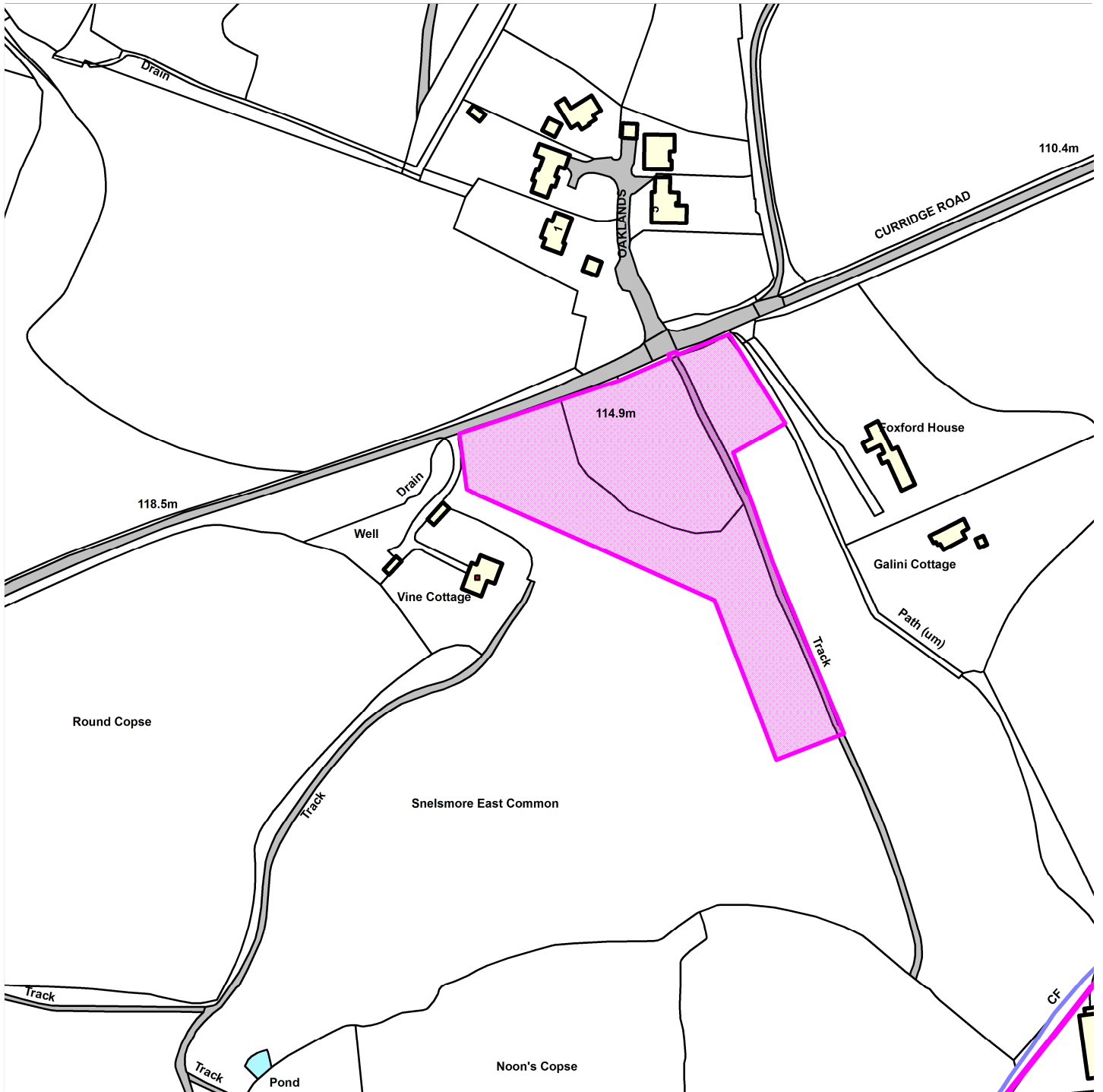
	<p>(a) The parking of vehicles of site operatives and visitors;</p> <p>(b) Loading and unloading of plant and materials;</p> <p>(c) Storage of plant and materials used in constructing the development;</p> <p>(d) Wheel washing facilities;</p> <p>(e) Measures to control the emission of dust and dirt during construction;</p> <p>(f) A scheme for recycling/disposing of waste resulting from demolition and construction works;</p> <p>Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.</p> <p>A pre-commencement condition is required as there is insufficient information contained within the planning application, and these matters refer to first operations on site.</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14 and CS13 of the West Berkshire Core Strategy (2006-2026), Policies OVS6 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Supplementary Planning Document Quality Design (June 2006).</p>
4.	<p>Landscaping in accordance with approved scheme</p> <p>All landscape works shall be carried out in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including;</p> <ul style="list-style-type: none"> i) Landscape Management Plan Dated 08/09/2020 received on 9th September 2020; ii) Location and Block Plan Drawing No BRU-VIN-LS-001 Rev B received on 9th September 2020 iii) Cross Sections Locations Drawing No BRU-VIN-LS-002 Rev B received on 9th September 2020 iv) Landscape Strategy with Management Codes 1 of 2 Drawing No BRU-VIN-LS-004 Rev E received on 9th September 2020 v) vi. Landscape Strategy with Management Codes 2 of 2 Drawing No BRU-VIN-LS-005 Rev E received on 9th September 2020 vi) Detailed Planting Scheme 1 of 2 Drawing No BRU-VIN-LS-010 Rev B received on 9th September 2020 vii) Detailed Planting Scheme 2 of 2 Drawing No BRU-VIN-LS-011 Rev B received on 9th September 2020 viii) General Arrangement Planting Schedule & Details Drawing No BRU-VIN-LS-012 Rev A received on 22nd July 2020 ix) General Arrangement Landscape Strategy Drawing No BRU-VIN-LS-014 Rev B received on 9th September 2020 <p>The approved landscape works shall be implemented within the first planting season following completion of development. Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this development/completion of the approved landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p>

