

Notice of Meeting



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Western Area Planning Committee Wednesday, 30 June, 2021 at 6.30pm in the Council Chamber Council Offices Market Street Newbury

The Council will be live streaming its meetings.

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

You can view all streamed Council meetings here:
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If members of the public wish to attend the Planning Committee they can do so either remotely or in person. Members of the public need to notify the Planning Team (planningcommittee@westberks.gov.uk) by no later than 4.00pm on Tuesday 29 June 2021, if they wish to attend the Planning Committee.

Please note that due to the current Coronavirus restrictions there is a limit on the number of people who can enter the Council Chamber. Remote attendance at the meeting is therefore encouraged at this time.

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.

Date of despatch of Agenda: Tuesday, 22 June 2021

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.

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: planningcommittee@westberks.gov.uk



Agenda - Western Area Planning Committee to be held on Wednesday, 30 June 2021
(continued)

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

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(continued)

- To:** Councillors Adrian Abbs, Phil Barnett, Dennis Benneyworth (Chairman), Jeff Cant, Hilary Cole,Carolyn Culver, Clive Hooker, Tony Vickers (Vice-Chairman) and Howard Woollaston
- Substitutes:** Councillors Jeff Beck, David Marsh, Steve Masters, Andy Moore, Erik Pattenden, Garth Simpson and Martha Vickers
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Agenda

Part I

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- 1. Apologies**
To receive apologies for inability to attend the meeting (if any).
- 2. Minutes** 7 - 46
To approve as a correct record the Minutes of the meeting of this Committee held on 28 April 2021. Minutes for 9 June 2021 will be available for the next meeting of the Western Area Planning Committee.
- 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).



Agenda - Western Area Planning Committee to be held on Wednesday, 30 June 2021
(continued)

- (1) **Application No. and Parish: 20/02779/COMIND, Land South of Newbury College, Monks Lane, Newbury, Greenham** 47 - 78
- Proposal:** Section 73 variation of conditions 2 (plans), 3 (boundary treatments), 4 (hardscaping), 6 (BREEAM), 7 (external lighting), 9 (noise from services), 11 (sport England), 12 (travel plan), 13 (cycle and scooter parking), 17 (landscaping) and 24 (E V charging points) of approved 17/03434/COMIND - Construction of a new 1 FE single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school. Construction of bunds adjacent to the temporary and permanent access roads to prevent access from the roads to private land.
- Location:** Land South of Newbury College, Monks Lane, Newbury.
- Applicant:** Re-Format LLP ion behalf of West Berkshire Council.
- Recommendation:** To delegate to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8).
- (2) **Application No. and Parish: 20/02294/COMIND, The Kiosk, Victoria Park, Newbury** 79 - 106
- Proposal:** Development of a new community cafe to replace outdated facilities and provide a new cafe with indoor/outdoor seating areas, catering facilities, public toilets, changing facilities and storage.
- Location:** The Kiosk, Victoria Park, Newbury.
- Applicant:** Newbury Town Council.
- Recommendation:** To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the schedule of conditions (Section 8).

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

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

Sarah Clarke

Service Director (Strategy and Governance)

If you require this information in a different format or translation, please contact
Stephen Chard on (01635) 519462.



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Agenda Item 2.

DRAFT

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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 28 APRIL 2021

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

Also Present: Sharon Armour (Solicitor), Paul Goddard (Team Leader - Highways Development Control), Cheyanne Kirby (Planning Officer), Jenny Legge (Principal Performance, Research and Consultation Officer), Masie Masiwa (Planning Officer), Gordon Oliver (Corporate Policy Support) and Simon Till (Senior Planning Officer)

Apologies for inability to attend the meeting: Councillor Howard Woollaston

PART I

52. Minutes

The Minutes of the meeting held on 17 March 2021 were approved as a true and correct record and signed by the Chairman.

53. Declarations of Interest

Councillor Hilary Cole declared an interest in Agenda Item 4(1), but reported that, as her interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

Councillors Phil Barnett and Tony Vickers declared an interest in Agenda Item 4(2), and reported that, as their interest was a disclosable pecuniary interest or an other registrable interest, they would be leaving the meeting during the course of consideration of the matter.

All Members of the Committee declared an interest in Agenda Item 4(2), but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

Councillor Phil Barnett declared an interest in Agenda Item 4(3), but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

54. Schedule of Planning Applications

- (1) **Application No. and Parish: 20/03074/COND3, Mary Hare Grammar School, Arlington Manor, Snelsmore Common, Chieveley**

(Councillor Hilary Cole declared a personal interest in Agenda Item 4(1) by virtue of the fact that she was a member of Chieveley Parish Council, and had attended the meeting where the item had been discussed. However, she would consider the application afresh in light of further information that had been submitted following the Parish Council

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meeting. As her interest was personal and not prejudicial or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.)

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 20/03074/COND3 in respect of an application for approval of details reserved by condition 15 (highways -cms) of approved 18/01161/COMIND - Construction of a single-storey primary school building and associated two-storey boarding house incorporating a part-lower ground floor area for use by Mary Hare Primary School (and to facilitate the relocation of the current Mary Hare Primary School from its current Mill Hall site); two-storey business centre comprising earmould manufacturing facility, audiology clinics, hearing aid repair shop (HARS) and conference centre rooms; single storey vocational classroom block for existing secondary school and single storey works facility to replace existing; formation of extended access road to primary school building; reconfiguration of existing car parking including provision of additional car/cycle parking; provision of new/reconfigured hard and soft landscaping to include a new external covered space to front of existing Blount Hall secondary school building; and other related works at Mary Hare Grammar School, Arlington Manor, Snelsmore Common, Newbury.
2. Ms Cheyanne Kirby, Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Head of Planning and Development be authorised to grant planning permission, subject to the conditions outlined in the main and update reports/for the reasons listed in the main and update reports.
3. The Chairman asked Mr Paul Goddard, Team Leader (Highways Development Control), if he had any observations relating to the application. Mr Goddard stated that he had nothing further to add to the points already raised by the Planning Officer. Changes had been made to the Construction Management Statement, which meant that construction traffic would no longer travel along the narrow Arlington Lane and therefore had overcome the objections. Highways Officers were content with all other aspects of the submitted Construction Management Statement.

Removal of speaking rights

4. As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights had been removed for virtual Council meetings. This right had replaced with the ability to make written submissions. This decision was made in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.
5. The above changes to speaking rights were subsequently amended at the Council meeting on 10 September 2020. It was agreed that parties making written submissions in relation to a planning application would be invited to attend the remote meeting of the Planning Committee to answer any questions that Members of the Committee might wish to ask in order to seek clarification on any part of their statement.
6. In accordance with the Extraordinary Council resolution, written submissions relating to this application were received from, Dan and Helen Brown, objectors,. Those able to attend the remote meeting were, Dan and Helen Brown
7. Individual written submissions were published online along with the agenda

<http://decisionmaking.westberks.gov.uk/ieListDocuments.aspx?CId=155&MId=5743&Ver=4>

Objectors' Submission

8. The Clerk read out the representation. Planning officers had summarised the multiple submissions as follows:

Welcome the change of management of traffic avoiding Arlington Lane, to implementing a one way system via Oxford Road and Wantage Road. Request that the Council consider the option of putting new permanent signage onto Arlington Lane to state that the single lane road, with no turning capacity is 'Not suitable for HGV's'. This signage will assist in two ways, firstly, there is subsidence on the weak bridge toward the top of the lane which has caused damage to the land owners fence and field (due to heavy goods vehicles passing through) and it will help to prevent further issues here as well as keep road users, cyclists, walkers and horse riders safer. In addition, it will assist the school in managing the traffic to the stated aims within their revised proposal and help prevent heavy goods vehicles from using the lane instead of their proposed access.

Mary Hare's own "Primary School Project Design and Access Statement April 2018" specifically warns against increased traffic on Arlington Lane for safety reasons.

Introduction: Public Consultation (from 20th Feb 2018):

"A Statement of Community Involvement documents the responses but in summary there was universal support for the proposals subject to being satisfied that any additional traffic would not exacerbate issues already experienced on Arlington Lane."

Site Constraints (p32)

"Potential for any new vehicular access from Arlington Lane directly into the field, or from the existing school access road that runs along the east boundary of the field, is limited due to narrow single lane carriageway of Arlington Lane, poor visibility at the junction."

Design Statement (p37) "avoiding impact of additional traffic to Arlington Lane."

Second point refers to the environmental impact the build has considering West Berkshire Council unanimously declared a Climate Emergency on 2nd July 2019.

The Primary School building at Mary Hare School is proposed to be built on a 1 in 5 steeply sloping site. Retaining the slopes alone require thousands of linear metres of walls made from tens of thousands of tonnes of reinforced concrete. Excavating down three metres across the site is required to remove and transport over a hundred thousands of tonnes of land. The buildings require further amounts of steel and are made up of brick and concrete.

The Design and Access Statement celebrates a 39% reduction in CO2 from reduced energy usage, it specifically mentions that the site prevents it meeting the planning policy requirement for all major developments to achieve Breeam Excellent status. The carbon (CO2) released from the concrete poured to enable a school to be built on such a sloping site dwarfs the benefits made from efficiency gains, for decades.

Due to the Climate Emergency, can the Council and The School confirm that, the use of flat and level sites that do not require thousands of tonnes of excavation and concrete retaining for a largely subterranean building have not been overlooked? The school has several flat, brownfield sites available at White Cottages and near the school's main entrance on the Oxford Road.

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Members' Questions to the Objectors

9. Members did not have any questions relating to the written submission.

Ward Member Representation

10. Councillor Hilary Cole in addressing the Committee raised the following points:

- The main concern regarding the application had been the access for construction traffic along Arlington Lane however, this issue had been resolved and therefore Councillor Cole had nothing further to add on this matter. Councillor Cole was satisfied with the amended Construction Management Plan and believed residents also shared this view.
- Councillor Cole referred to comments made by Objectors about the climate emergency and stated that this was not for consideration as part of the application. The only area for discussion was the traffic conditions.

Members' Questions to the Ward Member

11. Members did not have any questions for the Ward Member

Members' Questions to Officers

12. Councillor Adrian Abbs asked for the drawing to be displayed that showed the access to the site. The drawing clearly showed the Oxford Road and he queried how it was intended traffic would get to the entry point of the site. He noted that traffic would not come off the A339 and then along Arlington Lane due to the issues raised regarding that route, however Councillor Abbs queried what would stop this occurring. Mr Goddard asked for clarification that Councillor Abbs was concerned about HGVs using Arlington Lane. Councillor Abbs noted that HGVs would not be able to enter the site via this route, however he queried how HGVs would get to the entry point and what the anticipated route was for these vehicles. Councillor Abbs asked for assurance that the route via the A339 and Arlington Lane would not be used.
13. In response to Councillor Abbs' query Ms Kirby stated that the agent had detailed in the Construction Management Statement that they would erect signage temporarily on Arlington Lane advising HGVs not to use the route. Delivery drivers would be informed of this and there would be a site officer directing vehicles. Delivery drivers would be provided with a pre-planned route to the entry point of the site. Councillor Abbs was satisfied with this response.
14. Councillor Carlyne Culver asked Officers if they were satisfied that the issues of concern regarding verges and hedgerows had been resolved. Councillor Culver further asked if it was anticipated that there would be any impact on the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) Reserve at Snelsmore Common, which was directly opposite the entrance to the construction site. Ms Kirby responded that because there were no longer plans to use Arlington Lane, Officers had no concerns regarding the verges along this route. The other two accesses were already used frequently by large vehicles.
15. Mr Simon Till referred to the point raised regarding the BBOWT Reserve and added that this would needed to have been addressed as part of the full planning application, rather than the discharge of conditions application.

Debate

16. Councillor Cole opened the debate by voicing that she was satisfied with the amendments that had been made to the discharge of conditions application, and

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believed objectors were of the same view. On this basis Councillor Cole proposed that Members accept officer recommendation to grant planning permission subject to the conditions listed in the main report and update report.

17. Councillor Abbs seconded the proposal by Councillor Cole. He stated that it was important that officer's ensured that the necessary signage was erected. There had been requests made by some residents for permanent signage to deter HGVs from using Arlington Lane, and Councillor Abbs felt that this needed to be followed up and actioned if possible.
18. Councillor Tony Vickers stated that he used Arlington Lane for circular walks around and beyond Snelsmore Common, and it was not suitable for HGV use. He suggested that the matter of it becoming a non HGV route permanently could be considered by the Transport Action Group or the Ward Member, preferably before work on the application site commenced.
19. The Chairman asked Officers if they were satisfied that Councillor Abbs' requests regarding signage were included within conditions. Legal Officer, Sharon Armour, explained that the issue of permanent signage was not a matter for the Committee. Regarding temporary signage, Ms Kirby had confirmed that the matter was included in the Construction Management Statement.
20. Councillor Hilary Cole advised the Committee that, as Ward Member, she would direct the request for permanent signage to Highways Officers.
21. The Chairman invited the Committee to vote on the proposal by Councillor Cole, seconded by Councillor Abbs to grant planning permission. At the vote the motion was carried.

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

Conditions

1. Condition 15

The details submitted in relation to Condition 15 are hereby approved by the Local Planning Authority. To fully comply with these conditions, the development must be carried out in accordance with the full terms of the conditions as set out in the decision notice, and in accordance with the following approved details:

Construction Management and Environmental Plan Dated 25/03/2021 Rev A received on 26th March 2021;
Traffic Management Plan received on 26th March 2021.

(2) **Application No. and Parish: 19/02979/OUTMAJ, Land South of Tower Works, Ramsbury Road, Lambourn Woodlands, Lambourn**

(Councillor Tony Vickers declared a potential personal and prejudicial interest in Agenda Item 4(2) by virtue of the fact that he was a member of Greenham Parish Council (GPC), which owned the freehold of Greenham Control Tower. Part of the function of the control tower was to act as a Cold War Museum, though to the best of his knowledge an enterprise similar to that proposed as part of this application had never been discussed by GPC. The management of the control tower was the responsibility of a separate charity Greenham Control Tower Ltd (GCTL). Councillor Vickers had no controlling interest in GCTL, nor did GPC have any say in how its asset was managed. However, he reported that should the decision hinge on the museum aspect, he would declare a disclosable pecuniary or an other registerable interest, and he would leave the meeting during the course of discussion of the matter.)

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(Councillor Adrian Abbs and Phil Barnett declared a personal interest in Agenda Item 4(2) by virtue of the fact that they were members of Greenham Parish Council, which was promoting the use of the Greenham Common Control Tower as a Cold War Museum. However, they had not pre-determined the application and would consider it with an open mind. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)

(All Members of the Committee declared that they had been lobbied on Agenda Item 4(2).)

22. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 19/02979/OUTMAJ in respect of Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale at Land South of Tower Works, Ramsbury Road, Lambourn Woodlands, Hungerford.
23. Mr Simon Till, Team Leader (Western Area Planning), introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion, the report detailed that on balance officers accepted the exceptional need for the development. As such, officers recommended that the Head of Development and Planning be authorised to grant planning permission, subject to the conditions outlined in the main and update reports.
24. The Chairman asked Mr Paul Goddard, Team Leader (Highways Development Control), if he had any observations relating to the application. Mr Goddard highlighted two significant issues: traffic impact, and the sustainability of the location. He confirmed that the site layout and parking levels were acceptable, but those matters were reserved. He noted that transport statements had been submitted including a recent one with updated survey counts, which showed that there would be 160 additional vehicle movements per day from the proposal, including 38 HGVs. These would double the current traffic levels. He stated that he did not consider the impact on the B4000 to be severe. He highlighted historical traffic survey data, which showed an increase in car trips on the B4000, but there was limited evidence for HGV movements. He noted that residents had long been concerned about increased traffic on the B4000, but the evidence and limited increase associated with the development made it difficult to object to the proposal.
25. He highlighted the personal consent and suggested this was important. He stated that around four times the trips could be expected from a conventional B8 warehouse. Although Highways did not object on increased traffic grounds, they did object on sustainability grounds. He highlighted the lack of public bus services and footways, which meant that the only way to access the site was by car. He noted that officers had long been concerned about development proposals in this area. Although a travel plan and minibus service was proposed, he indicated that these were insufficient to satisfy sustainability concerns. He noted similar arrangements had been proposed for other developments in the vicinity, but these were expensive to run and generally ceased to operate after a few months. He observed that local experience had shown shuttle bus services were not viable, even for larger sites such as the Harrods distribution depot in Thatcham. He suggested that the travel plan for this development was unlikely to be monitored, since the Transport Policy Team only had sufficient resources to monitor the largest commercial and residential developments. He concluded that Highways objected on sustainability grounds and

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suggested that the proposal was contrary to Policy CS13 of the Core Strategy, the Local Transport Plan and the Council's Climate Change Emergency Declaration.

Removal of speaking rights

26. As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights had been removed for virtual Council meetings. This right had replaced with the ability to make written submissions. This decision was made in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.
27. The above changes to speaking rights were subsequently amended at the Council meeting on 10 September 2020. It was agreed that parties making written submissions in relation to a planning application would be invited to attend the remote meeting of the Planning Committee to answer any questions that Members of the Committee might wish to ask in order to seek clarification on any part of their statement.
28. In accordance with the Extraordinary Council resolution, written submissions relating to this application were received from Lambourn Parish Council (Mrs Sue Cocker), Mr Piers Yeld and Mr Tony King, objectors, and Mr Philip Walker (Walker Logistics), Mr Jim Tarzey (Pegasus Group) and Mr Ian Southwell (Vectos). All those who made submission were able to attend the remote meeting.
29. Individual written submissions were published online with the agenda: <http://decisionmaking.westberks.gov.uk/ieListDocuments.aspx?CId=155&MId=5743&Ver=4>

Parish Council's Submission

30. The Clerk read out the representation. Members questioned the attendee as follows:
31. Councillor James Cole asked how much unemployment there was in the Lambourn area. Mrs Cocker explained there was no ward level data, and the horse racing industry provided transient employment, so numbers fluctuated. She suggested that there may be around 100 unemployed people in the area. Councillor James Cole suggested that some of those people would be interested in employment at the proposed development. Mrs Cocker agreed.
32. Councillor James Cole noted that a proposed condition would not permit 7-day or external operation, and asked if this would mitigate the Parish Council's concerns. Mrs Cocker highlighted residents' experience with HGVs using Ermin Street and Ramsbury Road in the early hours of the morning. These often could not access premises because they were locked, so sat with engines idling. She suggested that if the condition could be enforced, then it may help to alleviate concerns, but local experience suggested that enforcement did not take place.
33. Councillor Adrian Abbs noted that the Housing and Employment Land Availability Assessment (HELAA) showed the site to be 'potentially developable' and asked the Parish Council about this. Mrs Cocker highlighted a comment, which suggested the site was not considered for the HELAA, because it was not considered sustainable.
34. Councillor Abbs asked if traffic were to enter and exit the site via Membury Services, whether that would address the Parish Council's concerns. Mrs Cocker noted that this was prohibited by Highways England. The Chairman indicated that the question was not a matter of clarification of the Parish Council's submission.

Objectors' Submission

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35. The Clerk read out the representation. Members questioned the attendees as follows:
36. Councillor Tony Vickers asked about alternative sites considered. Mr Yeld noted that the applicant had considered sites in Swindon and West Berkshire, and had threatened that if permission was not granted, the company would move to the 'golden triangle' in Northamptonshire.
37. Councillor Phil Barnett noted that the objectors referred to 776 vehicle movements. Having visited the site, he was surprised at the number of vehicles. He noted difficulties in vehicles parking and passing. He also noted that the objectors' traffic figures differed from those supplied by the applicant. Mr King explained that the current transport analysis was based on output from the current Walker's facility instead of the TRICS database. He understood the proposed personal condition, but asked if a new owner would change the operation and achieve the quoted figures. He noted the applicant had indicated there would be 200 new employees, but the application quoted 45-50. This suggested that traffic could increase by a factor of five. Mr Yeld highlighted that the TRICS database had shown 776 vehicle trips could be expected for a site of this size, which was considerably more than 153 trips stated by the applicant. He indicated that the applicant had not answered the question as to why the TRICS data had not been used, but suggested that it was because of the personal condition. He indicated that he was not satisfied with this.
38. Councillor Vickers asked if the objectors felt that there were any other key issues not addressed in the committee report. Mr Yeld noted that local residents had engaged a planning consultant, who had highlighted the vulnerability of the personal condition in the event that the site were to change ownership, and had suggested that it would be virtually impossible for the Council to restrict the capacity of future operations. Mr Yeld noted that as part of the applicant's threat to relocate their business, they had indicated they would be forced to lease their existing site to a high-transport haulage businesses. He suggested that this further supported the use of the substantially increased traffic flows indicated by the TRICS database.

Applicant/Agent's Submission

39. The Clerk read out the representation. Members questioned the attendees as follows:
40. Councillor Abbs noted that the applicant was proposing to increase staff, when other logistics companies were investing in automation. He asked Mr Walker how his business was different. Mr Walker stated that his business was a fulfilment company, which was labour-intensive and low on HGV movements, with orders processed within its warehouse. He explained that it was a multi-user site serving small to medium customers with different requirements. He noted that larger operators such as Wincanton tended to operate dedicated sites for their customers, which allowed some automation, because they could predict activity. However, this site had lots of people picking, packing and processing orders.
41. Councillor Abbs asked if the new jobs would be sustainable in the medium to long term. Mr Walker explained that the data in the application was out of date. He stated that there were currently 168 full-time employees, with 42 temporary staff. He highlighted that there had been enormous growth during the pandemic, and 70 new jobs had been created since 2020. He indicated that the business had been operating for 22 years.
42. Councillor Barnett asked if the full-time jobs would be permanent. Mr Walker confirmed that they would be.

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43. Councillor Barnett asked if the business would recruit locally as well as from Swindon. Mr Walker confirmed that the business had taken on many local people, and there had been more interest in the last year, with people losing jobs and being furloughed. He stated that there were 2 employees from Downlands, 10 from Lambourn (with two zero-hour contracts), and 6 from Hungerford (with two zero-hour contracts). He noted that the business was close to the county boundary, so it also employ people from nearby villages in Wiltshire. He indicated that jobs were advertised outside the building, and they wanted as many local people as possible.
44. Councillor Carlyne Culver noted that the National Planning Policy Framework (NPPF) stated that building should only take place in the AONB in exceptional circumstances. With no guarantee that jobs would go to local people, she asked why West Berkshire Council should permit this proposal. She also noted that the project would not be liable for CIL contributions. Mr Walker conceded that the site was in the AONB, but it was next to their existing site. He suggested that it was of low value in terms of benefits to the AONB. He indicated that he wished to expand the business, which had been in the area for 22 years. He explained that it was not possible to dictate where the workforce would be drawn from, but confirmed that they wanted to attract local people. However, staff would be employed on the basis of their skills sets. He suggested that creating at least 200 new jobs justified the exceptional circumstances.
45. Mr Tarzey acknowledged that developing in the AONB was a high policy test to pass. He noted the NPPF had set three tests relating to: need; scope to relocate outside the AONB; and environmental impacts. He acknowledged that there would be some impact on the AONB, but this particular site could come forward for development in future. He stressed that the impact would be limited and would be confined to Ramsbury Road, since there were no elevated/long-distance views of the site. Although already well-contained, he noted that there would be additional planting. He stressed the need to look at the proposal on a site-specific basis and suggested that the proposal was justifiable, based on need.
46. Councillor Dennis Benneyworth noted that the development was within the AONB and outside a protected employment area (PEA). He asked how the development would enhance the character and appearance of the area, as required by Policy CS14. Mr Tarzey referred to Policy CS9, which allowed for development outside the PEA, and required consideration of the compatibility of the proposed use with the surrounding area. He acknowledged that the development would not enhance the site, but stressed the need to look at whether impacts would be harmful and offset. He indicated that the site was part of the former airfield and had a close relationship with existing industrial buildings. He suggested that any impacts could be mitigated with landscaping.
47. Councillor Vickers noted the proposed World War II (WW2) aircraft museum, and highlighted that other local airfields aspired to have similar museums. He asked how important this was to the applicant, and whether he had considered locating it elsewhere. Mr Walker indicated that he owned the land, and stressed the importance of the proposal in terms of the heritage of the airfield. He was aware of alternative proposals at Greenham and Welford and had cooperated with them. He indicated that he wanted the museum to act as a history lesson, commemorating the people based there who had lost their lives. He noted that Winston Churchill had visited the airfield and suggested that it was a site that ought to be preserved.
48. Councillor Vickers sought confirmation that this element did not carry much weight in terms of the planning balance. He asked if it was being proposed for sentimental

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reasons, rather than as a key part of the application. He indicated that it would not be a key factor affecting his vote, but stressed that it accounted for 10 percent of the footprint. Mr Walker noted that the building would need to accommodate an aircraft that had flown from Membury during WW2. He conceded that it was not the most important part of the application, and noted that some people had suggested it was being used as a lure to gain planning consent, but that was not correct.

49. Councillor Abbs asked about how the proposal would contribute to the Council's aspiration for net zero emissions. Mr Tarzey noted that the building would need to meet relevant BREEAM standards, but that was different to the sustainability credentials of the location, which had been criticised by Highways Officers.
50. Councillor Culver wondered why the museum would only be open 28 days per year. Mr Walker explained that he did not have public money to set up and run the museum, and it would be run with support from volunteers. He indicated that 28 days would be the minimum, and it could also be opened by invitation for educational opportunities.
51. The Chairman asked the planning officer to confirm the operating period. Mr Till confirmed that the proposed condition stated it would be open for a minimum of 28 days.

Ward Member Representation

52. Councillor Howard Woollaston in addressing the Committee raised the following points:
 - He had been lobbied on both sides as ward member and had intended to prepare a balanced speech. However, apart from the fact that Walker Logistics was a responsible employer, he could not see any justification for the proposal, so he had stood down from the committee so as to be able to represent residents in his ward.
 - The industrial estate would not have been allowed, but for an anomaly caused by WW2.
 - It was in the middle of the countryside with poor road access, and no public transport.
 - It had been allowed to develop haphazardly over the years, with unsuitable occupiers who had little respect for the countryside, or local residents.
 - There had been unprecedented levels of local opposition to the proposal, with no residents expressing support for it.
 - The Parish Council had objected in the strongest possible way.
 - 176 residents had signed a petition objecting to the proposal, and there had been 56 individual letters of opposition.
 - The crux of the decision was whether the policy protecting the AONB could be overridden by extraordinary economic need, but in terms of West Berkshire, it could not.
 - Walker Logistics employed 164 people, of whom 25 percent lived within 10 miles and 18 percent lived within 5 miles.
 - The site was very close to the western boundary of the district, with Swindon just 10 miles away, so the economic benefit to West Berkshire residents was halved.

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- Most staff were bussed in from Reading and Swindon, bringing no economic benefit to West Berkshire.
- Just 15 of the current staff were from West Berkshire and of the 45 additional staff proposed, just 4 would come the district, which did not represent a major economic benefit.
- The location was not sustainable for local employment, unless people drove to work.
- The nearest bus stop was nearly 2 km away, with just two services per day.
- Ramsbury Road had no pavements or street lights and was very narrow, and people would not walk or cycle down it with so many HGVs going past.
- The North West Downs AONB submission was damning. It highlighted far better locations in Swindon, and queried why two sites caused so many problems. This had been ignored in the recommendation.
- Walker Logistics indicated that with few exceptions, they operated 9am-5pm on weekdays only, but they advertised a 24/7 facility to customers and were seeking employees for shifts from 7am to 8pm on Sundays, and from 3pm to midnight on weekdays.
- Walker Logistics said that they would create few HGV trips, but their customers would create many more trips (e.g. Royal Mail, DPD, etc).
- While Highway Officers did not object to the proposal, they clearly stated that the location was unsustainable, and had raised concerns about accessibility.
- The industry standard TRICS database had not been used, which would have shown an additional 776 daily vehicle movements to and from Junction 14 of the M4.
- He suggested that: the draft Local Plan was not relevant and business rates were not a planning consideration.
- The plans showing scale and landscaping were deceptive. The building was 40 feet high and the size of two Wembley football pitches. As such, it would not sink into the background as shown in the literature, and it would take decades for the tree cover to be provided.
- The personal consent was “a nonsense” and a future application to release it would be unlikely to be opposed.
- The number of new jobs proposed had suddenly increased from 45 to 200, although some explanation for this had been provided at the meeting.
- If approved, this application would be the thin end of the wedge, as two designated employment areas would be joined and a further site would be brought forward in the future.
- It was time to draw a line in the sand and say no to environmentally unfriendly industrial development in this protected rural environment.
- He strongly urged members to reject the officers’ recommendation, to approve the application, which he felt to be contrary to policy.

Members’ Questions to the Ward Member

53. Councillor Vickers suggested that the ward member’s comments implied people living outside West Berkshire should not have a job in the district. He noted the site

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was close to the Wiltshire boundary and suggested this was not a sensible argument. Councillor Woollaston responded that people who lived in Swindon did not spend the money they earned in Membury within the local area, so the economic benefit to the area was virtually nil.

54. Councillor Jeff Cant raised a point of order that this was an opportunity to ask questions of clarification of the ward member's representation rather than entering into debate.
55. Councillor James Cole asked about the potential for local residents to take up jobs at the site. Councillor Woollaston stated that employment data lacked sufficient granularity and had to be inferred from West Berkshire figures. This suggested around 100 unemployed people in the Lambourn area, but it was a transient population due to the racing industry.
56. Councillor James Cole suggested that people in the racing industry would not be keen to take up distribution jobs. Councillor Woollaston agreed.

Member's Questions to Officers

57. Councillor Abbs asked why access could not be via the M4 services. Mr Goddard confirmed that this was prohibited by Highways England and was national policy.
58. Councillor Hilary Cole suggested that increasing weight could be given to the emerging Local Plan as it progressed in its development. She noted that it was scheduled to go to Regulation 19 consultation and be submitted to the planning inspectorate in the summer. She asked what weight had been given to it by officers. Mr Till agreed that the draft Local Plan gathered weight over time and depending on the stage of preparation. He indicated that the Planning Policy Officer's view was that it should be given limited weight, with a recognised need for industrial development and for that to be accommodated within industrial employment areas. He noted that Membury, as an existing PEA, was under consideration, and may be allocated for further development. He acknowledged that while current policy stated that industrial employment uses should be directed to PEAs, they allowed for consideration of land alongside those areas subject to consideration of location and compatibility with surrounding uses, sustainability, etc. He concluded that the main consideration should be under current policy with limited weight under the new plan, since the site was being considered for allocation for industrial development.
59. Councillor Hilary Cole sought confirmation that account had been taken of the fact that the HELAA had identified the site as 'potentially developable'. Mr Till confirmed that it had.
60. Councillor Vickers noted that the national move towards electric vehicles, which would reduce the carbon footprint of the development. He asked Mr Goddard what weight he attached to this and if it would affect the assessment about the sustainability of the site in 20 years' time. Mr Goddard agreed that it was UK Government policy that no further fossil fuel powered cars would be built after 2035. However, he highlighted that fossil fuels were still required to generate power to charge electric cars. He did not consider that current policy gave sufficient weight to take account of the impact of electric vehicles, other than to promote their usage.
61. Councillor James Cole queried the statement in the report, which suggested that the proposed operating hours would not be to the detriment of residents, particularly in relation to traffic noise. Mr Till explained that the site was between two PEAs, where there were uncontrolled industrial uses in the area, operating around the clock, with numerous associated vehicle movements. He indicated that it was standard practice

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to allow operating hours of 7am to 8pm, and suggested this would not be disruptive, given the context of the site.

62. Councillor James Cole highlighted traffic flows further along the B4000 in Wickham and asked if the growth could in part be attributed to development at Membury, and also how it would be affected by this application if approved. Mr Goddard agreed that some of the traffic increase was related to Membury, but it may also be due to development in Lambourn. He noted that traffic levels on the B4000 had risen over the last 12 years, but without additional traffic surveys, it was difficult to say where this was coming from.
63. Councillor Phil Barnett asked if HGVs could be restricted to 'access only' on sections of the B4000. Mr Goddard indicated that he was not aware of any such proposals. He explained that it was difficult to prove where HGVs were going, and therefore enforce these restrictions. He suggested that if the local community wished to pursue such a restriction, then they should contact the Traffic and Road Safety Team.

Debate

64. Councillor Abbs opened the debate. He indicated that he was conflicted about which way to vote. He suggested that the applicant could have done more to improve the application (e.g. build a net zero warehouse). He also suggested that new jobs might not be permanent due to automation within the industry. However, he was comfortable with the location and highlighted the fact that the site had been designated in the HELAA as "potentially developable" for storage and distribution uses. He suggested that an alternative development could come forward at this site in future, which would be consistent with the new Local Plan.
65. Councillor Cant stated that he had looked for an exceptional reason to support this development within the AONB. He agreed with Councillor Woollaston's argument about how small the economic benefit would be for West Berkshire. He also indicated that he was looking for the applicant to show respect for the local community, but the range in traffic forecasts did not give confidence that it would bring local benefits. He referred to the emerging planning policy, which he did not think could be assumed to permit further development. He also referred to the fact that the Highways Officer had objected on sustainability grounds, and indicated that he would vote against the proposal.
66. Councillor Vickers had visited the area on the previous Sunday. He confirmed that he had not seen any moving vehicles, which suggested that local employers did not operate on Sundays. He did not consider the landscape impact to be severe or permanent, since there were already substantial trees present. He noted that there were PEAs to either side of the site, and the site itself might be designated as a PEA in the new Local Plan, so another distribution centre could be proposed for the site in future. He agreed that not all new staff would be from West Berkshire, but suggested that hiring staff from Wiltshire villages still counted as local. He indicated that a PEA in the middle of an AONB would inevitably result in people commuting by car. He acknowledged that the application was finely balanced, but suggested that it would be difficult to refuse it.
67. Councillor James Cole highlighted the need to protect the AONB and did not consider the economic argument was sufficient to tip the planning balance. He acknowledged that tree planting was proposed, but suggested that they would take many years to be effective in screening the buildings. He indicated that he was uncomfortable with the traffic and sustainability impacts of the proposal.

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68. Councillor Barnett indicated that he had initially been in favour of the site on economic grounds. He suggested that people from local villages might commute by motorbike or bicycle. Also, he noted that employers had located to Membury over the years and found it to be a beneficial location. However, he had reservations due to the strong arguments against the proposal and was undecided about how to vote.
69. Councillor Hilary Cole suggested that the determination hinged on whether an exceptional need had been demonstrated. She indicated that planning balance was in favour of economic development to aid post-Covid recovery. She noted that half of those employed in the district commuted in from other areas and half of West Berkshire's residents commuted out, so the issue of where new staff would be drawn from was a 'red herring'. She referred to the comments from the AONB, which focused on the need to protect the area, but suggested that they did not understand the economic benefits. Also, they had ignored policy in the NPPF, which supported economic growth and productivity. She noted that the site was next to a PEA, and it was shown as "potentially developable" in the HELAA. She acknowledged sustainability concerns, but stressed that the site was next to an established PEA, so people already travelled to the area. She noted that Planning Policy was giving a balanced view on this application.
70. Councillor Hilary Cole proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Abbs.
71. Councillor Abbs noted that the application was very finely balanced. The fact that the company was local had swayed him. He asked what conditions could be imposed, such as in relation to achieving a net zero development. Mr Till referred to recommended Conditions 8 and 9 which related to BREEAM and measures to comply with policy CS15 on zero carbon development.
72. Councillor Abbs indicated that he was also concerned about the operation of the facility. Mr Till noted that this was an outline application and indicated that matters such as parking and EV charge points would be considered at the detailed design stage. He suggested that an informative could be drafted, highlighting the importance of seeking submissions detailing how the building would further the sustainability aims of the district.
73. The Chairman noted concerns about landscaping and asked if another informative could be used to specify a minimum height for trees. Mr Till explained that the applicant had already made a significant commitment to landscaping, and had a long-term record of maintaining the existing landscaping. He noted that this was a reserved matter, but the supporting documents already showed understanding of the need for a long-term strategy. He acknowledged the need for the landscaping to be sensitively designed.
74. Councillor Vickers noted that the site would only be visible from Ramsbury Road. He suggested that there should be a fast-growing screen of trees close to the road.
75. The Chairman invited Members of the Committee to vote on the proposal by Councillor Hilary Cole, seconded by Councillor Adrian Abbs to grant planning permission. At the vote the motion was carried.