	Reason: To ensure the implementation of a satisfactory scheme of landscaping. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).
5.	<p>Protection during construction</p> <p>During construction works, any deep excavation shall either not be left open overnight or an escape ramp in the form of a scaffold plank shall be placed at a shallow angle to allow any trapped badgers to exit the excavation.</p> <p>Reason: To prevent the incidental trapping of badgers during construction work. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
6.	<p>No Exterior Lighting</p> <p>No exterior lighting is to be installed without the prior written permission of the local planning authority.</p> <p>Reason: The site supports protected species and lighting could adversely impact on these protected species and deter them from utilising the site fully. This condition will ensure that bats are not adversely impacted upon by the proposals. The site is situated within the North Wessex Downs Area of Outstanding Natural Beauty where preservation of dark skies is an important part of conserving the natural beauty of the landscape. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), and Policies ADPP5, CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>

Informatives

1.	<p>Proactive</p> <p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.</p>
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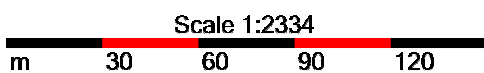
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Comments	Not Set
Date	23 October 2020
SLA Number	0100024151



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Agenda Item 4.(3)

Item No.	Application No. and Parish	8 Week Date	Proposal, Location, Applicant
(3)	20/01924/HOUSE Chieveley	22 October 2020 EOT agreed: 10.11.20	Section 73A: Variation of Condition 1 (Rooflight windows) of previously approved application 10/02895/HOUSE: Retrospective – Velux rooflights to the east and west elevations(to comply with Condition 3 of approved permission 09/02148/HOUSE The Bungalow, Downend, Chieveley, Newbury Mr and Mrs Pearce

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/01924/HOUSE>

Recommendation Summary:

To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to conditions

Ward Member:

Councillor Hilary Cole
Councillor Garth Simpson

Reason for Committee Determination:

Called in by Cllr. Cole – amendment to an existing condition which causes extreme concern to a neighbour.

Committee Site Visit:

N/A

Contact Officer Details

Name: Liz Moffat
Job Title: Assistant Planning Officer
Tel No: 01635 519336
Email: elizabeth.moffat@westberks.gov.uk

1. INTRODUCTION

- 1.1 This householder application seeks planning permission to regularise the breach of Condition 1 of application Ref:10/02895/HOUSE which gave consent for two small rooflights within the roof slope of an approved loft conversion to a bungalow in 2009. The condition restricted the west facing rooflight to being fixed, un-openable and obscure glazed.
- 1.2 This application seeks approval for this rooflight to be clear glazed and opening for ventilation given that in the summer months the loft room can become uncomfortably warm.