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

Conditions

1. Reserved Matters

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Details of the access, appearance, layout and landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Time Limit

The development to which this permission relates shall be begun before the expiration of 3 years from the date of this decision, or before the expiration of two years from the date of approval of the last of the approved matters to be approved, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. Indicative Plans

The layout of the site shall be in broad accordance with the indicative block plan reference number 03100-00-C. The building hereby approved shall be a maximum of 12.6 metres in height.

Reason: For the avoidance of doubt and in the interests of proper planning, and in the interests of visual amenity in the North Wessex Downs AONB in accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy 2012.

4. Permitted development restriction

Irrespective of the provisions of the Town and Country General Permitted Development Order 2015, as amended, or any subsequent revision thereof no addition floors or mezzanines shall be inserted in the building hereby approved.

Reason: In order to prevent the overdevelopment and intensification of use of the site in a manner that might otherwise result in harm to the tranquillity of the AONB, highway safety and residential amenity in accordance with the NPPF, Policies CS9, CS13, CS14, CS19 of the West Berkshire Local Plan Core Strategy 2012 and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5. Maximum floor areas

The floor areas for the building hereby approved shall be limited to the maximum following floor areas:

- Museum and military vehicle storage area 2180 sq.m
- Class B8 storage and distribution warehouse 9060 sq.m
- Ancillary office area 1150 sq.m
- Ancillary welfare and security area 180 sq.m

Reason: In order to prevent the overdevelopment and intensification of use of the site in a manner that might otherwise result in harm to the tranquillity of the AONB, highway safety and residential amenity in accordance with the NPPF, Policies CS9, CS13, CS14, CS19 of the West Berkshire Local Plan Core Strategy 2012 and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

6. Construction Method Statement

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No development shall take place until a Construction Method Statement has been submitted and approved under a formal discharge of conditions application. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works

The provisions of the Construction Method Statement shall be implemented in full and retained until the development has been occupied. Any deviation from the approved Construction Method Statement shall be first agreed in writing with the Local Planning Authority.

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, Policies CS5, CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

7. Noise management plan

A scheme shall be submitted to and approved in writing by the Local Planning Authority, which specifies the provisions to be made for the control of noise emanating from the site. Thereafter, the use shall not commence until the approved scheme has been fully implemented.

Reason: To protect the occupants of nearby residential properties from noise in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Local Plan Core Strategy 2012 and Policies OVS5 and OPS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

8. BREEAM

The development hereby approved shall not be occupied until a post construction review demonstrating that the approved building has achieved a construction standard of BREEAM Excellent has been submitted and approved under a formal discharge of conditions application.

Reason: In order to ensure a sustainable development of high quality construction in accordance with the NPPF and Policies CS14 and CS15 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

9. Zero carbon

No development shall take place until a plan demonstrating how the building hereby approved will meet with the requirement for zero carbon development including construction, monitoring and reporting measures has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved plan.

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Reason: In order to secure zero carbon development in accordance with Policy CS15 of the West Berkshire Local Plan Core Strategy 2012.

10. Construction environment management plan

No development shall take place (including demolition, ground works, vegetation clearance unless otherwise agreed in writing by the Local Planning Authority) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- (a) Risk assessment of potentially damaging construction activities.
- (b) Identification of “biodiversity protection zones”.
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- (d) The location and timing of sensitive works to avoid harm to biodiversity features.
- (e) The times during construction when specialist ecologists need to be present on site to oversee works.
- (f) Responsible persons and lines of communication
- (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- (h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction. This condition is imposed in accordance with the requirements of the NPPF and Policy CS17 of the West Berkshire Local Plan Core Strategy 2012.

11. Landscape Ecological Management Plan

No development shall take place until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- (a) Description and evaluation of features to be managed.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management.
- (d) Appropriate management options for achieving aims and objectives.
- (e) Prescriptions for management actions.
- (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- (g) Details of the body or organization responsible for implementation of the plan.
- (h) Ongoing monitoring and remedial measures.

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The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: A pre-commencement condition is required because the LEMP may need to be implemented during construction. This condition is imposed in accordance with the requirements of the NPPF and Policy CS17 of the West Berkshire Local Plan Core Strategy 2012.

12. Lighting strategy

No external lighting shall be installed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- (a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.
- (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species.
- (c) Include and isolux diagram of the proposed lighting.
- (d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.
- (e) Include a plan of timings for external lighting to minimise external lighting at times when the external areas of the site are not in use.

No external lighting shall be installed on the site except in accordance with the above strategy.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, to conserve the dark night skies of the North Wessex Downs AONB and in the interests of the amenity of nearby residential occupants. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, Policies CS14 CS17 and CS19 of the West Berkshire Core Strategy 2006-2026 and Policies OVS5 and OVS 6 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

13. SuDS

No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;

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- c) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- d) Include detailed manufacturer's information to ensure adequate sizing and water cleaning operation of the proposed sewage treatment plant and oil interceptor;
- e) Include detailed hydraulic run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- f) Include flood water exceedance routes, both on and off site;
- g) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime;
- h) Include a Flood Risk Assessment (FRA) for the development as the site area is larger than 1 hectare;
- j) Include a Contamination Risk Assessment for the soil and water environment (assessing the risk of contamination to groundwater, develop any control requirements and a remediation strategy).

The above sustainable drainage measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced. The sustainable drainage measures shall be maintained in the approved condition thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

14. Hours of external operation

No external operations (including deliveries and unloading of lorries, but excluding use of the car park by employees for parking of private motor cars and access to and from the logistics warehouse building hereby approved) shall take place except in accordance with the following hours:

7:00am to 8:00pm Mondays to Fridays;

9:00am to 1:00pm on Saturdays;

No external operations on Sundays and Bank holidays.

Reason: In the interests of the amenity of nearby residential occupants in accordance with the NPPF, Policy CS14 of the West Berkshire Local Plan Core Strategy 2006-2026 and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

15. Personal permission

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The logistics warehouse building and ancillary offices hereby permitted shall be occupied only by Walker Logistics Limited unless planning permission is granted on a planning application made for this purpose.

Reason: The applicant has demonstrated through submissions accompanying this application that the associated vehicle movements and hours of external works relating to the operation of the site for his business are such as to allow for the applicant's particular business to operate on the site under the restrictions of the conditions of this planning permission without resulting in undue detriment to the amenity of neighbouring residential occupants, highway safety and the amenity of the highway network that might result from the operation of an uncontrolled B8 or other industrial use of the site. This condition is imposed in order that the use of the site by any alternative future occupant can be given details consideration in terms of the associated impacts on highways safety and residential amenity in the interests of residential amenity and highway safety in accordance with the NPPF, Policies CS5, CS13 and CS14 of the West Berkshire Local Plan Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan Saved 1991-2006 Saved Policies 2007.

16. Levels

No development shall commence on the site until full details of ground and floor levels as existing and proposed have been submitted and approved in writing by the Local Planning Authority. The site shall be constructed in accordance with the approved levels.

Reason: In the interests of visual amenity in the North Wessex Downs AONB in accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy 2012.

17. Public access to museum

The museum hereby approved shall not be taken into use until details of arrangements for public access have been submitted and approved in writing by the Local Planning Authority. Such access arrangements shall provide for the public to have visiting access to the museum on no less than 28 days per year, and shall include details of how such arrangements can be booked and will be publicised. The museum shall be made available for public visits in accordance with the approved details thereafter.

Reason: To secure the public benefit of the museum and its relationship to the wider Membury airfield site as a heritage asset, in the interests of the conservation and enhancement of heritage assets and their associated public benefits in accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy 2006-2026.

18. Travel plan

The building hereby approved shall not be brought into use until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented as approved on commencement of the use as a school and its provisions shall continue to be implemented thereafter.

Reason: To ensure the efficient function of the site and to promote sustainable forms of transport. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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Use restriction (additional condition) Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015, as amended, or any subsequent revision thereof, the building hereby approved for a logistics warehouse shall be used only for purposes of use Class B8 storage and distribution and ancillary office accommodation, and the building hereby approved as a museum building shall only be used as a museum unless planning permission is granted on a planning application made for the purpose of changing the use of the buildings hereby approved.

Reason: The acceptability of the approved building in planning terms is dependent on an assessment of the associated level of vehicle movements and external works that relate to the buildings in their approved use. This condition is imposed in the interests of preventing a change of use of the approved buildings that might otherwise result in an intensification of associated vehicle movements and associated activities in accordance with the requirements of the NPPF, Policies CS5, CS13 and CS14 of the West Berkshire Local Plan Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan Saved 1991-2006 Saved Policies 2007.

Informatives

1. 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.

2. Ecology & construction

The applicant's attention is drawn to the following comments from the ecologist and the AONB officer in respect of detailed design:

Ecologist - We recognise that one of the concerns of this development is that it is in the NWD AONB, the concern relates to the visibility of the new structure(s) we propose that one way that these concerns could be reduced is the installation of green vegetated walls. This would be best achieved with rainwater harvesting to feed into a reservoir to help maintain the watering of the vegetated green walls around the building. These green walls will; soften the landscape views of the building, improve internal thermal stability lowering energy bills with the associated environmental sustainability benefits, increase carbon capture and slow the peak flows in high rain fall events.

AONB officer - The local area is void of street lights. It must be noted that introducing lighting columns or increased building floodlights into this locality would significantly impact upon the dark sky environment, a special quality of the AONB. The building has a number of windows which will cause light spill into a dark environment. Low transmittance glass should be conditioned if the officer is minded to approve.

The colour of the building will not fade into the landscape, it will appear as a contrast to the natural greens and browns that make up the natural colour system of this landscape character area. Using the natural colour system to identify colours in the landscape which can aid in choosing more appropriate shades of green would have been a more responsible approach within a protected landscape.

The detailed design of the building accompanying the reserved matters application should demonstrate how these matters have been considered in choice of materials.

- (3) **Application No. and Parish: 20/00912/FULEXT, Land at End Of Charlotte Close Hermitage Thatcham, Hermitage**

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(Councillor(s) Phil Barnett declared a personal interest in Agenda Item 4(3) by virtue of the fact that he had visited the site with a resident. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

76. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 20/00912/FULEXT in respect of the erection of 16 dwellings and associated landscape and highway works on land at end of Charlotte Close, Hermitage.
77. Mr Masie Masiwa, Senior Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Head of Planning and Development be authorised to grant planning permission, subject to the completion of a Section 106 legal agreement by 28th July 2021 and in accordance with the schedule of conditions.
78. The Chairman asked Mr Paul Goddard, Team Leader (Highways Development Control), if he had any observations relating to the application. Mr Goddard noted that this was an allocated site in the Site Allocations Development Plan Document (DPD), with an allocation of 15 dwellings. He explained that vehicular access would be via Charlotte Close, with pedestrian/cycle routes onto Station Road to the south and the allocated site on the Old Farmhouse to the north. He confirmed that parking and site layout were acceptable. He noted local concern about the impact on the B4009/Station Road mini-roundabout, but modelling showed the junction was operating close to capacity and traffic from the proposed development (and that of nearby proposals/recently approved developments) could be accommodated without causing extensive congestion. He concluded that the Highways Officers recommended approval of the application subject to the conditions listed in the reports.

Removal of speaking rights

79. As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights had been removed for virtual Council meetings. This right had replaced with the ability to make written submissions. This decision was made in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.
80. The above changes to speaking rights were subsequently amended at the Council meeting on 10 September 2020. It was agreed that parties making written submissions in relation to a planning application would be invited to attend the remote meeting of the Planning Committee to answer any questions that Members of the Committee might wish to ask in order to seek clarification on any part of their statement.
81. In accordance with the Extraordinary Council resolution, written submissions relating to this application were received from Mr Simon Joyce, agent. Mr Joyce was able to attend the remote meeting.
82. Individual written submissions were published online along with the agenda <http://decisionmaking.westberks.gov.uk/ieListDocuments.aspx?CId=155&MIId=5743&Ver=4>

Applicant/Agent's Submission

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83. The Clerk read out the representation. Members did not have any questions for the agent.

Ward Member Representation

84. Councillor Hilary Cole in addressing the Committee raised the following points:

- Hermitage Parish Council decided not to attend the meeting, as they had no objections to the application, but they did send a letter, which was appended to the update sheet.
- The Parish Council had outstanding concerns about:
 - Traffic flow at the Newbury Road/Priors Court Road, which was an ongoing issue, and
 - Potential overloading of the Downland GP Practice.
- This application had come a long way since the appeal was dismissed in 2017.
- The Housing Site Allocation Development Plan Document (HSADPD) indicated that the site was suitable for 15 dwellings, and 16 were proposed.
- Careful consideration had been given to the design and layout.
- It was pleasing to see that there would be 40 percent affordable housing.
- She was supportive of the application.

85. The Chairman noted that the application had been called in because 10 letters of objection had been received, yet no written statement had been received from the objectors for Members to consider.

Member's Questions to the Ward Member

86. Members did not have any questions for the Ward Member.

Member's Questions to Officers

87. Members did not have any questions for officers.

Debate

88. Councillor Tony Vickers opened the debate. He suggested that development was needed to link Hungerford Green to the village. He welcomed the permeability through the development. Overall, he considered the development to be well thought through. He noted that the land was not actively used and had become a haven for wildlife, but hoped the developer would rehome any protected species.

89. Councillor Tony Vickers proposed to accept Officer's recommendation and grant planning permission subject to the completion of a Section 106 legal agreement by 28 July 2021, and in accordance with the conditions listed in the main report and update report. This was seconded by Councillor Hilary Cole.

90. Councillor Phil Barnett indicated that he hoped the mature oak trees felled in 2016 would be put to good use.

91. Councillor Dennis Benneyworth echoed the comments of Councillor Hilary Cole and Councillor Vickers. He noted that the affordable homes were much needed and indicated that he was in favour of the application.

92. Councillor Hilary Cole highlighted the extensive list of proposed conditions and informatives. Councillor Tony Vickers agreed that they addressed all relevant points.

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93. The Chairman invited Members of the Committee to vote on the proposal by Councillor Tony Vickers, seconded by Councillor Hilary Cole to grant planning permission. At the vote the motion was carried.

RESOLVED that the Head of Development and Planning be authorised to grant planning permission subject to the completion of a Section 106 legal agreement by 28th July 2021 and in accordance with the schedule of conditions as follows.

Heads of Terms for Section 106 Agreement

1 . Affordable housing

- To provide 40% affordable housing on site in accordance with the details provided in Amended affordable housing plan drawing no FLU.1126.16 Rev. E.
- Transfer to Registered Housing Provider.
- Of the affordable housing units, 70% being social rented tenure, 30% being an intermediate or shared ownership form of affordable housing.
- Detailed requirements and specifications in accordance with the Planning Obligations SPD.

2. Public Open Space

- Provision of public open space, including a local area of play.
- Governance by a management company, subject to clauses to ensure transparency in the process of setting of annual fees for residents.

3. Environmental Management Plan

- To secure details of the creation, details of the management, maintenance and long term protection of the hard and soft landscaping, public open space and Ecological Mitigation Area within the Site (as shown on the Section 106 Site Plan(s)).
- The Environmental Management Plan shall be in accordance with the details provided in amended play area details drawing No CALA22960-15A and amended open space plan drawing no CALA22960-10.
- Not to permit the occupation of the development without first forming a Management Company (which for the avoidance of doubt shall assume responsibility for implementing the Environmental Management Plan) and not to wind up the Management Company or alter its constitution unless the whole of the Development shall have been demolished or unless the Council have otherwise first agreed in writing.
- To provide that the first and all subsequent buyers of each Residential Unit within the Development enters into covenants with the Management Company to pay the Management Company a pro rata proportion (according to the number of Residential Units in the Development) of the costs and expenses incurred by the Management Company in respect of its administration and of insuring, maintaining, repairing and as necessary renewing the hard and soft landscaping, public open space and Ecological Mitigation Area in accordance with the Environmental Management Plan.

4. Council's Costs

- To pay the Council for the reasonable legal costs incurred in the review, negotiation, preparation and execution of the section 106 legal agreement through an administration fee.

Schedule of Conditions

1. Time limit for commencement

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Approved plans

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

Received on 16 April 2020:

- Preliminary Ecology Assessment
- Heritage Statement
- Noise Assessment

Received on 28 April 2020:

- Geoenvironmental Report

Received on 07 October 2020:

- Hermitage Biodiversity Metric
- Hermitage BNG report
- Biodiversity Homes Brochure 2019
- Ecological Assessment

Received on 14 December 2020:

- Amended Arboriculture statement No 20066-AA4-DC
- Amended tree protection plan drawing no 20066-BT3
- Amended Play Area details drawing no CALA22960-15A
- Amended soft landscape proposals drawing no CALA22960-11A sheet 1
- Amended soft landscape proposal drawing no CALA22960-11A sheet 2
- Amended proposed hard landscaping drawing no CALA22960-12B sheet 1
- Amended proposed hard landscape plan drawing no CALA22960-12B sheet 2
- Amended Landscape Visual Impact Assessment Report (LVIA)
- Amended LVIA appendices 1 – 11b
- Amended Plot 3 floor plans and elevations drawing no FLU.1126.04 Rev. J
- Amended Plot 4 floor plans and elevations drawing no FLU.1126.05 Rev. J
- Amended Plot 5 floor plans and elevations drawing no FLU.1126.06 Rev. K
- Amended Plot 6 floor plans and elevations drawing no FLU.1126.07 Rev. H
- Amended Plot 7 floor plans and elevations drawing no FLU.1126.08 Rev. H
- Amended Plot 8 floor plans and elevations drawing no FLU.1126.09 Rev. G
- Amended Plot 9 floor plans and elevations drawing no FLU.1126.10 Rev. H
- Amended Plot 10 floor plans and elevations drawing no FLU.1126.11 Rev. J
- Amended Plot 11-12 floor plans and elevations drawing no FLU.1126.12 Rev. H
- Amended Plot 16 floor plans and elevations drawing no FLU.1126.19 Rev. B
- Tree management on sites manual
- Amended site layout plan drawing no FLU.1126.02 Rev. E1
- Amended transport statement Issue 4
- Amended Utilities & Foul Water Drainage Assessment Issue 4
- Amended pedestrian cycle connection drawing no 8190446/6103 Rev E

Received on 18 December 2020:

- Amended street scene drawing no FLU.1126.15 Rev. P

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- Received on 29 January 2021:
- Amended affordable housing plan drawing no FLU.1126.16 Rev. E
- Received on 18 February 2021:
- Amended proposed car ports plans and elevations drawing no FLU.1126.20 Rev A
- Amended Plot 13 floor plans and elevations drawing no FLU.1126.13 Rev. K
- Amended Plots 1-2 floor plans and elevations drawing no FLU.1126.03 Rev. M
- Amended Plot 14-15 floor plans and elevations drawing no FLU.1126.18 Rev. B

Received on 12 March 2021:

- Amended flood risk assessment report and appendices A-G Issue 7
- Amended Flood risk assessment - appendices H-K
- Amended Flood risk assessment - appendices L- M

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

3. External materials

Prior to above foundation level works commencing, details of external facing materials for the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with approved details.

Reason: To ensure the satisfactory appearance of the development and in order to protect the character and amenity of the AONB area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the Quality Design SPD (June 2006) and Hermitage Village Design Statement.

4. Means of enclosure

Notwithstanding the provisions of the plans hereby approved, the development hereby permitted shall not be occupied until full details have been submitted to and approved in writing in respect of means of enclosure or boundary treatments on site, including all residential curtilages, to include a plan indicating the positions, design, materials and type of boundary treatment and gates to be erected within the site. The plan will also include the ecological mitigation fencing, children's play area fencing. The boundary treatments shall be completed in accordance with the approved scheme before the development hereby permitted is first occupied. The boundary treatment shall thereafter be retained in accordance with the approved details.

Reason In the interest of visual amenity and to protect neighbouring residential amenity, to reduce the risk of crime and anti-social behaviour and to ensure the satisfactory appearance of the development. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy, the Quality Design SPD (design guidance on safe and high quality environments) 2007) and the Hermitage Village Design Statement.

5. Landscape and Ecological Management Plan

No development shall take place on the site until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP should be based on the Ecological Assessments by Ethos Environmental Planning dated September 2020 received on 07 October 2020 and the approved SuDS and Landscaping documents and plans. Such a Plan shall include:

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- a) Detailed habitat creation and management prescriptions (including costings) for the retained and newly created habitats meeting all the needs of biodiversity net gain timeframes, monitoring and reviews.
- b) Provision of features for protected and priority fauna as outlined within the Ecological Assessment by Ethos Environmental Planning dated September 2020 received on 07 October 2020 and deliver the recommendations of this Assessment to ensure the appropriate protection and conservation of protected habitats and species.
- c) Include (but not necessarily be limited to) details of management, maintenance and long-term protection of the hard and soft landscaping, public open space, and ecological mitigation area.
- d) Submit a green phasing plan to interact with the CEMP and LEMP. Include the planting list, hard and soft infrastructure shown and boundary treatments and species and habitat enhancements and protections.
- e) May incorporate any/all mitigation measures secured by other planning conditions attached to this permission, including SuDS and Landscaping. The approved LEMP shall be implemented in full upon commencement of development.

Reason: The LEMP is necessary to ensure the adequate protection and conservation of protected species and habitats on the site, and to achieve the specific recommendations of the submitted Ecological Assessment. A comprehensive LEMP will also ensure that interrelated landscape and ecological proposals are delivered and managed in a holistic manner. To ensure that habitats are protected and enhanced in the best way possible and that the planting can become as established as possible before handover to the management company as a condition. Detailed provisions for implementation are contained with the s106 legal agreement. The detailed LEMP is required before commencement of development because insufficiently detailed information has been submitted at the application stage, and it may include measures that require implementation during the construction phase. This condition is applied in accordance with the NPPF, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006- 2026), and the Planning Obligations SPD.

6. Construction Environmental Management Plan (CEMP)

No development shall take place (including ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following;

- (a) A risk assessment of potentially damaging construction activities
- (b) Identification of biodiversity protection zones
- (c) Practical measures to avoid and reduce impacts during construction
- (d) The location and timing of sensitive works to avoid harm to biodiversity features including protected species and tree protection measures
- (e) The times during construction when specialist ecologists need to be present on site to oversee works
- (f) Responsible persons and lines of communication
- (g) The role and responsibilities of the ecological clerk of works or similarly competent person

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- (h) Use of protective fences, exclusion barriers and warning signs
- (i) Any temporary lighting that will be used during construction
- (j) A scheme of works or such other steps to minimise the effects of dust during construction
- (k) The implementation of these measures prior to the commencement of each phase.

The development shall not be constructed otherwise than in accordance with the approved CEMP.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

7. Updated Ecological Appraisal

In the event that development has not commenced 3 years from the date of this permission, no development shall take place until an updated Ecological Appraisal has been submitted to and approved in writing by the Local Planning Authority, together with any additional surveys recommended by the updated Ecological Appraisal. The updated surveys shall be used to inform the mitigation measures for this development.

Reason: If the development has not been commenced by September 2023 the ecological appraisal should be updated. This is because the latest ecology assessment report was dated September 2020 and many of the species considered during the current survey are highly mobile and the ecology of the site is likely to change over this period. This condition is applied in accordance with the statutory provisions relating to the protected species and habitats on the site, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

8. Natural England licence (bats and great crested newts)

Any works which affect bats or great crested newts, or result in loss or deterioration of their habitats (including site clearance) shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- (a) A licence issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010 authorising the specified activities to go ahead; or
- (b) A statement in writing from Natural England to the effect that it does not consider that the specified activity will require a licence.

Reason: The approval of this information is required before development commences because insufficient information accompanies the application and mitigation will be required before any site clearance or development takes place.

This condition is applied to avoid contravention of the Conservation of Habitats and Species Regulations 2010 (as amended), and in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

9. Great crested newt mitigation scheme

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No development shall take place until a great crested newt mitigation scheme has been submitted to and approved in writing by the Local Planning Authority. The mitigation scheme shall include (but not necessarily limited to) translocation of the areas of suitable terrestrial habitat, and translocation of the species, to the Ecological Mitigation Area. The submission shall include details of implementation timings.

Thereafter, the development shall not take place without the great crested newt mitigation scheme being implemented in accordance with the approved scheme.

Reason: To ensure the implementation of appropriate mitigation for great crested newts, including a translocation exercise, in line with the recommendations of the submitted Ecological Assessment. The approval of this information is required before development commences because insufficient information accompanies the application and mitigation will be required before any site clearance or development takes place. This condition is applied in accordance with the statutory provisions relating to great crested newts, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

10. Drainage measures

The use hereby permitted shall not commence until the sustainable drainage measures identified in the Flood Risk Assessment (prepared by Glanville Consultants Ltd, report ref: 023_8190446_AP_FRA Issue 7, dated 5 March 2021) have been implemented in accordance with the approved details. The sustainable drainage measures shall be maintained, retained and managed in accordance with the approved details thereafter.

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

11. Groundwater monitoring

No development shall take place until details of groundwater monitoring within the site have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that groundwater does not restrict or limit the use of infiltration SuDS in accordance with Environment Agency guidelines and that the proposed infiltrating SuDS feature should be positioned no less than 1m above the peak groundwater level, and to inform the design of such SuDS measures. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

12. Layout and design standards

The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision and the Developer to enter into a Section 278/Section 38 Agreement for the adoption of all highway infrastructure within the site. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety and flow of traffic and to ensure waste collection. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

13. Access construction before development

No development shall take place until details of the proposed vehicular and pedestrian access into the site from Charlotte Close have been submitted to and approved in writing by the Local Planning Authority. As a first development operation, the vehicular, pedestrian/cycle access and associated engineering operations shall be constructed in accordance with the approved drawings.

Reason: To ensure that the accesses into the site are constructed before the approved buildings in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

14. Parking and turning in accordance with approved plans

No dwelling shall be occupied until the associated vehicle parking and turning spaces have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning spaces shall thereafter be kept available for parking of private motor cars at all times.

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

15. Cycle parking in accordance with approved plans

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

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

16. Footway/cycleway provision

The tenth dwelling hereby approved shall not be occupied until:

- The 2.5 metre wide footway / cycleway and features have been constructed to the north east boundary
- The 2.5 metre wide footway / cycleway and features have been constructed onto Station Road including the crossing facility

These routes shall be constructed in accordance with the approved drawings.

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

17. Construction method statement

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:

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- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works
- (h) A site set-up plan during the works

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

18. Electric Charging Point

No development shall take place until details of electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the associated electric vehicle charging point has been provided in accordance with the approved drawings. The charging point shall thereafter be retained and kept available for the potential use of an electric car.

Reason: To promote the use of electric vehicle. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

19. Broadband, Wi-Fi Fibre Connections and Mobile Phone Signal

Prior to above foundation level works commencing details of a Super-Fast Broadband, Wi-Fi Fibre Connections and Mobile Phone Signal Strategy Statement shall have been submitted and approved in writing by the Local Planning Authority. Such a Strategy Statement shall set out how super-fast broadband, Wi-Fi fibre connections and mobile phone signals are to be provided to the development, including a timeline schedule for connection. Thereafter no part of the development hereby permitted shall be occupied until the infrastructure has been provided in accordance with the approved details.

Reason: To ensure that the site is provided with high speed communications infrastructure in the interests of the amenity of the occupants of the site in accordance with the requirements of the National Planning Policy Framework, Policies CS5 and CS14 of the West Berkshire Local Plan Core Strategy (2006-2026).

20. Emergency water supplies

No dwelling shall be first occupied until either:

- (a) Private fire hydrants, or other suitable emergency water supplies, have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority (in consultation with Royal Berkshire Fire and Rescue Service); or

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(b) Royal Berkshire Fire and Rescue Service confirm that such provision is not required (for example, because the main water supply for the development is sufficient) and confirmation of the same has been given in writing by the Local Planning Authority pursuant to this condition.

Reason: At present there are no available public mains in this area to provide suitable water supply in order to effectively fight a fire. Suitable private fire hydrant(s), or other suitable emergency water supplies, are therefore required to meeting Royal Berkshire Fire and Rescue Service requirements, in the interests of public safety. The approval of this information is required before development commences because insufficient information accompanies the application and it will affect the servicing of the development. This condition is applied in accordance with the National Planning Policy Framework and Policies CS5 and CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

21. Refuse Storage

No dwelling shall be occupied until the refuse and recycling facilities have been provided in accordance with the approved drawings and these facilities shall be retained for this purpose thereafter.

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

22. External lighting

No external lighting shall be installed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

(a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.

(b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species.

(c) Include and isolux diagram of the proposed lighting.

(d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.

Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, no external lighting shall be installed except in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: Firstly, to ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. Secondly, to conserve the dark night skies characteristics of the North Wessex Downs AONB.

This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies ADPP5, CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026).

23. Hours of work (construction)

No construction works shall take place outside the following hours:

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7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

No work shall be carried out at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

24. Noise Mitigation

The development hereby approved shall not be occupied until the noise mitigation measures as set out in the Noise assessment report No: P16-585-R02v2 dated March 2020, submitted with the application, have been implemented. The noise mitigation measures shall be retained and maintained thereafter

Reason: To protect future occupants from the adverse effects of excessive noise levels that may be generated by the adjacent commercial uses and any other noise sources in the area. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Policy OVS.6 of the West Berkshire District Local Plan 1991 -2006 (Saved Policies 2007), and Quality Design SPD.

25. Contaminated land condition

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

1. Site Characterisation

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

The report of the findings must include:

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

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwater and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

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

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

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2. Submission of Remediation Scheme

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

3. Implementation of Approved Remediation Scheme

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

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

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority.

An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

If required:

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with LPA, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite

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receptors. To ensure that any unexpected contamination encountered during the development is suitably assessed and dealt with, such that it does not pose an unacceptable risk to human health or the environment. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 of the West Berkshire Core Strategy (2006 -2026), and Policies OVS.5 of the West Berkshire District Local Plan 1991 -2006 (Saved Policies 2007).

26. Construction Management Plan

No development shall not take place until details of a scheme (Construction Method Statement) to control the environmental effects of the demolition and/or construction work has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:-

- (i) the control of noise
- (ii) the control of dust, smell and other effluvia
- (iii) the control of rats and other vermin
- (iii) the control of surface water run-off
- (iv) the proposed method of piling for foundations (if any)
- (v) proposed construction and demolition working hours
- (vi) hours during the construction and demolition phase when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the site.

The development shall be carried out in accordance with the approved scheme.

Reason: To safeguard the amenity of adjoining land uses and occupiers. The approval of this information is required at this stage because insufficient information has been submitted with the application. The approval of this information is required before development commences because insufficient information accompanies the application and the Construction Management Plan must be in place before construction operations commence. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 of the West Berkshire Core Strategy (2006 -2026), and Policies OVS.5, OVS.6 of the West Berkshire District Local Plan 1991 -2006 (Saved Policies 2007).

27. Thames Water

No dwelling shall be occupied until confirmation of capacity of the water supply and any upgrades required to accommodate the development from Thames Water has been submitted and approved in writing by the local planning authority as part of a discharge of condition application for that purpose. The confirmation from Thames Water shall provide that either:

- a) all water network upgrades required to accommodate the additional flows to serve the development have been completed; or
- b) a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied.

Where a development and infrastructure phasing plan is agreed with Thames Water, no occupation of those agreed dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

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

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Reason: To ensure the provision of adequate and appropriate infrastructure for water supply. The development may have low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any identified reinforcement works will be necessary in order to avoid low / no water pressure issues. This condition is applied in accordance with the National Planning Policy Framework, Policies CS5 of the West Berkshire Core Strategy (2006-2026).

28. Petrol / oil interceptors

No development shall commence until details of petrol / oil interceptors to be fitted in all car parking areas are submitted to and approved in writing by the Local Planning Authority. The approved details shall be retained and maintained thereafter as the approved details.

Reason: To ensure the protection of the watercourses within the area from potential pollutants. The approval of this information is required before development commences because insufficient information accompanies the application and the details of petrol / oil interceptors must be in place before construction operations commence. This condition is applied in accordance with the National Planning Policy

Framework, Policies CS14 and CS16 of the West Berkshire Core Strategy (2006 - 2026), and Policies OVS.5 of the West Berkshire District Local Plan 1991 -2006 (Saved Policies 2007).

29. Landscaping

All landscape works shall be completed in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including drawing numbers Detailed Soft Landscaping proposal ACD Environmental CALA22960-11A Sheets 1 and 2.

Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

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

30. Landscaping implementation

The approved landscaping plan Detailed Soft Landscaping proposal ACD Environmental CALA22960-11A Sheets 1 and 2 shall be implemented within the first planting season following completion of development or in accordance with a programme submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the implementation of a satisfactory scheme of landscaping. This condition is applied in accordance with the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026 and Hermitage Village Design Statement.

31. Tree Protection

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Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing numbered plan Barrell tree Consultancy Tree Protection Plan 20066 BT-3.

Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. This condition is applied in accordance with the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026 and Hermitage Village Design Statement.

32. The Arboricultural Method Statement

The Arboricultural Method Statement and tree protection measures within report ref: Barrell tree Consultancy Arboricultural Method Statement V2.1 shall be implemented in full and tree protection measures and works carried out in accordance with the Assessment. No changes shall be made to the works unless amendments have been submitted to and approved in writing by the Local Planning Authority and shall include details of any changes to the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.

Reason: To ensure the protection of trees identified for retention at the site. This condition is applied in accordance with the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

33. Arboricultural supervision condition

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

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site supervision works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place. This condition is applied in accordance with the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

Informatives

1. Approach of the LPA

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.

2. CIL

The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability

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Notice setting out further details, and including the amount of CIL payable will be sent out separately from the Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil

3. Legal agreements - Section 106

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

4. Fire hydrants

There are at present, no available public mains in this area to provide a suitable water supply in order to effectively fight a fire. The applicant is advised to provide suitable private fire hydrants, or other suitable emergency water supplies to meet Royal Berkshire Fire & Rescue Service requirements. The attached condition is instructive.

5. Surface water drainage (Thames Water informative)

It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

6. Thames Water main(Thames Water informative)

There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

7. Construction noise

The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to West Berkshire Environmental Health. For more information:

email ehadvice@westberks.gov.uk, call 01635 519192,

or visit <http://info.westberks.gov.uk/environmentalhealth>.

8. Access construction

The Highways Manager, West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should

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be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

9. Damage to verges,etc.

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

55. Appeal Decisions relating to Western Area Planning Committee

Members noted the outcome of appeal decisions relating to the district.

Councillor Hilary Cole noted that appeal decisions were listed by committee, which was useful in allowing Members to see decisions in areas they were not directly involved with. She thanked officers for their work.

(The meeting commenced at 6.30 pm and closed at 9.38 pm)

CHAIRMAN

Date of Signature

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Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/02779/COMIND Greenham	2 nd March 2021 ¹	<p>Section 73 variation of conditions 2 (plans), 3 (boundary treatments), 4 (hardscaping), 6 (BREEAM), 7 (external lighting), 9 (noise from services), 11 (sport England), 12 (travel plan), 13 (cycle and scooter parking), 17 (landscaping) and 24 (E V charging points) of approved 17/03434/COMIND -</p> <p>Construction of a new 1 FE single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school. Construction of bunds adjacent to the temporary and permanent access roads to prevent access from the roads to private land.</p> <p>Land South of Newbury College, Monks Lane, Newbury.</p> <p>Re-Format LLP ion behalf of West Berkshire Council</p>

¹ Extension of time agreed with applicant until 2nd July 2021

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/02779/COMIND>

Recommendation Summary: To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8).

Ward Member(s): Councillor David Marsh, Councillor Tony Vickers and Councillor Adrian Abbs.

Reason for Committee Determination: This is a major application and West Berkshire Council is the applicant.

Committee Site Visit: 24th June 2021

Contact Officer Details

Name: Jake Brown
Job Title: Principal Planning Officer
Tel No: 01635 519111
Email: jake.brown@westberks.gov.uk

1. Introduction

1.1 This application is made under section 73A of the Town and Country Planning Act 1990 (as amended) and seeks to vary conditions 2 (plans), 3 (boundary treatments), 4 (hardscaping), 6 (BREEAM), 7 (external lighting), 9 (noise from services), 11 (Sport England), 12 (travel plan), 13 (cycle and scooter parking), 17 (landscaping) and 24 (E V charging points) of permission 17/03434/COMIND that was granted on 16th March 2018.