2. PLANNING HISTORY

2.1 The relevant planning history for the application site is summarised below:-

- 10/02895/HOUSE – Retrospective – Velux rooflights to the east and west elevations (to comply with condition 3 of application 09/02148/HOUSE) APPROVED 10.02.11
- 09/02148/HOUSE – Demolition of existing sunroom and erection of 3m deep extension with gables and loft conversion APPROVED 20.01.10
- 09/00789/HOUSE – One and a half storey side extension, rear conservatory, raising of eaves/roof by 1.6m forming accommodation within roof REFUSED 03.07.09
- 149278 – brick and flint wall to replace hedge REFUSED 29.08.97
- 112282 – erection of second garage adjacent to existing APPROVED 25.01.80

3. PROCEDURAL MATTERS

- 3.1 Given the nature and scale of this householder 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 The application has been publicised in accordance with the Town and Country Planning (Development Management Procedure) Order 2015 with the display of a site notice for 21 days. The site notice expired on 28 September 2020.

4. CONSULTATION

4.1 Statutory and Non-Statutory Consultations

Parish Council: Object - the condition was applied for a reason and the members cannot see any changes in circumstances to allow for this condition to be changed

4.2 Public representations

Original consultation: Total: 10 Support: 3 Object: 7

Summary of objection

- Intrusive to private amenities of a neighbouring property
- Harmful, direct overlooking

- No change in circumstances since original permission.
- Child safety issues

5. PLANNING POLICY

5.1 West Berkshire Core Strategy 2006-2026 (WBCS):
Policies: ADPP1, ADDP5, CS14

5.2 Material considerations:

- National Planning Policy Framework (NPPF) 2019
- Planning Practice Guidance (PPG)
- House Extensions SPG (2004)
- Quality Design – West Berkshire Supplementary Planning Document Part 2: Residential Development 2006
- Chieveley Village Design Statement (VDS) (2002)

6. APPRAISAL

6.1 Principle of development

6.1.1 The application site lies outside the settlement boundary of Chieveley where the principle of development is acceptable provided the proposal complies with the policies in the development plan and the guidance in the NPPF, unless material considerations indicate otherwise.

6.2 The Impact on the amenities of neighbouring properties

6.2.1 According to Policy CS14, new development must make a positive contribution to the quality of life in West Berkshire. The Council's adopted Quality Design SPD and House Extensions SPG outline key factors to consider in terms of the potential impact on neighbouring living conditions. The primary impact of the development would be to Sunhill Cottage to the west.

6.2.1 The Bungalow lies at the north-eastern side of the village of Chieveley, just outside the settlement boundary which incorporates Downend. The property dates from the 1950s and lies towards the eastern side of an irregular shaped plot. There is a double garage/outbuilding dating from the 1980s, which lies between the dwelling and the western boundary with Sunhill Cottage and Sunhill Farm. In 2009 consent was granted to add a one and a half storey rear extension including a loft conversion to the bungalow.

6.2.2 The 2009 approval proposed no openings within the roof other than a dormer window in the north and east elevations. A condition at that time was added, restricting permitted development rights for further openings within the east and west elevations. In 2010, a retrospective application sought to regularise a breach of that condition whereby a small rooflight was added within both the east and west elevations. At that time, the proposal specified that the roof light in the west elevation would be obscure glazed and fixed shut. There are no records of any discussion as to whether or not it was required to be anything other than obscure glazed and fixed shut.

6.2.3 This west facing rooflight is a secondary window which serves a bedroom with a larger dormer window within its north elevation. The Council's SPD on Quality Design Part 2 discusses privacy in residential development and states that the "perception of privacy at the front of a dwelling varies depending on location.....At the rear of a dwelling the expectation of the resident will be that they should experience a high level of privacy and that overlooking windows, should be avoided or be some distance away. There is a long

established good practice guideline of 21 metres as a privacy distance between houses backing onto each other.....”

- 6.2.4 As described in para 6.2.1 ‘The Bungalow’ and ‘Sunhill Cottage’ do not back onto each other, but are set side by side. As specified in the supporting photos accompanying the application, it is confirmed that there is a distance of approximately 15 metres between the west elevation of ‘The Bungalow’ (at the point where the rooflight is located) and the shared boundary with Sunhill Cottage, and approximately 19 metres to the eastern elevation of Sunhill Cottage. The only opening at first floor level within the east elevation of Sunhill Cottage is a small bathroom window. Given these distances involved, and that the rooflight is at an oblique angle, these windows are not considered to be directly facing. The rooflight is considered relatively small and any potential or additional overlooking opportunities that may be introduced by its replacement with an opening, clear glazed aperture are not considered to compromise the privacy of the occupiers of Sunhill Cottage, nor to result in unreasonable harm to their living conditions. Furthermore it is worth noting that the insertion of rooflights into the roof of the garage would be permitted development and therefore planning permission would not be required.