1.2 The variations to the conditions seek to regularise the following changes to the previously approved scheme:

- Changes to the layout and boundary treatments approved under permission 17/03434/COMIND or by subsequent discharge of conditions applications, which include:
 - a reduction in the number of kiss and drop parking spaces from 13 to 7;
 - the introduction of a 2 metre tall fence between the playing pitch for the 1 form entry school and the expansion land that would be required should the school increase to a 2 form entry primary school;
 - increased areas of hard standing around the school, in particular to the west of the school building between the building and the playing field and to the east ;
 - provision of a 2.4 metre tall fence around the entire multi use games area (MUGA) in the south-eastern corner of the application site;
 - provision of 1.2 metre tall palisade/picket fencing around the early years area to the east of the school building;
 - provision of 0.4 metre tall knee rail to the front (northern boundary of the school site);
 - relocation of the cycle/scooter store from the north-eastern corner of the application site to within the application site, west of the building;
 - the replacement of 2 metre tall fence along the northern and western boundary in the north-western corner of the application site with a 1.1 metre tall post and rail fence;
 - provision of bollards to the front of the school between the kiss and drop parking and the footpath;
- Reduction in the BREEAM Level achieved from Excellent to Very Good;
- The introduction of lighting to the footpath between Newbury College and the future A339 link road.
- Submission of details in respect of mechanical plant to address condition 9 of permission 17/03434/COMIND.
- Submission of details in respect of the construction of the playing field and MUGA to address condition 11 of permission 17/03434/COMIND.
- Submission of Travel Plan to satisfy condition 12 of permission 17/03434/COMIND.
- Submission of cycle and scooter parking and storage spaces to satisfy condition 13 of permission 17/03434/COMIND.
- Submission of landscaping details to satisfy condition 17 of permission 17/03434/COMIND.
- Provision of alternative electric vehicle charging points system.

1.3 The application site comprises a 1 form entry primary school that has now been constructed (with sufficient space/facilities to expand to a 2 form entry primary school in the future if required). The application site is located to the south of Newbury College and east of an ancient woodland, High Copse. To the south of the application site is a balancing pond. An access road (link road from the A339 granted under permission 17/03434/COMIND) is currently under construction and is required by conditions 21 and 22 attached to permission 17/03434/COMIND to be completed within two years of the school opening and once completed the temporary vehicular access via Newbury

College is to be stopped up. To the east of the application site is an area of open space beyond which is the Household Waste Recycling Centre (HWRC).

2. Planning History

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

Application	Proposal	Decision / Date
17/00158/COMIND	Construction of a new 1 F E single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a new permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school.	Application approved 30/06/2017
17/01990/COND1	Application for approval of details reserved by conditions 3 finish floor levels, 4 spoil, 17 arboricultural watching brief, 20 construction method statement, 27 parking and turning, 28 electric charging points, 29 route for construction vehicles, and 32 drainage of approved application 17/00158/COMIND - Construction of a new 1 F E single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a new permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school.	Split decision – part approved and part refused 27/09/2017
17/03434/COMIND	Construction of a new 1 FE single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school. Construction of bunds adjacent to the temporary and permanent access roads to prevent access from the roads to private land.	Application approved 16/3/2018
18/01341/COND1	Application for approval of details reserved by Conditions 23 - Parking and Turning Areas, 25 - Construction Traffic Access, 30 - Fire Hydrants and 31 - Drainage Strategy of planning permission 17/03434/COMIND.	Application approved 18/7/2018

18/01939/COND2	Application for approval of details reserved by Condition (5) - Materials of planning permission 17/03434/COMIND.	Application approved 3/10/2018
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3. Procedural Matters

- 3.1 In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the local planning authority (LPA) must adopt a screening opinion on any application for Schedule 2 development to determine whether the proposal constitutes EIA development, and therefore whether Environmental Impact Assessment (EIA) is required as part of the application.
- 3.2 A screening opinion was adopted following the submission of the application, confirming that the proposal is not considered EIA development and that an Environmental Statement is not required.
- 3.3 The application was advertised in Newbury Weekly News on 10th December 2020. The site notice expired on 8th January 2021.
- 3.4 The development is not subject to Community Infrastructure Levy.

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.

Greenham Parish Council:	Object unless the travel plan is revisited in the light of the changed highway services and amended in line, with the wishes of the school sponsor, which is Newbury College.
Newbury Town Council:	Resolved that the Committee reject the proposal based on the new travel plan. The current arrangements should also be retained. Any travel plan needs to allow for a right turn from the A339 for south-bound traffic.
Sport England:	Object to variation of condition 3 (boundary treatment). Require justification for the proposed fence splitting the school site and crossing over the running track which is indicated as no longer being provided. Also require details of the construction and drainage for the MUGA, the hard surfaced play area in the south eastern corner of the school site in respect of condition 4 (hard standing). No objections to details submitted in respect of grass playing pitch (condition 11).
Sport England (following additional and	In respect to the fencing, I note what is said about the PD, however, the application is for variation of condition and we do not support this. I accept and respect the position of WBC planning department's position on this. Sport England would be

amended information):	<p>failing is its role to protect playing fields if we did not maintain our objection to the application for the variation of condition 3.</p> <p>It should be noted by the applicant, that given the shortages of playing field in WBC we will object to any use of the land which results in the loss of the playing field.</p>
WBC Highways:	Object to hardscaping and landscaping plans showing reduction in kiss and drop parking provision.
WBC Highways (following additional and amended information):	No objections. Concerns regarding increased parking on public highway.
WBC Waste Services:	No objections.
WBC Environmental Health:	No objections.
WBC Archaeology:	No further archaeological work is needed for this proposal.
WBC Housing:	No objections.
SPOKES:	No comments on this application.
Forestry Commission:	See standing advice regarding ancient woodland.
WBC Conservation Officer:	No objections.
Natural England:	No objections.
Ministry of Defence:	No objections.
Transport Policy:	Require amendments to travel plan to make it acceptable.
Transport Policy (following additional and amended information):	Recommend that the Travel Plan be approved and the relevant condition (12) be discharged
Ward Member:	No response received.
Thames Water:	No response received.

WBC Access Officer:	No response received.
WBC Drainage Officer:	No response received.
WBC Tree Officer:	No response received.
WBC Education Service:	No response received.
Berkshire Gardens Trust:	No response received.
Royal Berkshire Fire and Rescue Service:	No response received.
Thames Valley Police:	No response received.
WBC Planning Policy:	No response received.
WBC Ecologist:	No response received.
BBOWT:	No response received.
Woodland Trust:	No response received.

Public representations

- 4.2 1 representation has been received objecting to the proposal.
- 4.3 The full response may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- Access road to be used into the development at Sandleford;
 - No need for housing on greenfield site;
 - Lack of sufficient infrastructure;
 - Impact on biodiversity;
 - Application for a school already constructed.

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, ADPP2, CS5, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policy C1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS.5, OVS.6, TRANS.1 and ENV27 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)
- Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- West Berkshire Local Transport Plan
- Greenham Parish Plan (2011).

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development;
- Impact on Parking Provision and Highway Matters;
- Alterations to Hardstanding, Boundary Treatments and Impact on Playing Pitch Provision;
- Reduction in the BREEAM Level;
- External Lighting;
- Noise from Services;
- Playing Pitch and MUGA Construction Details;
- Travel Plan;
- Cycle and Scooter Parking;
- Landscaping;
- Electric Vehicle Charging.

Principle of development

6.2 The school has been constructed and is substantially completed with the intention to open in the autumn. The access road is currently under construction. The principle of the development of a primary school and access road was established under the previous permissions (17/00158/COMIND and 17/03434/COMIND) and there has been no material change in policy or legislation since that would alter this position.

6.3 The principle of the development is therefore considered acceptable, subject to its compliance with other planning policies and material planning considerations.

Impact on Parking Provision and Highway Matters

6.4 As part of the amendments to the previously approved scheme, the development as built reduces the number of kiss and drop parking spaces within the school grounds from 13 to 7. This is as a result of the kiss and drop parking spaces on the northern side of the vehicle access route within the school grounds being removed and the landscaped area between the northern fence and the vehicular access being increased.

- 6.5 The applicants have advised that following a review of the previously approved kiss and drop arrangement with the Health and Safety Team at West Berkshire Council and the Academy Trust in charge of running the school concerns were raised over the ability to safely manage the previously approved arrangement.
- 6.6 The applicant considers that the previously approved arrangement would not enable parents to plan which side their children would be exiting the vehicle, as is the case experienced at other kiss and drop facilities in the District (Theale Primary School). Vehicles parking on the northern side of the vehicle access road through the school site could result in children exiting those vehicles into oncoming traffic or having to cross in front of oncoming traffic.
- 6.7 The applicant considers that the previously approved layout, combined with the fact that the children attending the school would be between 4 and 11 years of age, raises the risk of an accident occurring. Management of the kiss and drop process may reduce that risk but would require significant staff resourcing. As the school is planned to grow from the bottom upwards, with 30 pupils per year, in the first year there will be only three members of staff. The applicant considers that even with three members of staff it will be a challenge to manage a kiss and drop facility on the southern side of the access road only, let alone the northern side should that also be required.
- 6.8 The applicant has also advised that within the school gates, the legal safeguarding of children transfers from parents to the school. As such it is of concern that if the kiss and drop arrangement is installed in accordance with the previously approved scheme, the school will choose not to use it because of the risks and management issues.
- 6.9 As part of the previously approved scheme, the access road (link to A339) widens to 7 metres at the western end, beyond the access points to the school, for approximately 90 metres that enables approximately 18 vehicles to also park on the link road to drop/collect children without significantly encroaching on the movement of vehicles along the access road. That provision remains and would not be altered by this application.
- 6.10 The Highways Officer initially raised concern regarding the loss of the number of kiss and drop parking spaces. However, following the submission of additional information detailing the reasons for the proposed change, the Highways Officer raises no objections but remains concerned that parking on the highway may occur.
- 6.11 Having considered the points raised by the applicants and detailed above, it is considered that, on balance, the loss of 5 kiss and drop parking spaces within the school grounds due to health and safety concerns is acceptable and would not pose a significant risk to highway safety.

Alterations to Hardstanding, Boundary Treatments and Impact on Playing Pitch Provision

- 6.12 As part of this application the applicants are seeking amendments to the boundary treatments from that previously approved. Changes to the boundary treatment arrangements include:
- the introduction of a 2 metre tall fence between the playing pitch for the 1 form entry school and the expansion land that would be required should the school increase to a 2 form entry primary school;
 - provision of a 2.4 metre tall fence around the entire multi use games area (MUGA) in the south-eastern corner of the application site;
 - provision of 1.2 metre tall palisade/picket fencing around the early years area to the east of the school building;

- provision of 0.4 metre tall knee rail to the front (northern boundary of the school site);
- the removal of 4 metre tall sports fencing on the eastern side of the playing pitch;
- the introduction of 1.1 metre tall timber post and rail fence between the playing pitch and MUGA to restrict access from the south;
- minor alterations to the arrangement of timber post and rail fencing within the eastern part of the school grounds serving the early years area;
- the replacement of 2 metre tall fence along the northern and western boundary in the north-western corner of the application site with a 1.1 metre tall post and rail fence.

6.13 It is important to note that the school benefits from permitted development rights under the Town and Country (General Permitted Development) (England) Order 2015 (as amended) which enables them to erect fencing up to 2 metres in height within the school grounds without the need for planning permission.

6.14 Aside from the provision of a 2.4 metre tall fence around the entire MUGA in the south-eastern corner of the school grounds (the previously approved scheme only proposed a 2.4 metre tall fence to the southern and eastern boundaries of the MUGA), all other proposed amendments to the boundary treatments would be allowed under permitted development legislation.

6.15 As part of the proposed amendments to the boundary treatments, a 2 metre tall green weldmesh fence is to be erected to the north of the marked playing pitch, separating the playing pitch from open land in the north-western corner of the school grounds. The parcel of land to be fenced off in the north-western corner of the school grounds as a result of this new fencing is only required should the school expand to a 2 form entry primary school in the future, as set out in the Design and Access Statement submitted for application 17/00158/COMIND.

6.16 Sport England have raised an objection to this particular proposed fencing as they consider it to split the playing field into two and impede the running track indicated on previous plans. Sport England consider that there is insufficient justification for the fence and note that no gate is proposed into the north west corner of the school grounds that is to be fenced off. Sport England advise that they consider the erection of the fence to indicate that the applicants are closing off playing field in preparation for the sale of the land after 5 years when Sport England is no longer a statutory consultee.

6.17 The objection from Sport England is noted, however, the fall-back position for the applicants is the ability to erect the fencing proposed without the need for planning permission under Town and Country (General Permitted Development) (England) Order 2015 (as amended). Furthermore, the area of land to be fenced off is only required in spatial terms should the school expand to a 2 form entry primary school in the future. Sufficient play provision for a 1 form entry primary school is provided by the existing playing pitch and areas for play outside of this parcel of land. As such it would be unreasonable to refuse the application on the basis of the objection from Sport England.

6.18 None of the proposed alterations to the boundary treatments give rise to concerns in respect of impact on the character and appearance of the area or neighbouring amenities and therefore are considered acceptable. Furthermore, the proposed changes to the hardstanding surrounding the school building are considered to be minor and would not detrimentally harm the character and appearance of the area.

Reduction in the BREEAM Level

- 6.19 The previous permissions granted imposed a condition requiring the school to achieve BREEAM Excellent in accordance with Policy CS15 of the Core Strategy and BREEAM pre-assessments at that time anticipated that Excellent would be achieved. A further subsequent design stage assessment achieved a certificate score of 70% which is the minimum score necessary to achieve BREEAM Excellent, providing no buffer.
- 6.20 However, during the construction of the school the contractors responsible for constructing the school went into administration, resulting in the loss of data relating to construction waste that were relied upon to demonstrate the attainment of BREEAM Excellent as required by condition 6 of permission 17/03434/COMIND. As such, credits relating to construction waste can no longer be achieved.
- 6.21 Therefore, the BREEAM level that is now able to be achieved for this development is Very Good. The applicants have reviewed whether it would be possible to increase other credits to compensate for the reduction in BREEAM attainment, however, it is shown that it would not be possible and therefore a score greater than Very Good can no longer be achieved.
- 6.22 It is unfortunate that BREEAM Excellent level can no longer be attained due to the administration of the previous contractor and this runs contrary to Policy CS15 of the Core Strategy. However, whilst this conflict with Policy CS15 occurs this must be considered against the Local Plan as a whole and the benefits of delivering a new school. Therefore an amendment to condition 6 to require the development to achieve BREEAM Very Good is, in this instance, considered acceptable.

External Lighting

- 6.23 This application seeks to introduce new lighting along the temporary vehicle route from Newbury College which, once the new A339 link road has been completed and brought into use, will be stopped up to vehicles but retained for use by pedestrians and cyclists only. Lighting in this location is sought to provide safe access for parents, children and others during the hours of darkness. Two types of lighting have been proposed along this route, bollard or column lighting. The bollard lighting design would comprise 19 bollards of 1.04 metres in height and one 5 metre tall column light. The column lighting only design would comprise 7 columns 5 metres tall.
- 6.24 The applicants consider that the column lighting solution only would be preferable due to the reduced risk of vandalism to those types of lights. It is considered that either solution for lighting this route would be acceptable and not introduce any significant detrimental impacts on the character and appearance of the area, neighbouring amenities or biodiversity. As such condition 7 of permission 17/03434/COMIND is recommended to be amended to enable either lighting option in this location to be erected.

Noise from Services

- 6.25 Condition 9 attached to permission 17/03434/COMIND required details of any plant or mechanical services to be submitted to and approved in writing by the Local planning Authority prior to their installation.
- 6.26 Details of the mechanical air handling plant and chillers have been submitted together with the necessary information regarding noise and have been assessed by the Environmental Health Officer who raises no objections.

- 6.27 The positioning of some of the mechanical plant located on the roof of the school building has altered from that previously approved and as a result amended elevation plans and an amended roof plan have been submitted.
- 6.28 The details of mechanical air handling plant and chillers and their amended locations on the building are not considered to detrimentally harm the character and appearance of the area or neighbouring amenities.

Playing Pitch and MUGA Construction Details

- 6.29 Condition 11 of planning permission 17/03434/COMIND requires details of the construction and management plan for the playing pitches to be submitted to and approved in writing by the Local Planning Authority prior to the school being brought into use. Construction, drainage and management details for the playing pitch and MUGA have been provided and reviewed by Sport England who previously requested this condition and are considered acceptable.
- 6.30 Therefore, condition 11 can be amended accordingly to ensure the construction of the playing pitch and MUGA and their maintenance are in accordance with the approved details.

Travel Plan

- 6.31 Condition 12 of permission 17/03434/COMIND required the submission and approval of a travel plan for the school prior to the school being brought into use. A travel plan was submitted with this application and concerns were raised by the Transport Policy Officer who required amendments to that plan. Amendments were made to the travel plan accordingly and the revised travel plan has been agreed by the Transport Policy Officer.
- 6.32 Greenham Parish Council raised objections to the original travel plan advising that they considered the travel plan required amendment in light of the changed highway services and in line with the wishes of the school sponsor, Newbury College.
- 6.33 Newbury Town Council, as the adjacent parish council were also consulted and objected to the original travel plan submitted, requesting that the current arrangements would be retained and that any travel plan needs to allow for a right turn from the A339 for southbound traffic. The arrangement of the junction onto the A339 was approved under permission 17/03434/COMIND and is not a matter for consideration under the travel plan or this application.
- 6.34 Both Councils were re-consulted in respect of the revised travel plan submitted to which neither council has provided any comments.
- 6.35 The revised travel plan is considered acceptable and condition 12 can be amended accordingly to secure adherence to the revised travel plan.

Cycle and Scooter Parking

- 6.36 Condition 13 of permission 17/03434/COMIND required details of the cycle and scooter parking and storage to be submitted to and approved in writing by the Local Planning Authority prior to the school being brought into use. Plans submitted with permission 17/03434/COMIND indicated that the cycle and scooter parking would be located in the north-eastern corner of the school grounds, adjacent to the pedestrian entrance.
- 6.37 Details submitted with this application relocate the proposed cycle and scooter parking further within the school grounds, behind the internal secure 2 metre tall fencing, to the

west of the school building. The cycle/scooter parking provision would comprise a covered area of Sheffield type racks and a covered area of scooter racks.

- 6.38 The details are considered acceptable and are not considered to detrimentally harm the character and appearance of the area or neighbouring amenities.

Landscaping

- 6.39 Condition 17 of permission 17/03434/COMIND required details of a detailed landscaping scheme and management plan to be submitted to and approved in writing by the Local Planning Authority prior to the school being brought into use.
- 6.40 Detailed planting plans have been submitted. The Tree Officer was consulted on the application but no response has been received.
- 6.41 Having reviewed the planting details submitted together with the landscape management plan proposed your officers consider the submissions sufficient to ensure the appropriate landscaping and management for the development.
- 6.42 Therefore, the landscaping details are considered acceptable and condition 17 can be amended accordingly to ensure the provision and management of landscaping.

Electric Vehicle Charging Points

- 6.43 Details submitted in respect of electric vehicle charging for the previous permission (17/03434/COMIND) were secured by condition 17 attached to that permission and required the installation of an electric vehicle recharging system provided by POD Point.
- 6.44 Since that approval it has come to light that the POD Point charging system would have tied the school into a public register of charging points, which could bring the public into the school to use the chargers and thereby use up limited staff parking. It would also have required the school to manage the scheme. As such the applicants are now seeking approval for an alternative electric vehicle charging system and request that the condition is amended to accommodate an equivalent alternative system. No change to the number of electric vehicle charging points is proposed and having visited the site your officers can confirm that electric vehicles charging points for use by staff in the staff parking area have been erected, providing sufficient EV charging points in line with that previously approved.
- 6.45 Therefore, the electric vehicle charging condition can be amended accordingly to accommodate the alternative charging points installed.

7. Planning Balance and Conclusion

- 7.1 Aside from the reduction in BREEAM from Excellent to Very Good, the proposed amendments to the previously approved scheme and variations to the relevant conditions are considered to accord with the Development Plan.
- 7.2 The reduction in BREEAM from Excellent to Very Good, whilst not in accordance with Policy CS15 of the Core Strategy, is justified in this instance. The public benefit of the provision of a new school and the material consideration for the reason as to why BREEAM Excellent can no longer be achieved. Are considered to outweigh the conflict identified with Policy CS15.

- 7.3 The Highways Officer's concerns regarding the reduction in kiss and drop parking provision are acknowledged. However, the school is currently only permitted as a 1 form entry school and further permission would be required to expand the school to a 2 form entry primary school. Should additional kiss and drop parking spaces be required at that stage they can be dealt with under a future application for expanding the school to 2 form entry.
- 7.4 Sport England's concerns regarding the fencing off of land are noted. However that land is not required for a 1 form entry school and the fencing proposed can be installed under permitted development rights.
- 7.5 Therefore, the application as amended is considered acceptable subject to the variation of conditions as set out in section 8 below.

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.	<p>Approved Plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <ul style="list-style-type: none"> • Site Location and Existing Site Plan drawing number PL 002 rev. C; • Landscape Proposals General Arrangement drawing number 1967-TF-00-00-DR-L-1001 Rev 13; • Proposed Ground Floor drawing number PL004 rev. 1; • Roof Plan drawing number 18026-RFT-00-01-DR-A-0202 Rev CR2; • Sections drawing number PL007 rev. 1; • Elevations drawing number 18026-RFT-00-ZZ-DR-A-0300 Rev CR2; • Elevations drawing number 18026-RFT-00-ZZ-DR-A-0301 Rev CR2; • Proposed Road Layout Signals drawing number PL011-27599-010 rev. B; • Site Sections Plan drawing number 1967-TF-00-00-DR-L-5001 Rev 6; • Site Sections Plan drawing number 1967-TF-00-00-DR-L-5002 Rev C02; • Tree Retention & Protection Plan drawing number LLD919/04 rev. 04; • Boundary Plan drawing number 1967-TF-00-00-DR-L-1003 Rev 04; • External Lighting Plan drawing number 180730/001/E08; • Hard Landscape and Fencing Plan drawing number 1967-TF-00-00-DR-L-2001 Rev 10; • Hard Landscape and Fencing Plan drawing number 1967-TF-00-00-DR-L-2002 Rev 04; • Hard Landscape and Fencing Plan drawing number 1967-TF-00-00-DR-L-2003 Rev 02; • Foul and Surface water Drainage (Sheet 1 of 3) drawing number 101:1 rev. P3; • Foul and Surface water Drainage (Sheet 2 of 3) drawing number 101:2 rev. P1; • Foul and Surface water Drainage (Sheet 3 of 3) drawing number 101:3 rev. P1. <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
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2.	<p>Boundary Treatments</p> <p>The school hereby approved shall not be bought into use until the boundary treatments, to include external boundaries around the site and internal boundaries within the site, have been erected in accordance with the details shown on drawing numbers 1967-TF-00-00-DR-L-1003 Rev 04, 1967-TF-00-00-DR-L-2001 Rev 10, 1967-TF-00-00-DR-L-2002 Rev 04 and 1967-TF-00-00-DR-L-2003 Rev 02. The boundary treatments shall thereafter be retained in accordance with the approved details.</p> <p>Reason: The boundary treatments are an important element in the design of the scheme. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
3	<p>Hardstanding</p> <p>The school hereby approved shall not be bought into use until the areas of hard standing have been constructed in accordance with the details shown on drawing numbers 1967-TF-00-00-DR-L-2001 Rev 10, 1967-TF-00-00-DR-L-2002 Rev 04 and 1967-TF-00-00-DR-L-2003 Rev 02. The areas of hard surfacing shall thereafter be retained in accordance with the approved details.</p> <p>Reason: The areas of hardstanding are an important element of the design of the scheme. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
4	<p>BREEAM</p> <p>Evidence confirming that the development achieves a BREEAM Education rating of Very Good shall be submitted to the Local Planning Authority. The evidence required shall be provided in the following formats and at the following times unless otherwise agreed in writing by the Local Planning Authority:</p> <ol style="list-style-type: none"> 1) Evidence of Submission to the BRE for a Post Construction Final Certificate shall be provided within 8 weeks of Occupation of the building. 2) A copy of the Final Certificate certifying that BREEAM Very Good has been achieved for the development, shall be provided within 12 Months of Occupation of the building. <p>Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
5	<p>External Lighting</p> <p>The school hereby approved shall not be bought into use until the external lighting to be used around the school and on the access road has been installed in accordance with drawing number 180730/001/E08 and either, drawing number D41196(003)/PMU/A (bollard lighting) and datasheet Deco 2.0, or, drawing number D41196(003)/PMU/A/RF (column lighting) and datasheet Viva-City Pro. No external lighting shall be installed on the building or across the site except for that expressly</p>

	<p>authorised by the approval of details as part of this condition. The approved external lighting shall thereafter be retained.</p> <p>Reason: To have regard to the setting of the development and to protect the amenity of neighbouring occupiers and wildlife. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
6	<p>Contamination</p> <p>Should any unforeseen contamination be encountered during the development, the developer shall inform the Local Planning Authority immediately. Any subsequent investigation/remedial/protective works deemed necessary by the Local Planning Authority shall be carried out to agreed timescales and approved by the Local Planning Authority in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the Local Planning Authority upon completion of the development.</p> <p>Reason: In order to protect the amenities of futures users of the site in accordance with Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and the guidance within the National Planning Policy Framework.</p>
7	<p>Mechanical Plant</p> <p>The school hereby approved shall not be brought into use until the mechanical air handling plant and chillers have been installed in accordance with the following details:</p> <ul style="list-style-type: none"> • Attenuator Drawings dated 3/6/2020; • Hall AHU Summary Fan Data Sheet; • i-Max Chiller Heat Pumps; • Kitchen Extract Summary Fan Data Sheet; • Kitchen Supply AHU Summary Fan Data Sheet; • Maxa i-HP Data Sheet; • Maxa i-HP Performance Tables; • MSY-TP35V Comms Room System data sheet; • MTS001-ASHP-AC data sheet; • Noise Assessment dated 12th June 2020; • PLA-ZM50 Cassette IT Suite System; • Roof Plant Layout Plan drawing number LO-Y34-R1-50-01 Rev C1. <p>Noise resulting from any other plant, machinery or equipment to be installed shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142, at a point one metre external to the nearest noise sensitive premises.</p> <p>Reason : In the interests of the amenities of neighbouring occupiers in accordance with Policy OVS5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.</p>
8	<p>Construction Hours of Work</p> <p>No construction works shall take place outside the following hours: 7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and no work shall be carried out on Sundays or Bank Holidays.</p>

	<p>Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.</p>
9	<p>Playing Field Construction</p> <p>The school hereby approved shall not be bought into use until the playing field and MUGA within the school site have been provided in accordance with drawing numbers HWC-MAC-DR-L(90)100 Rev C01, HWC-MAC-DR-L(90)101 Rev C01, HWC-MAC-DR-L(90)102 Rev C02, HWC-MAC-DR-L(90)103 Rev C02, HWC-MAC-XX-XX-RP-L1000 and 1967-TF-00-00-DR-L-4001.</p> <p>The playing field and MUGA shall thereafter be provided and maintained in accordance with the approved details.</p> <p>Reason: To ensure the quality of the pitches is satisfactory, in accordance with Policy CS18 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.</p>
10	<p>Travel Plan</p> <p>The Travel Plan received on 26th May 2021 shall be implemented as approved on commencement of the use as a school and its provisions shall continue to be implemented thereafter.</p> <p>Reason: To ensure the efficient function of the site and to promote sustainable forms of transport. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
11	<p>Cycle and Scooter Parking</p> <p>The school shall not be brought into use until the cycle and scooter parking and storage spaces have been provided in the location shown on drawing number 1967-TF-00-00-DR-L-1003 in accordance with drawing numbers SK00714 Rev A and BXMW-SJ-1.02[A] and the spaces shall be retained for this purpose at all times.</p> <p>Reason: To ensure that there is adequate and safe cycle and scooter storage spaces within the site. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
12	<p>Tree Protection</p> <p>Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing number LLD919/04 rev. 04. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>

13	<p>Arboricultural Watching Brief</p> <p>The development (including site clearance and any other preparatory works) shall be carried out in accordance with the Arboricultural Supervision 'Watching Brief', dated 12th July 2017 produced by Lizard Landscape Design and Ecology and Supplementary letter reference - LLD1220/KM/14.08.2017.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
14	<p>Tree Retention</p> <p>No trees, shrubs or hedges shown as being retained on the Tree Retention & Protection Plan (drawing number LLD919/04 rev. 04) shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that die, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
15	<p>Landscaping</p> <p>The Landscaping Scheme shall be implemented in full in accordance with drawing numbers 1967-TF-00-00-DR-L-3002 Rev 05, 1967-TF-00-00-DR-L-1005 Rev 01 and 1967-TF-00-00-DR-L-3001 Rev 04 including the planting of a wildflower mix on the proposed bunds and will be managed and maintained in accordance with the Landscape Management Plan (ref: 1967-TF-00-ZZ-RE-L-8001).</p> <p>Reason: To ensure an acceptable landscaping scheme is implemented and managed and maintained in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
16	<p>Construction Management Plan</p> <p>The demolition and construction works shall incorporate and be undertaken in accordance with the approved Construction Management Plan and addendum dated February 2018.</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, Policy CS14 of the West Berkshire Core Strategy 2006-2026 and Supplementary Planning Document Quality Design (June 2006).</p>

17	<p>Access Contribution</p> <p>Prior to the new access from the A339 being brought into use, the applicant shall enter into a Legal Agreement to secure a contribution of £142,872 towards highways mitigation works.</p> <p>Reason: To ensure adequate mitigation to accommodate additional traffic on the A339. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.</p>
18	<p>Stopping Up of Temporary Access Road to Vehicles</p> <p>Upon completion of the access onto the A339, the existing vehicular access serving the school via Newbury College shall be stopped up to all vehicles at a location south of Newbury College.</p> <p>Reason: In the interest of avoiding excessive traffic congestion upon the Monks Lane / Newtown Road Roundabout. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026.</p>
19	<p>A339 Link Road</p> <p>Within two years of the school opening, the vehicular, pedestrian and cycle access via the A339 and associated engineering operations shall be constructed in accordance with the approved drawings.</p> <p>Reason: To ensure that the A339 access into the site is constructed before the school intake increases beyond an acceptable level capable of being served via the Newbury College access in the interest of highway safety and in the interest of avoiding excessive traffic congestion upon the Monks Lane / Newtown Road Roundabout. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026.</p>
20	<p>Vehicle Parking and Turning</p> <p>The use of the school hereby approved shall not commence until the vehicle parking and turning spaces/areas have been provided in accordance with drawing number 1967-TF-00-00-DR-L-1001. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
21	<p>Electric Vehicle Charging Points</p> <p>The school hereby approved shall not be brought into use until the electric vehicle charging points have been delivered in accordance with the EV Charging points data sheets received 13th February 2018 or equivalent and shall remain available for the purpose of charging electric vehicles in association with the school at all times.</p>

	<p>Reason: To ensure the development provides for the use of ultra-low emission vehicles by users of the development. This condition is imposed in accordance with Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD and policies LTP SC3, LTP P3 and LTP K5 all of the Local Transport Plan for West Berkshire (2011-2026).</p>
22	<p>Construction Traffic Access</p> <p>The development hereby approved shall be undertaken in accordance with the Construction Management Plan Rev G and Addendum, together with the email from Michael Thurlow dated 13th July 2018.</p> <p>Reason: To ensure that the access for construction traffic is provided in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026.</p>
23	<p>Drainage Strategy</p> <p>The school hereby approved shall not be brought into use until the drainage measures set out in drawing numbers 101:1 Rev P3, 101:2 rev P1 and 101:3 Rev P1 and the 'Impact Study on Existing Attenuation Basin' produced by Archibald Shaw as well as the Sewage Impact Study produced by Thames Water have been implemented in full.</p> <p>The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.</p> <p>Reason: To ensure that surface water and waste water will be managed in a sustainable manner; to prevent the increased risk of flooding and to improve and protect water quality and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policies CS5 and CS16 of the West Berkshire Core Strategy 2006-2026, and Part 4 of Supplementary Planning Document Quality Design (June 2006).</p>
24	<p>Access Road SuDS</p> <p>Within one year of the school opening, a surface water drainage scheme for the proposed access into the site from the A339 to the western boundary shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate 'sustainable urban drainage' (SUDS) methods and attenuation measures, to restrict run-off from the site to no more than the equivalent greenfield rate, based on a 1 in 100 year storm plus 40% for possible climate change. The scheme shall also include measures to prevent any contamination from entering the soil or groundwater and an associated maintenance plan.</p> <p>The approved drainage scheme shall be implemented in accordance with the approved details before the vehicular, pedestrian and cycle access via the A339 is first brought into use or in accordance with a timetable to be submitted to and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The drainage scheme shall be maintained and managed in accordance with the approved details thereafter.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding and to improve and protect water quality and ensure future maintenance of the surface water drainage system can be, and is</p>

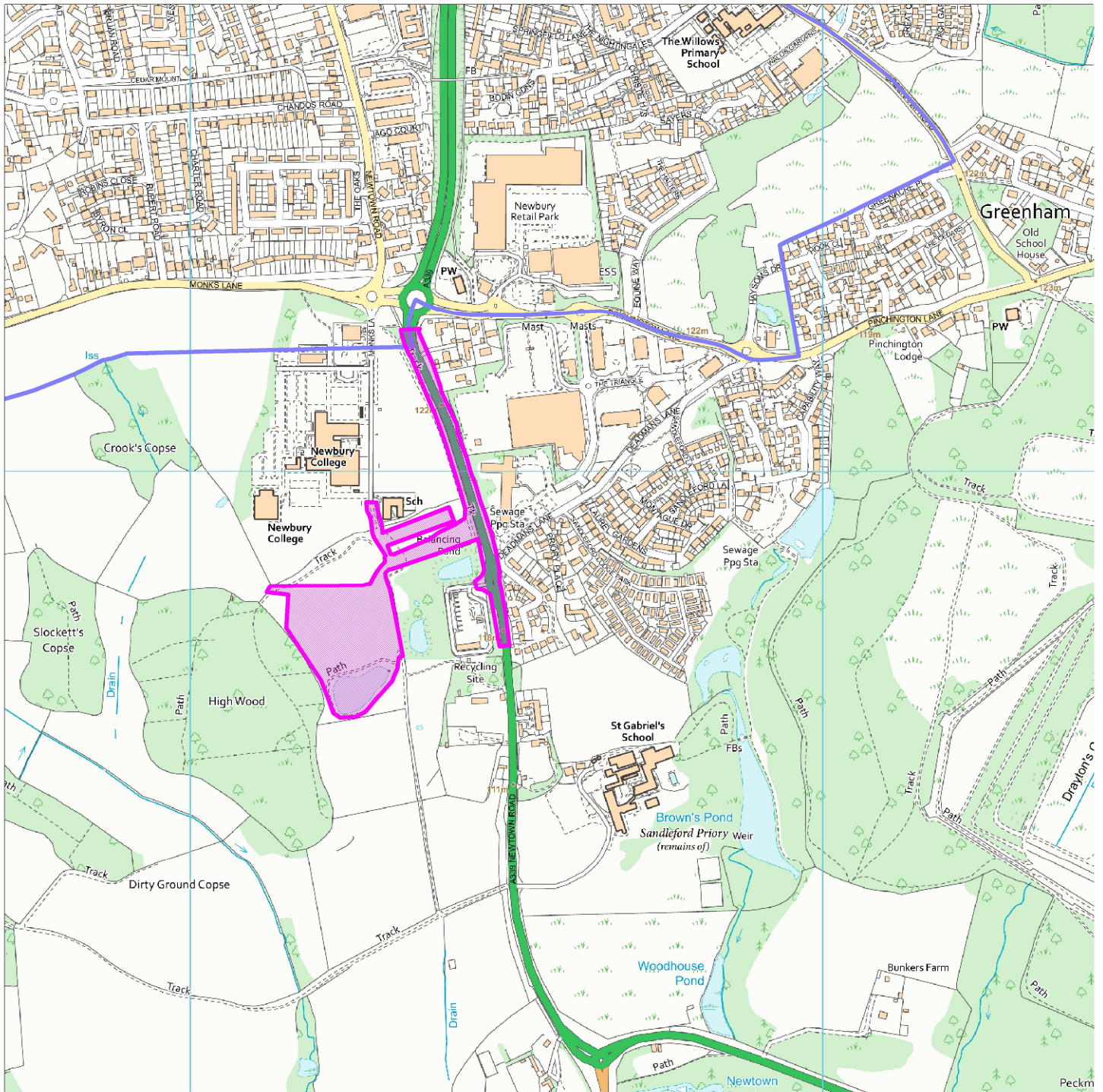
	carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy 2006-2026, and Part 4 of Supplementary Planning Document Quality Design (June 2006).
25	<p>Ecology</p> <p>The development hereby approved shall be carried out in accordance with the recommendations contained within the Preliminary Ecological Appraisal by RSK dated October 2016 and the Bat Emergence Survey by Lizard Landscape Architecture dated 26th May 2016.</p> <p>Reason: To ensure the works do not impact on any protected species in the event they are found during construction works in accordance with Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
26	<p>Fire Hydrants</p> <p>The school hereby approved shall not be brought into use until the fire hydrants, or other suitable emergency water supplies have been implemented in accordance with drawing number P15228-ELE-XX-XX-DR-ME-96001 Rev P1 and shall be retained thereafter.</p> <p>Reason: There are no available public mains in the area to provide a suitable water supply in order to effectively fight a fire. The fire hydrants are required to protect the amenities of future occupants of the application site and adjacent land in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.</p>

Informatives

1.	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.
2.	The decision to grant planning permission has been taken because the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area, amenities of neighbouring properties, ecology, trees, flooding and drainage. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.
3.	All bats are protected by The Wildlife and Countryside Act 1981 (WCA) (as amended) & The Conservation of Habitats and Species Regulations 2010. Should you find bats during development, all work must stop until advice has been sought from Natural England. Their local contact number is 0300 060 3886.
4.	The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health and Licensing Manager.