7. CONCLUSION

- 7.1 Having taken account of the aforementioned planning policies and the relevant material considerations including the Town & Country General Permitted Development Order 2015, it is considered that the development is acceptable and the grant of conditional planning permission is justified. As such, the application is recommended for approval.

8. FULL RECOMMENDATION

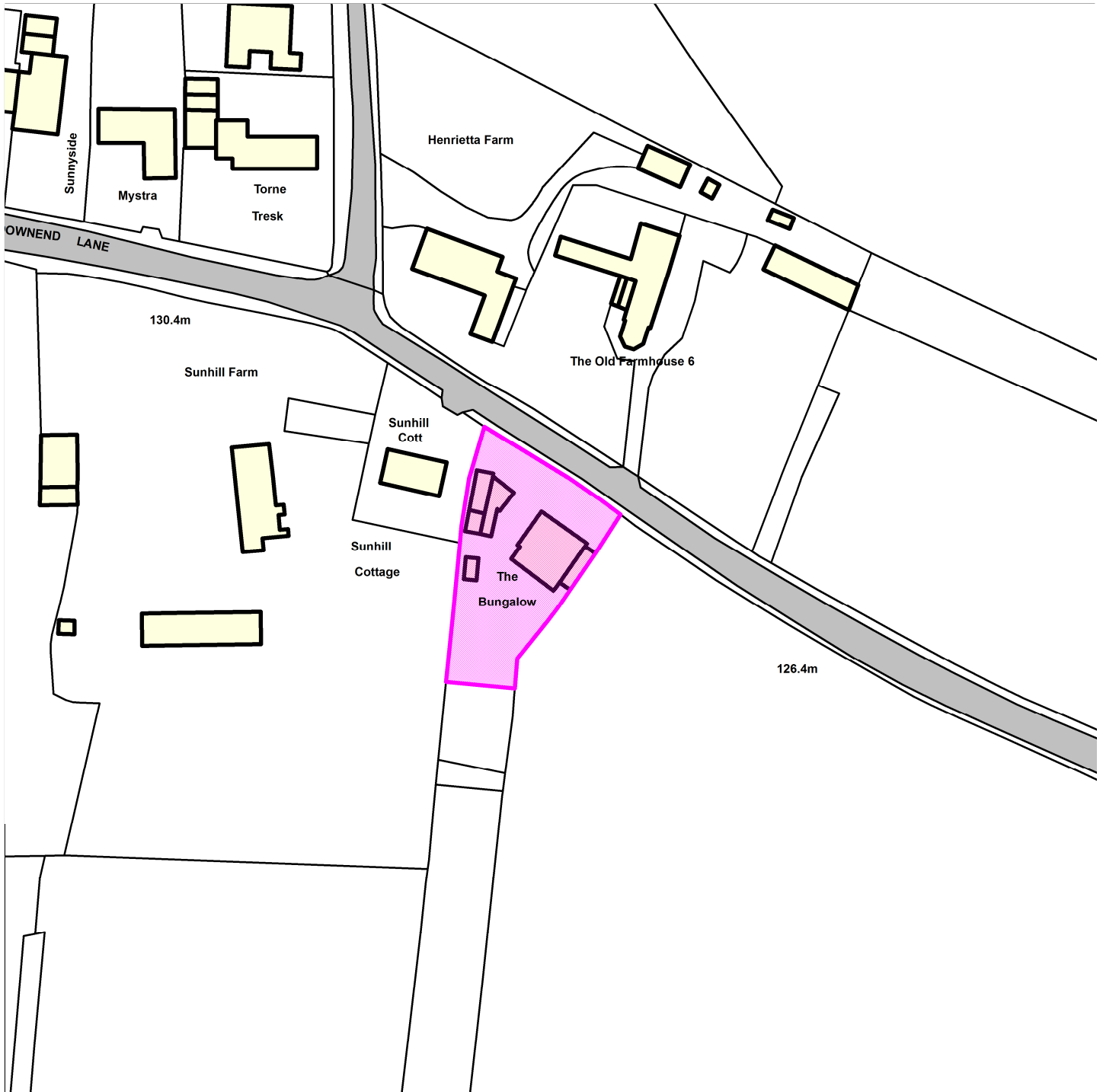
To delegate to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the following condition.

1. Irrespective of the provisions of the Town and Planning (General Permitted Development) Order 2015 (or any subsequent revision), no additional openings shall be inserted in the west elevation (including the roof slope) without permission being granted in writing by the Local Planning Authority in respect of a planning application.