5.	In relation to Tree T02, the applicant is asked to give consideration to retaining the trunk of the tree on site in as large a section as possible to allow it to decay naturally for the local wildlife.
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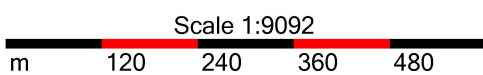
Map Centre Coordinates :

Scale : 1:9092

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	17 June 2021
SLA Number	0100024151



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Highwood Copse Primary School

Photographs for Western Area Planning Committee
Application 20/02779/COMIND



View of temporary access road from Newbury College (looking north)



View of School site with entrance gate and staff parking from the A339 link road (looking south-west)



View of School site from A339 Link Road (looking south-west)



View of A339 Link Road with bund to northern side (looking west)



View of A339 Link Road with layby. School site is on the left (looking west toward Sandaleford allocated site)



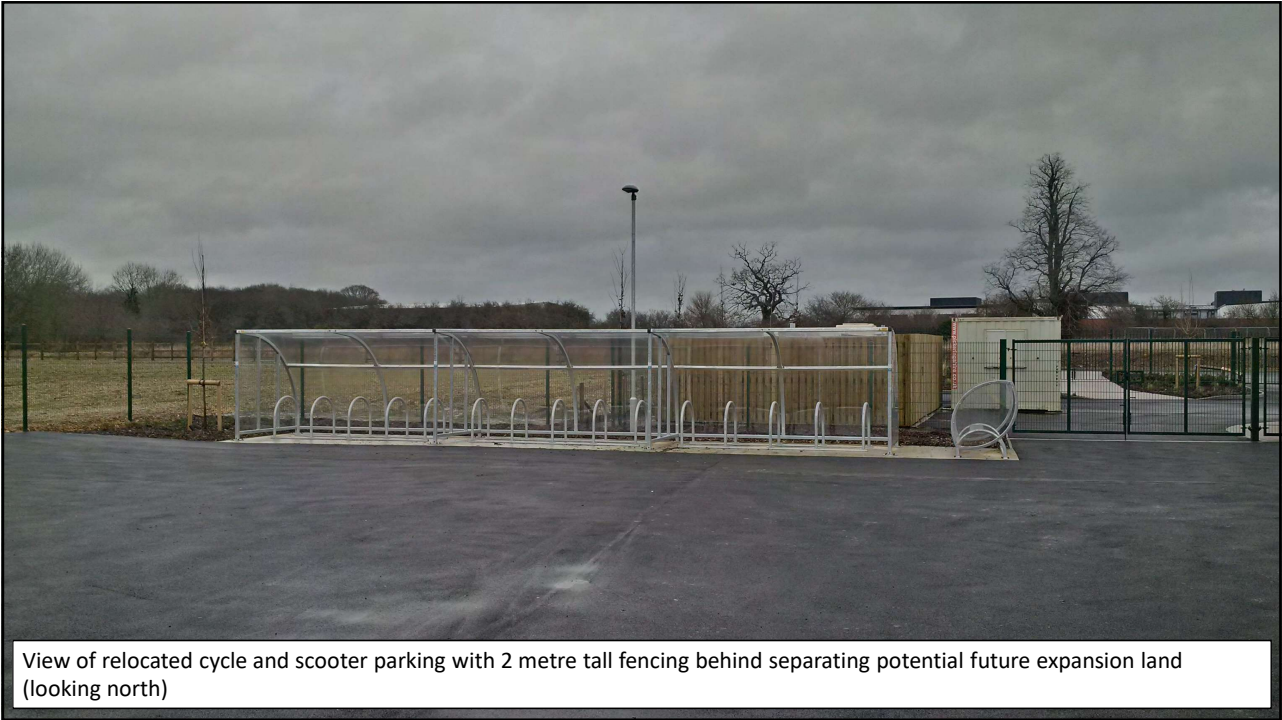
View of A339 Link Road with area for potential expansion of school on the right (looking east)



View of Kiss and Drop area to front of school building from western entrance (looking south)



View of northern boundary of school site and area previously proposed for kiss and drop parking (looking north-east)



View of relocated cycle and scooter parking with 2 metre tall fencing behind separating potential future expansion land (looking north)



View of playing pitch in foreground with 2 metre tall fence separating potential future expansion land required for 2FE school (looking north)



View of hard surface MUGA surrounded by 2.4 metre tall fencing with 1.1 metre tall picket fencing in foreground (looking east)



View of eastern side of school building showing 1.1 metre tall picket fencing (looking north)



View of staff parking area within school site with electric vehicle charging points shown (looking south-west)

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Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	20/02294/COMIND Newbury Town Council	8 th January 2021 ¹	Development of a new community cafe to replace outdated facilities and provide a new cafe with indoor/outdoor seating areas, catering facilities, public toilets, changing facilities and storage The Kiosk Victoria Park Newbury Newbury Town Council

¹ Extension of time agreed with applicant until 2nd July 2021

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/02294/COMIND>

Recommendation Summary: Approval

Ward Member(s): Councillor Martha Vickers
Councillor Andy Moore

Reason for Committee Determination: Major application on land owned by West Berkshire Council

Committee Site Visit: 24th June 2021

Contact Officer Details

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1. Introduction

- 1.1 This application seeks planning permission for the replacement of the existing café facilities with a replacement building to provide a new café with indoor/outdoor seating area, catering facilities, public toilets, changing facilities and storage.
- 1.2 The existing café building and storage building is situated centrally within Victoria Park, to the east of the avenue of lime trees which dissects the park, and between the tennis courts and the play area. The site is within the Newbury Conservation Area. Victoria Park is within Newbury town centres, with the Parkway shopping centre to the east, the Kennet and Avon Canal to the south, the A339 to the east and Victoria Park Nursery and a residential area to the north. Victoria Park, including the café is within Flood Zone 3.
- 1.3 The new café building is proposed on the footprint of the existing buildings. The proposed building is 19.15 metres long x 7.4 metres, with an external decking area to provide an outdoor seating area, to be accessed via steps and ramps. The building proposes a kitchen servery, indoor seating area, internally accessed toilet and baby change facility, externally accessed changing room, and three individually accessed toilets, which includes an externally accessed cubicle for people with disabilities and baby changing facilities. The building is proposed to have a standing seam metal roof, and timber cladding walls, with timber doors. Solar panels are proposed to be fixed to the southern roof slope.

2. Planning History

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

Application	Proposal	Decision / Date
81/16179/ADD	Erection of sports pavilion with kiosk for use in conjunction with recreation ground	Approved 17/12/1981
14/01791/FUL	Development of a new community cafe to replace outdated facilities and provide a new cafe with indoor/outdoor seating areas, catering facilities, public toilets, office space and storage for park/boating lake.	Approved 04/06/2015
17/00486/FUL	Section 73: Variation of Condition 2 – Approved plans and removal of Condition 19 – BREEAM of previously approved application 14/01791/FUL: Development of a new community cafe to replace outdated facilities and provide a new cafe with indoor/outdoor seating areas, catering facilities, public toilets, office space and storage for park/boating lake.	Approved 13/04/2017
17/00485/FUL	A 6.06m(length) x 2.6m(high) x 2.44m(width) green (so as to blend in with its surroundings) shipping container installed inside an existing fenced area alongside the A339 adjacent to the pond in Victoria Park. The container will be used to securely store pedaloes, kayaks and	Approved 10/05/2017

	chairs for recreational use for the community in the park. The container will be placed upon a base of 'MOT'. The area surrounding the container will be planted sympathetically.	
17/01206/FUL	Proposed changing facility.	Approved 17/07/2017

3. Procedural Matters

- 3.1 Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 The application was advertised by means of a site notice displayed on 23rd October 2020 on the building and locations within the park; the deadline for representations expired on 13th November 2020. A public notice was displayed in the Newbury Weekly News on 15th October 2020; the deadline for representations expired on 29th November 2020.
- 3.3 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).
- 3.4 Initial assessment based on the CIL PAIR form, it appears that there will be a CIL liability for this development. However, CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

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.

Newbury Town Council:	No comment due to conflict of interest
WBC Highways:	No comments to make
Thames Water:	No objections with regards to surface water drainage, waste water network and sewage treatment. Recommend informatives with regards to disposal of surface water.

Housing Development Officer:	No comments to make
Archaeology:	<p>1st Response: Requested a Written Scheme of Investigation for the building on the site which is a former Second World War air raid shelter, and the impact on the new build of the below-ground assets of archaeological interest.</p> <p>2nd Response: The Historic Building Record is acceptable</p> <p>3rd Response: The applicants are aware of the archaeological interest due to the significant early prehistoric (Mesolithic) potential of the land. There needs to be further liaison with the developer over the exact scope and details of the archaeological programme of work and I am therefore requesting a condition be attached to any approval granted. An archaeological watching brief during construction would not be ideal for recovering material from this archaeological period, and it is therefore more likely that a geo-archaeological test pit will be the preferred option.</p>
Environmental Health:	The application is similar to the previous application 14/01791/FUL I recommend a similar condition with respect to the effects of noise and odour.
Conservation:	The building appear retrograde step in comparison to that provided in 2015, as it will be higher than the existing building and increase its prominence. The design does little to enhance the character and appearance on the Conservation Area. However, whilst it is larger than the existing buildings, it does offer the opportunity for the use of higher quality materials, which will go towards helping to enhance the appearance of the building and soften its impact on the park and Conservation Area. Overall the replacement building will have a neutral impact on the character and appearance of the Conservation Area, and the improved community facilities within the park will be of public benefit. Recommend conditions with regards to materials and solar panels.
Sport England:	No objection
Trees:	<p>1st Response: Require an updated Tree Protection Plan and Arboricultural Method Statement</p> <p>2nd Response: On receipt of updated details, no objections, subject to conditions.</p>
Environment Agency:	<p>1st Response: Object due to deficiencies in the Flood Risk mitigation measures, and inadequate flood storage compensation, which will increase flood risk elsewhere.</p> <p>2nd Response: Remove the objection. The LPA must be satisfied that they can enforce conditions to maintain the voids as designed and that an adequate maintenance plan is in place to ensure that voids remain open for the lifetime of the development</p>

Local Lead Flood Authority:	<p>Following the receipt of the removal of the Environment Agency objection the LLFA is satisfied with the Flood Risk and Flood Mitigation measures set out in the amended plans and updated submission.</p> <p>Query the levels requested for the finished floor levels and void level requested by the EA, the levels shown on the submitted plans appear to be correct.</p> <p>For the SuDS measured proposed there are no further details given that those in the original Flood Risk Assessment. That shows run-off being discharged to a Rain Garden Bio-retention area to the south of the building. This is acceptable in principle and the only practical solution due to high ground water levels, no details have been provided as to size and construction, and this will depend on infiltration testing for which a condition will be required.</p>
Ecology:	Deconstruction of the roof and other potential roosting crevices should take place in the presence of an ecologist conforming to an agreed method statement, recommend conditions with regards to lighting, integrated bat boxes, and request a landscaping plan.
WBC Access Officer:	No response received
WBC Open Space:	No response received
WBC Countryside and Environment:	No response received
WBC Public Rights of Way:	No response received
Ramblers Association:	No response received

Public representations

4.2 No representations have been received on this application.

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, ADPP2, CS5, CS13, CS14, CS15, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).

- Policies OVS5, OVS6, 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)
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Newbury Town Design Statement (2018)

6. Appraisal

6.1 The main issues for consideration in this application are:

- The principle of the development
- Impact on the character and appearance of the Conservation Area
- Flood risk
- Sustainable construction
- Ecology
- Archaeology

Principle of development

6.2 The application site is within the settlement boundary for Newbury and forms part of the town centres, outside of the commercial area. Policy ADPP1 focuses development within the specified urban area, including Newbury. Policy ADPP2 says that improvements to Victoria Park will enhance this important space within the town centre, and that existing community facilities will be protected, and where appropriate, enhanced. Paragraphs 91 and 92 of the NPPF promote planning decisions which promote social interaction, and which enable and support healthy lifestyles, though the provision of sports facilities, and encourage the provision of community facilities which enhance the sustainability of communities, including ensuring that facilities are able to develop and modernise, and are retained for the benefit of the community. The proposal is to replace the existing buildings with one larger building to provide a café with enhanced seating facilities, toilets and changing facilities for the adjacent tennis courts, which will upgrade the current facilities, with the park, and given the location within the settlement boundary are considered to be acceptable in principle, subject to the following considerations.

Character and appearance of the Conservation Area

6.3 Policy CS14 requires new development to demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. The policy goes on to say that consideration of design and layout must be informed by the wider context and shall positively contribute to local distinctiveness and sense of place. Policy CS19 goes on to say that particular regard will be given to (amongst other things) the sensitivity of the area to change, ensuring that new development is appropriate in terms of location, scale and design in the context of the settlement form, pattern and character, and the conservation, and where appropriate enhancement of heritage assets and their settings.

6.4 The application is proposing a modern building to replace the existing structures on the site, one of which is the former World War Two air raid shelter which is now used as a

storage building, and a brick built café building of somewhat bland appearance. The proposed replacement building has a pitched roof, and to for flood mitigation purposes is raised from the ground, and will be approximately 2 metres higher than the existing buildings. The proposed replacement building with overhanging eaves, and the external seating area will appear more prominent in views within and outside the park. However, the existing buildings do not contribute positively to the overall appearance of the park. The Conservation Officer has assessed the proposals and given that there will be the opportunity to use higher quality materials than those used in the current buildings this will go towards enhancing the appearance of the building, and soften its impact on Victoria Park and the wider Conservation Area. An indication of the window specifications has been provided within the application, however it is not clear what materials are proposed for the windows and doors, and it is considered that it would be appropriate for the materials to be the subject of a condition.

- 6.5 The existing and proposed buildings are in close proximity to the avenue of lime trees which are a distinctive feature within Victoria Park, and are protected trees, as they are within the Newbury Conservation Area. The Tree Protection Plan which was submitted with the application was amended following initial comments from the Council's Tree Officer, and the cycle stands were repositioned. The Tree Officer was satisfied with the amended tree protection plans and arboricultural method statement which were submitted, and has recommended conditions to ensure that development is carried out in accordance with these details. With these measures in place, it is considered that the visually important avenue of lime trees will be protected during development, and the building and associated development are at a sufficient distance from the trees.
- 6.6 Overall it is considered that the replacement café building will have a neutral impact on the Conservation Area, however it will also provide improved facilities for the community which will be a public benefit, and so the proposal is not considered to be harmful to the overall character and appearance of the Conservation Area.

Flood Risk

- 6.7 Policy CS16 refers to flood risk. The application was submitted with a Flood Risk Assessment, as the site is within Flood Zone 3. Policy CS16 says that the sequential test will be applied in accordance with the NPPF, however the floor space of the building is such that the sequential test is not applicable in this instance. The policy also requires that in areas of flood risk that the application demonstrates that it is appropriate in that location and there are no suitable and available sites at a lower flood risk. The application is seeking to provide replacement and upgraded toilet, café and changing facilities for users of the park, the Flood Zone 3 designation includes the whole of Victoria Park, and so there are no locations at a lower flood risk which are suitable to provide these replacement facilities for park users.

In cases where development has to be located within flood risk areas policy CS16 requires that it should be safe and not increase flood risk elsewhere, and reducing the risk taking into account climate change. The policy also requires that the development does not have an impact on the capacity of the area to store water or impact on the flow of water, and that provision is made for maintenance of flood protection mitigation measures. The application was submitted with a Flood Risk Assessment, which was subsequently amended following an objection raised by the Environment Agency. The replacement building has been designed to account for the flood risk, so that the finished floor level of the building is above the flood level. Underneath the building there is a void to enable the flow of flood water, and to enable floodplain storage. The Environment Agency were satisfied with the additional information which was submitted clarifying the extent of the void beneath the building, and removed their objection to the proposal. A condition is required to ensure that the development is carried out in accordance with the submitted Flood Risk Assessment and Drainage Statement, and to

ensure that the mitigation measures and flood void are maintained throughout the lifetime of the building. The Council's drainage engineers as the Lead Local Flood Authority are satisfied with the flood risk and mitigation measures set out. They have questioned the minimum floor levels and void level which was suggested by the Environment Agency, as these were not the same as the levels shown on the submitted plans, and may not allow for a sufficient void. The wording of the condition suggested by the Environment Agency has been amended to the levels indicated on the amended plans. The proposed kiosk will be raised above the surrounding ground level, to prevent the building form being flooded. In addition the void underneath the building will have a void to enable storage and flows of water in a flood event. There are grills to be placed in front of the voids for safety, and there can be kept clear for long term maintenance. The proposal is considered to be satisfactory with regard to the flood risk

Policy CS16 also requires that surface water is managed through the implementation of Sustainable Drainage Methods to provide attenuation to greenfield run-off rates and to provide benefits where possible. The original Flood Risk Assessment has included a drawing showing the run-off being discharged into a rain Garden Bio-retention Area to the south of the building, as shown on the block plan. This is considered to be a practical solution given the high level of groundwater in this location. However there are no details included within the application of the size and construction details, and these will be dependent upon infiltration testing. A pre-commencement condition is therefore required to secure this provision and to ensure that it is suitably constructed in accordance with the supplementary planning guidance.