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

20/01924/HOUSE

The Bungalow, Downend Chieveley RG20 8TG



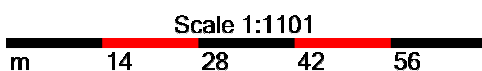
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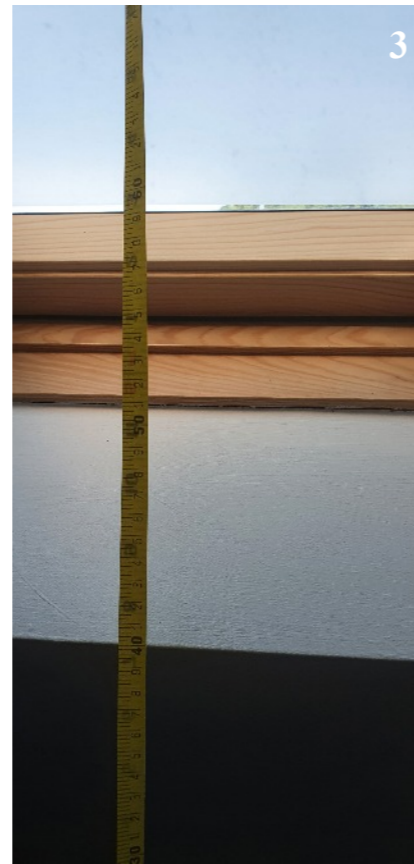
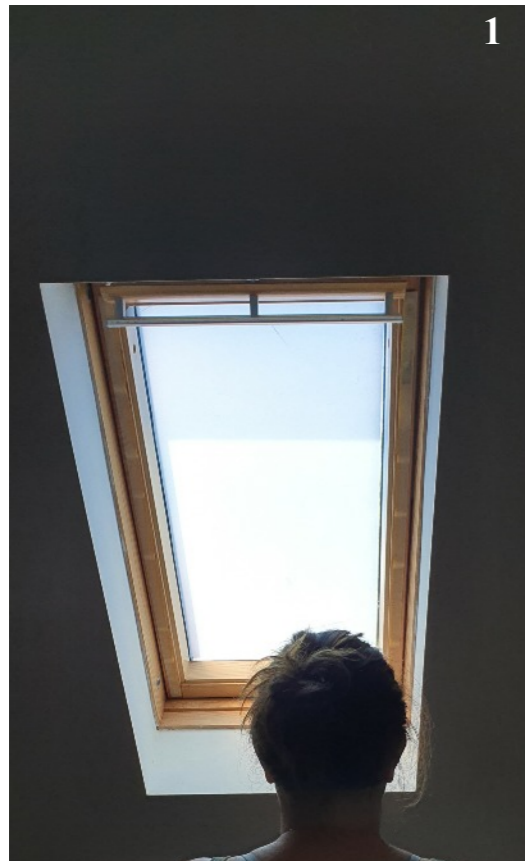
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1. View of window compared to eye level (5ft 4")
2. Measurement of window height from the floor
3. Close up view of window height measurement 1.55m when open and 1.6m when closed



4. View out of window toward neighbouring property. Only gained by purposefully leaning out of window and residents being on tiptoe.. No close up view directly into neighbouring property. Please note film over window obscuring the view when closed.



5. View gained from existing first floor window, which is not restricted



6. View gained from the adjacent to the public vantage point on the road, which is in line with the edge of the house. It is clear that more can be seen from the public realm, than from the roof window



7. View gained from the front garden, showing relationship and distance between the bungalow, the outbuildings and adjacent property



8 & 9.. Measurement of distance between the bungalow, the outbuildings and adjacent property. 16m from edge of The Bungalow to the boundary hedge. This does not include the distance back into the roof slope of the roof window (approx 1.5m) and the gap between the boundary and adjacent property (approx 1.5m). This can be verified on Google maps measuring tool as total of 19m.

This is far in excess of any front to front or side to side elevation measurements as recommended in any design guide (inc the WBC Quality Design SPD). In this instance the side elevation of the adjacent property does not contain a habitable room and has obscure glazing.

Planning Appeal Decisions

Committee: Western Area Planning Committee on 28th November 2020

Officer: Bob Dray, Team Leader (Development Control)

Recommendation: Note contents of this report

1. This reports summaries recent appeal decisions in the table below, and provides feedback on some of the key findings. The appeal decisions and associated documents can be viewed by searching by the application reference number on the Council's Public Access website: <https://publicaccess.westberks.gov.uk/online-applications/>

Application / Appeal	Site	LPA Decision	Appeal Decision	Decision Date
19/02735/HOUSE Appeal: 3246611 Written Reps	Laurel Cottage, Chapel Lane, Hermitage, Thatcham RG18 9RL Alterations and a two storey extension to the rear of Laurel Cottage.	Delegated refusal	Allowed	12/08/20
19/01804/FULD Appeal: 3245453 Written Reps	Walbury Cottage, Upper Green, Inkpen, Hungerford RG17 9QX New 4 bedroom detached dwelling with access road and hard standing area of parking.	Delegated refusal	Dismissed	25/08/20
19/02700/HOUSE Appeal: 3249861 Written Reps	Clifton House, Unnamed Road from Beckfords to Pangbourne Road, Upper Basildon, Reading RG8 8LU Amendments to 4 dormers (retrospective)	EAPC refusal (recommended approval)	Allowed	15/09/20
19/02915/HOUSE Appeal: 3251129 Written Reps	1 and 2 Church Street Mews, Church Street, Theale, Reading RG7 5BF Detached four bay garage to provide parking for 1 and 2 Church Street Mews with first floor annexe.	Delegated refusal	Dismissed	15/09/20
19/01826/HOUSE Appeal: 3251509 Written Reps	133 Halls Road, Tilehurst, Reading RG30 4QD New carport and store over existing parking spaces to the front garden of the existing property'.	Delegated refusal	Allowed	16/09/20
19/02950/HOUSE Appeal: 3251166 Written Reps	1 Weston Farm Cottages, Lambourn Road, Weston, Newbury RG20 8JA 3 bay garage with home office and storage rooms above	Delegated refusal	Dismissed	28/09/20
20/00708/HOUSE Appeal: 3255069 Written Reps	Greenhill Cottage, Hampstead Norreys, West Berkshire RG18 0TE Erection of first floor rear extension, erection of double	Delegated refusal	Dismissed	28/09/20

	storey side extension, and alterations to doors and windows.			
19/02426/LBC2 Appeal: 3245847 Written Reps	Hopgrass Open Barn, Stronggrove Hill, Bath Road, Hungerford RG17 0SJ Insertion of two windows to front elevation	Delegated refusal	Dismissed	28/09/20
20/00319/ADV Appeal: 3252407 Written Reps	Newbury Retail Park, Pinchington Lane, Newbury RG14 7HU Freestanding Lidl 'flag style' sign adjoining vehicular access into Newbury Retail Park off Pinchington Lane	Delegated refusal	Allowed	29/09/20
19/03076/OUTD Appeal: 3251987 Written Reps	Garage site adjacent to 1 The Village, Hamstead Marshall, Berkshire RG20 0HN Demolition of existing garages and erection of a two storey detached dwelling with three parking spaces	Delegated refusal	Allowed	01/10/20
20/00609/FUL Appeal: 3253638 Written Reps	Royal Berkshire Shooting School, Tomb Farm, Hook End Lane, Ashampstead, Reading RG8 8SD Eelocation of a marquee permitted to be erected up to 14 days per annum as per permission 142883	Delegated refusal	Allowed	07/10/20
19/01281/OUTMAJ Appeal: 3252212 Written Reps	Newspaper House and Units Q1-6, Plot Q, Faraday Road, Newbury RG14 2DW Demolition of existing Newspaper House and commercial buildings and redevelopment of the site for 71 flats and office accommodation together with parking and associated works	WAPC resolved to refuse (recommended for refusal)	Dismissed	08/10/20
20/00762/HOUSE Appeal: 3254826 Written Reps	Ogdown House, North Heath, Chieveley, Berkshire RG20 8UG Erection of an outbuilding.	Delegated refusal	Allowed	15/10/20
19/02878/HOUSE Appeal: 3253825 Written Reps	2 Lane End Cottages, Ermin Street, Woodlands St Mary, Berkshire RG17 7BH Demolition of the existing outbuilding and replacement outbuilding.	Delegated refusal	Dismissed	15/10/20

Housing in the countryside

- In **Walbury Cottage** the Inspector considered the criteria for infill development in Policy C1. They confirmed their interpretation that the wording of this policy is such that the insertion of the word “and” after each criterion does require that the proposal would need to comply with all the criteria; this is consistent with the Council’s interpretation. The Inspector disagreed with the Council’s interpretation that the site did not fall within a

“closely knit cluster of dwellings”, referring to the presence of existing residential dwellings to the north and east along the frontage of the road. The Inspector did, however, conclude that the proposal was not “infill” development as “infilling” would imply that the proposal would be located within a site which has development on either side of the plot, and that was not the case in respect of this appeal site. The appeal site is bounded by Walbury Cottage to the east, and the main road to the west. On this side of the main road, there is no additional development towards the south. As such the Inspector did not consider that the appeal site can be considered either infilling, or part of an otherwise built up frontage, due to the lack of existing development towards the south. Whilst the Inspector found the proposal complied with parts of Policy C1, these reasons rendered the proposal contrary to the policy as a whole.