Sustainable Construction

- 6.8 Policy CS15 requires that all non-residential development will achieve BREEAM Excellent standard of construction and that major development will be zero carbon. The application was submitted with a BREEAM Preliminary Assessment report which has indicated that the building is able to achieve Very Good standard, with a score of 57.51%, to achieved Excellent a score of more than 70% is required. The assessment was accompanied by an explanatory letter which sets out the deficiencies in the BREEAM assessment for smaller scale buildings, and in this instance there were budgetary constraints which meant that some of the design details such as lighting, as well as not knowing who the operator of the kitchen facilities, and unknowns about fitting out details means that scores on these aspects cannot be assessed at this stage. However, the building does score particularly highly in the management, health and wellbeing, and energy sections of the assessment. The Design and Access statement has reiterated the intention to provide a zero carbon building, and made reference to the solar panel on the roof, but has not provided details of the specification for the potential output of the building and these are yet to be established. The building has the aim of being carbon neutral, however this has not yet been demonstrated, and given aspects of the design of the internal fit out are yet to be established, it is necessary to add a condition requiring further details to be submitted to achieve this aim, to ensure that the building can reach the intending aim of being zero carbon, and to accord with policy CS15.

Ecology

- 6.9 Policy CS17 seeks to ensure that biodiversity and geodiversity assets across the District are conserved and enhanced, and says that new development should maximise opportunities to achieve net gains in biodiversity. A bat survey was submitted within the application which indicated that the buildings were of a low potential for bat roosting and no roosting activity was identified during the emergence survey. However there were moderate levels of foraging and commuting activity observed, and four species of bats recorded. The report indicated that bat boxes/bricks were provided, as well as wildlife friendly planting as enhancements, as well as sensitive lighting design. The

Council's Ecologist has assessed the submitted details, and requests that integrated bat boxes are included in the buildings. The design of the particular boxes can be secured through conditions. The application can also be conditioned so that details of external lighting to the building are submitted to ensure that the lighting is suitable for the bats, and will not prevent them from using the bat boxes. This will ensure biodiversity benefits.

Archaeology

- 6.10 Policy CS19 gives particular regard to the conservation of heritage assets and their settings, and the impact on the Conservation Area has been addressed above. However the building also proposes the demolition of the storage building which was built in the second world war as an air raid shelter. A Historic Building Record has been submitted with the application detailing the history of this building, its construction and photographs. The Council's archaeologist has accepted this as being acceptable as a record of the building. However the site is also of potential importance with regards to the Mesolithic or Middle Stone Age period, and includes a Written Scheme of Investigation, including the digging of trial pits. The report submitted also referred to the previous application for separate changing rooms. However the archaeologist has indicated that further details are required to be clarified, and made relevant to this specific application, it is suggested that a geo-archaeological test pit would be the preferred option relevant to this archaeological period. A condition requiring an updated Written Scheme of Investigation to be submitted as a pre-commencement condition is necessary to ensure any potential remains are discovered and recorded.

Other Matters

- 6.11 Policies OVS5 and OVS6 refer to the need to ensure that there is not a harmful impact on the environment, due to the adequate shortage of water and materials, the installation of equipment to minimise the harmful effects of emissions, and noise from development. The Environmental Health Officers were consulted on the application, and they have suggested that a condition is added requiring that details of cooking equipment, and details of steps for the minimising of noise and odour effects from food preparation are submitted for approval, to ensure that such noises and smells do not affect the enjoyment of the park for people not using the café facilities. The application also proposes the demolition of the existing buildings on the site. This is a busy public area, and to ensure the safe removal of waste, and to ensure that there is not unsightly storage of waste materials in this sensitive location in the conservation area it is appropriate to add a condition requiring the submission of a scheme for the removal of spoil is submitted prior to commencement of work on site.
- 6.12 Sport England were required to be notified of the application, and have not raised any objection to the replacement kiosk building, as the application is proposing ancillary development supporting the playing field uses of Victoria Park, and does not affect the quality or quantity of playing pitches on the site.

7. Planning Balance and Conclusion

- 7.1 This application is seeking permission to construct a replacement building to provide a café with external and internal seating area, additional toilets and changing rooms, to replace the existing café and storage building in Victoria Park. The proposed building will bring public benefits through the provision of additional community facilities to users of the park. The building itself, due to the elevated floor level, and long pitched roof, will be more prominent in views within the park and Conservation Area, than the existing bland buildings. There will be some visual improvement through the use of higher quality materials in the construction of the building itself, and overall it will have a neutral impact on the Conservation Area. The proposal has been designed to mitigate the flood

risk of the site, and incorporates sustainable drainage methods, to ensure that the site will not increase the flood risk elsewhere. Whilst it is regrettable that the building as currently proposed does not achieve the BREEAM Excellent standard, much of this is due to the scale of the building proposed, and unknown details at this stage of the design process. It has been indicated that the building will be carbon neutral, and this is balanced with the BREEAM Very Good Standard, and in this instance given the scale of the development proposal is considered to be acceptable. Given the positive contribution that the additional facilities will make to wider community and users of Victoria Park which is an important feature within the Newbury Town Centre, and the lack of harm identified by the assessment of the proposal, the support given by policy ADPP2 to support improvements to Victoria Park, the construction of the replacement café building is considered to be acceptable, and in accordance with the relevant development plan polices and national planning guidance.

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.	<p>Commencement of development 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 The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <ul style="list-style-type: none"> i. Location Plan received on 6th October 2020; ii. Site Plan and Block Plan Drawing No. 1284-PL01 Rev A received on 26th January 2021; iii. Proposed Block Plan and Floor Plan Drawing No 1284-PL01 Rev A received on 26th January 2021; iv. Proposed Elevations Drawing No 1284-PL03 Rev A received on 26th January 2021; v. Building Footprints Drawing No 6263.404 Rev A received on 12th March 2021; vi. Tree Protection Plan Drawing No 110-A received on 26th January 2021; vii. Heritage Design and Access Statement prepared by Michael Pagliaroli Architects September 2020 received on 2nd October 2020; viii. Bat Survey Report May 2019, Prepared by Greengage received on 2nd October 2020; ix. Arboricultural Method Statement Rev A January 2021 prepared by John W Platts Chartered Landscape Architects Ltd received on 26th January 2021; x. Tree Protection Plan Drawing No. 110-A received on 26th January 2021; xi. Flood Risk Assessment and Drainage Statement prepared by Stuart Michael Associated SMA Ref: 6263-FRA&DS Issue:01 September 2020 received on 2nd October 2020; and xii. FRA & Drainage Technical Note prepared Stuart Michael Associated SMA Ref: 6263 dated 5th March 2021 received on 12th March 2021;

	Reason: For the avoidance of doubt and in the interest of proper planning.
3.	<p>Materials to be submitted</p> <p>No development shall take place above foundation slab level until samples and an accompanying schedule of all materials and finishes visible external to the building have been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available to be viewed at the site or by arrangement with the Planning Officer. All materials incorporated in the work shall match the approved samples.</p> <p>Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) the Quality Design SPD and the Newbury Town Design Statement.</p>
4.	<p>New Windows/Areas of Glazing and Doors</p> <p>No works to window/door/roof openings shall take place until detailed plans and specifications of such works have been submitted to and approved in writing by the Local Planning Authority. Such details shall include materials and finishes, at a minimum scale of 1:20 and 1:2. The windows/areas of glazing/external doors shall be installed in accordance with the approved details.</p> <p>Reason: To protect the character and appearance of the Conservation Area. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the Quality Design SPD and the Newbury Town Design Statement.</p>
5.	<p>Solar Panels</p> <p>No works to the roof shall take place until details of the solar panels to be installed in the building have been submitted to and approved in writing by the Local Planning Authority. Thereafter the solar panels shall be installed in accordance with the approved details.</p> <p>Reason: To protect the character and appearance of the Conservation Area. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the Quality Design SPD and the Newbury Town Design Statement.</p>
6.	<p>Cooking Equipment</p> <p>No equipment for cooking hot food shall be installed until a scheme of works or such other steps as may be necessary to minimise the effects of odour and noise from the preparation of food associated with the development have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed in accordance with the approved details, before any hot food is cooked within the approved building and shall be operated and retained in full working order thereafter.</p> <p>Reason: To protect the character of the Conservation Area, and general amenity of the area by controlling cooking smells, noise and odour. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and</p>

	<p>policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
7.	<p>Cycle Storage</p> <p>The development shall not be brought into use until the cycle parking has been provided in accordance with the approved details and retained for this purpose at all times.</p> <p>Reason: To promote cycling by providing convenient and safe bicycle storage. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Supplementary Planning Document Quality Design (June 2006).</p>
8.	<p>Spoil Removal</p> <p>No development shall take place until details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:</p> <ul style="list-style-type: none"> (a) Show where any spoil to remain on the site will be deposited; (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels); (c) Include measures to remove all spoil from the site (that is not to be deposited); (d) Include timescales for the depositing/removal of spoil. <p>All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.</p> <p>Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because spoil may arise throughout development.</p>
9.	<p>Tree Protection</p> <p>Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan John W Platts Tree Protection Plan dated January 2021 dwg 110-A. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
10.	<p>Tree Retention</p> <p>No trees, shrubs or hedges shown as being retained on tree survey John W Platts Tree Protection Plan dated January 2021 dwg 110-A shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that dies, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in</p>

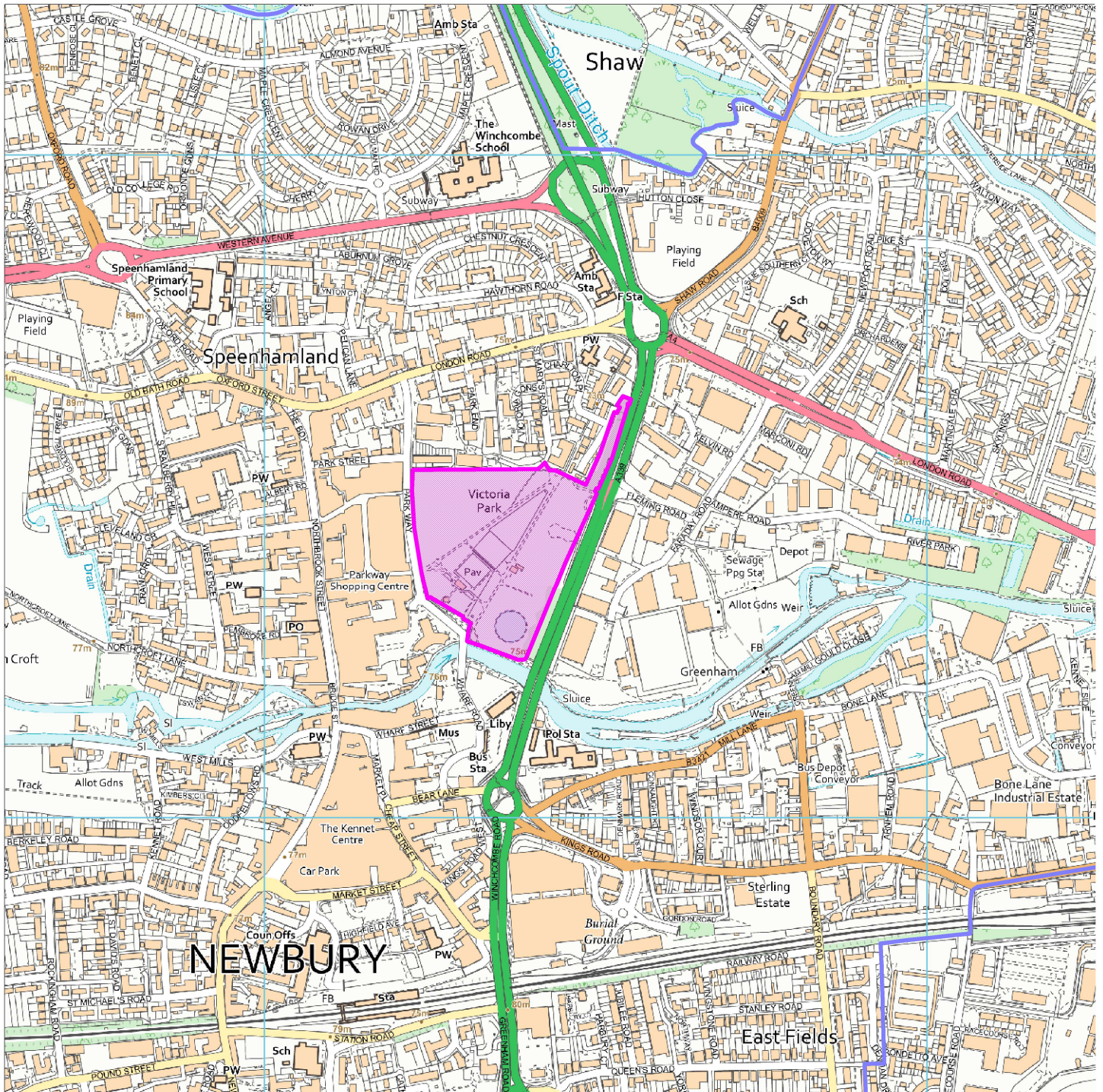
	<p>the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
11.	<p>Arboricultural Method Statement</p> <p>The Arboricultural Method Statement and tree protection measures within report ref John W Platts Arboricultural Method Statement dated January 2021 rev.A shall be implemented in full and tree protection measures and works carried out in accordance with the Assessment. No changes shall be made to the works unless amendments have been submitted to and approved in writing by the Local Planning Authority and shall include details of any changes to the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.</p> <p>Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies ADPP5, CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
12.	<p>Flood Risk Mitigation</p> <p>The development shall be carried out in accordance with the submitted flood risk assessment and Drainage Statement, Victoria Park, Newbury, Stuart Michael, Associates Limited, September 2020, Issue 01, and Technical note by the Stuart Michael Associates, ref. SMA Ref: 6263, dated 5 March 2021, and the following mitigation measures it details:</p> <ul style="list-style-type: none"> i. Finished floor levels shall be set 75.52m above Ordnance Datum (AOD). ii. Underfloor voids with the soffit of the void set to the 1% annual probability flood with an allowance for climate change at 75.13m above Ordnance Datum (AOD). <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants, and to prevent flooding elsewhere by ensuring that flood mitigation is provided. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS16 of the West Berkshire Core Strategy 2006-2026.</p>
14.	<p>Sustainable Drainage Methods</p> <p>No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.</p> <p>These details shall:</p> <ul style="list-style-type: none"> a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018;

	<p>b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels. Any soakage testing should be undertaken in accordance with BRE365 methodology;</p> <p>c) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;</p> <p>d) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;</p> <p>e) Include elevated floors with voids underneath for flood storage to minimise the loss of flood storage capacity. Arches shall be fitted with grills to prevent access under the building by children or animals, or for storage of materials which would remove flood storage volume. Details shall be in accordance with Drawing 1284-PL03 ("Proposed Elevations" produced by Michael Pagliaroli), revision dated 8/3/2021 received on 12th March 2021;</p> <p>f) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;</p> <p>g) Include details of how the SuDS measures will be maintained and managed after completion.</p> <p>h) Provide details of how surface water will be managed and contained within the site during any construction works to prevent silt migration and pollution of watercourses, highway drainage and land either on or adjacent to the site;</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>
14.	<p>External Lighting</p> <p>No external lighting shall be installed except in accordance with a lighting strategy that has been submitted to and approved in writing by the Local Planning Authority under a formal discharge of conditions application. The strategy shall:</p> <p>(a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.</p> <p>(b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species.</p> <p>(c) Include isolux contour diagram(s) of the proposed lighting.</p> <p>(d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.</p> <p>No external lighting shall be installed on the elevations of the building or external decking area except in accordance with the above strategy.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>

15.	<p>Biodiversity measures</p> <p>The development hereby permitted shall not be occupied until two integrated bat boxes have been installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority under a formal discharge of conditions application.</p> <p>Reason: To ensure biodiversity enhancements are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
16.	<p>Written Scheme of Investigation</p> <p>Notwithstanding the submitted details, no demolition shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.</p> <p>Reason: To ensure that any significant archaeological remains that are found are adequately recorded. This condition is imposed in accordance with the National Planning Policy Framework (February 2019) and Policy CS19 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because the archaeological investigations are required throughout the development.</p>
17.	<p>BREEAM</p> <p>The development hereby permitted shall achieve a rating of “Very Good” under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). The development shall not be first occupied until a final certificate has been issued certifying that this BREEAM rating has been achieved, and a copy of the certificate has been provided to the Local Planning Authority.</p> <p>Reason: To ensure the development contributes to sustainable construction. This condition is applied in accordance with the National Planning Policy Framework, Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
18.	<p>Zero Carbon</p> <p>No development shall take place above foundation slab level until a statement setting out how the approved works will comply with the requirement for zero carbon development has been submitted and approved in writing under a formal discharge of conditions application. Thereafter the development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure that the development contributes towards a reduction in carbon emissions for the District, in accordance with the requirements of the NPPF and Policy CS15 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. The local planning authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area.</p>
2.	<p>CIL</p> <p>The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil</p>
3.	<p>Groundwater</p> <p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.</p>



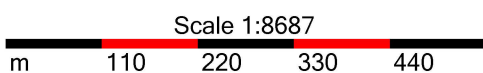
Map Centre Coordinates :

Scale : 1:8686

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	17 June 2021
SLA Number	0100024151



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The Kiosk Victoria Park Newbury

Photographs for Western Area Planning Committee
Application 20/02294/COMIND



South elevation of existing kiosk



View of kiosk and storage building from the south east



View of kiosk and Lime Avenue, and boating lake from the south



Eastern elevation of kiosk and storage building



North elevation of storage building and kiosk



View of kiosk and storage building from the skate park



View of storage building, kiosk and Lime Avenue from the north



West elevation of the kiosk and storage building

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