3. The **garage site adjacent to 1 The Village, Hamstead Marshall** was another proposal for infill residential development. In this case the Council agreed that the site was located within a closely knit cluster of 10+ dwellings, but considered that the proposal conflicts with the other criteria of Policy C1. Regard was also given to a historical refusal.
4. Criterion (ii) requires that *“the scale of development consists of infilling a small undeveloped plot commensurate with the scale and character of existing dwellings within an otherwise built up frontage.”* The Inspector commented that this policy criterion does include reference to ‘undeveloped plots’ which the appeal site is not, being that there is an area of hardstanding and garages/outbuildings present. Nonetheless, considering the aim of the policy is to ensure against harm to the existing relationship between a settlement and the open countryside, amongst other things, it was the Inspector’s view that it is not the intention of this policy to prevent all infill development on previously developed plots.
5. In terms of criterion (iii) and whether it would “extend an existing frontage”, the Inspector noted that the site is set within the existing established row of dwellings. It is not to the side of the row, which would then extend it into the countryside if further dwellings were added. The proposed house would have a more noticeable frontage than the existing garages, but they would not regard this as being a case of a development which ‘extends’ the existing street frontage.



Self build housing

6. In **Walbury Cottage** the Inspector recognised that the appellant is registered on the Self Build Register, and the proposal would be a self-built dwelling. They commented that the provision of a single self-build property would contribute to the needs of the self-building sector, and that this was something which they attached weight to in favour of the proposals. However, this benefit did not outweigh the harm that was identified in respect of the location of the development and conflict with the development plan.

Flood risk sequential test (Newspaper House – WAPC)

7. The focus of the **Newspaper House** decision was on the flood risk sequential test (ST), which is a requirement of the NPPF and Core Strategy. The aim of the ST is to steer new development to areas with the lowest risk of flooding. If the ST is passed a proposal is also required to pass the Exception Test, which is also necessary for the development to be considered acceptable in this regard. In essence, development should only be permitted in an area of higher flood risk if there are no suitable alternative sites available in an area of lower flood risk. A ST therefore examines the availability of alternative sites within a defined search area.
8. In this case the proposal was for both apartments and office accommodation at a site near the centre of Newbury where there are existing offices. The site is within close proximity to the River Kennet and is, at least in part, within Flood Zone 3 according to the Environment Agency (EA). Although in Flood Zone 3 the area does benefit from flood defences. Flood Zone 3 (FZ3) is an area of high probability flooding. The appellant submitted both a Flood Risk Assessment (FRA) and also 'Sequential Tests' (ST) to support the proposal. The Council disputed the conclusions of the ST, the methods and the search criteria used by the appellant.
9. The appeal decision considers many detailed points, which will be a helpful reference for the future application of the sequential test in West Berkshire. However some key points include:
 - a) **The search area should not be limited to the appeal site.** The Inspector recognised numerous benefits of the proposed scheme, but was not persuaded that this means that the ST search area should not be beyond the appeal site, which despite the benefits is in this high risk flood area.

- b) **The search area should take in other settlements within West Berkshire.** The appellant only considered sites within the Newbury town area of the HELAA. However, the Inspector concluded that the search area should be set significantly wider, taking in the settlements of the District of West Berkshire which is covered by the Council's housing policies. Such policies are permissive for housing in urban areas, rural service centres, and service villages of the District to varying degrees. Furthermore, the Inspector also noted that Newbury is not the only urban area listed under policy ADPP1, which also includes Thatcham, and Eastern Urban Area, although it is possible that there may be sites available which could accommodate a development of the scale proposed in this appeal in one of the more rural settlements in the District. Furthermore, Newbury is considered within policy CS11 as a major town centre and that as a main urban area this will be one of the areas which will be the focus for development. However, this is not primarily a housing policy and also other settlements are mentioned (albeit smaller settlements than Newbury). Policy CS4 allows for higher densities elsewhere in the district.
- c) **Rejected discounting of alternative sites in Flood Zone 2.** On the evidence the Inspector could not conclude that the site was not, at least in part, within Flood Zone 3. As such they determined that any alternative sites in Flood Zone 2 should not be discounted as they are preferable to appeal site for residential development.
- d) **Rejected discounting of sites for minor development.** The Inspector rejected the discounting of all alternative sites that would not support a major housing development on the basis that they would not provide affordable housing.
10. The appellant contended that there are no sequentially preferable sites within Newbury from their analysis, but the Inspector considered there was no evidence before them that clearly sets out that the proposed development could not be accommodated on a sequentially preferable site in a settlement within the District other than within Newbury. In view of the seriousness of the consequences of flooding the Inspector concluded they were not satisfied that the sequential test had been passed. As such the exception test does not need to be considered in these circumstances.
11. In the final planning balance, the Inspector recognised the proposal would bring some significant benefits. However, the site was within Flood Zone 3 (albeit with flood defences) and flooding can result in severe consequences especially for those living in such areas if a flood event occurs, to which there is a notable probability for this site. Therefore, considering all the circumstances, the harm significantly and demonstrably outweighs the benefits of the scheme.

Duties to protect designated heritage and landscape areas

12. There are a number of statutory duties imposed on decision makers which require particular regard to be given to certain designations. Depending on the circumstances of any given case, these duties can set some considerations apart in importance from other planning considerations.
13. **Greenhill Cottage** is a modest two storey detached cottage, of traditional design, located within the Hampstead Norreys Conservation Area. The appeal decision provides a reminder of the statutory duty in Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires the decision maker to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas.

14. In **1 and 2 Church Street Mews**, a detached four bay garage was dismissed due, in part, to its impact on the adjacent Lambfields Conservation Area. In doing so the Inspector commented that whilst there is no explicit statutory duty in respect of the setting of a conservation area the Framework is clear that the setting of a heritage asset can contribute to its significance. The setting of a heritage asset is not a fixed concept; it is concerned with the way the heritage asset is experienced. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, such as Conservation Areas, great weight should be given to the asset's conservation.
15. The **Greenhill Cottage** decision also makes reference to the statutory duty in Section 85 of the Countryside and Rights of Way Act 2000. This requires that a decision maker has regard to the purpose of conserving and enhancing the natural beauty of AONB's. Furthermore, Paragraph 172 of the Framework specifies that great weight must be given to conserving and enhancing landscape and scenic beauty of these areas.

Advertisement consent

16. The decision at **Newbury Retail Park** provides a reminder that the Advertisement Regulations limit control of advertisements to the interests of amenity and public safety. In this instance concern was also raised regarding the need for the proposed sign given the existing adjacent sign serving the retail park. The Inspector could not take into account whether a need was demonstrated.

Clifton House (EAPC)

17. This application sought retrospective permission for four dormer windows, subject to some proposed minor amendments. EAPC were concerned with the character and appearance of the dormers, and with the impact on neighbouring living conditions, and thus refused the application. In terms of the first issue, the Inspector commented on the variety in form, scale and character of local buildings, but recognised that the appeal property shares a form, scale and vernacular with the neighbouring house. The Inspector said long distance views of the appeal site were limited by surrounding built development, nevertheless, the appeal property is an important part of the rural village environment which is one of the special qualities of the AONB.
18. The Inspector identified that the neighbouring property, which is similar in design, exhibits a dormer windows. They accepted the principle of dormer windows on the property. Overall the Inspector concluded the windows would complement the form, scale and architectural expression of the existing property, and thus would not appear unduly overbearing or incongruous in character. They made the following detailed comments on design:
- They would be set down from the ridge line and would occupy a modest area of the roof space.
 - Their size would respect the size of the windows elsewhere on the property; small in scale to complement their position on the roof and not dwarf the windows at ground and first floor level.
 - The size and design of the glazing would respect the size and design of existing glazing.
 - The cills of dormers 2 and 3 would be directly above the apex of the gable below. Whilst this appears as a slightly awkward and cramped juxtaposition, it does not detract from the overall form, scale and appearance of the appeal dwelling to be considered harmful to its character and appearance.

19. The Inspector also examined the relationship of each dormer to neighbouring properties. They concluded that overlooking from the windows was no more harmful than the overlooking that exists from first floor windows, or could be sufficiently mitigated by obscure glazing.
20. Recognising the ongoing breach of planning with the dormers in their current form, the Inspector reduced the time limit for implementation to 12 months.

Other decisions

21. A number of other householder or minor appeal decisions have also been received and listed in the table above, but which do not raise any issues of general interest. These include:
- Laurel Cottage, 133 Halls Road, 1 Weston Farm Cottages, Ogdow House, 2 Lane End Cottages – site specific consideration of character and appearance, amenity and/or access issues.
 - Hopgrass Open Barn, Royal Berkshire Shooting School – site specific impacts on listed buildings.

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