

# Notice of Meeting



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## Eastern Area Planning Committee

**Wednesday 2 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/easternareaplanninglive>

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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](mailto:planningcommittee@westberks.gov.uk)) by no later than 4.00pm on Tuesday 1 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: Monday 24 May 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](mailto:planningcommittee@westberks.gov.uk)



**WestBerkshire**  
C O U N C I L

**Agenda - Eastern Area Planning Committee to be held on Wednesday, 2 June 2021**  
*(continued)*

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

Any queries relating to the Committee should be directed to Linda Pye on (01635) 519052  
Email: [linda.pye@westberks.gov.uk](mailto:linda.pye@westberks.gov.uk)



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 2 June 2021**  
(continued)

**To:** Councillors Alan Law, Tony Linden, Royce Longton, Ross Mackinnon, Alan Macro (Vice-Chairman), Geoff Mayes, Graham Pask (Chairman), Richard Somner and Keith Woodhams

**Substitutes:** Councillors Peter Argyle, Graham Bridgman, Jeremy Cottam, Nassar Hunt, Owen Jeffery and Jo Stewart

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# Agenda

## Part I

**Page No.**

1. **Apologies**  
To receive apologies for inability to attend the meeting.
2. **Minutes** 5 - 18  
To approve as a correct record the Minutes of the meeting of this Committee held on 21 April and 4 May 2021.
3. **Declarations of Interest** 19 - 20  
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
4. **Schedule of Planning Applications**  
(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications.)
- (1) **Application No. & Parish: 20/03068/FULD - Button Court Farm, Windmill Lane, Midgham** 21 - 44  
**Proposal:** Erection of a farm owner's dwelling and garage with associated access.  
**Location:** Button Court Farm, Windmill Lane, Midgham, Reading, RG7 5TY  
**Applicant:** Mr A Inwood  
**Recommendation:** Delegate to the Head of Development and Planning to REFUSE planning permission.



**Agenda - Eastern Area Planning Committee to be held on Wednesday, 2 June 2021**  
(continued)

- (2) **Application No. & Parish: 20/01895/COMIND - Land west of Anchor Van Centre, Bath Road, Pips Way, Beenham** 45 - 80
- Proposal:** Proposed scaffold hire depot, comprising open storage area, modular office building and car parking, together with means of access off Pips Way, drainage and landscaping.
- Location:** Land West Of Anchor Van Centre, Bath Road, Pips Way, Beenham, Reading
- Applicant:** Generation (UK) - Mr Clifford
- Recommendation:** Delegate to the Head of Development and Planning to GRANT planning permission.

**Background Papers**

- (a) The West Berkshire Core Strategy 2006-2026.
- (b) The West Berkshire District Local Plan (Saved Policies September 2007), the Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.
- (c) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Sarah Clarke  
Service Director (Strategy and Governance)

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





## DRAFT

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

### **EASTERN AREA PLANNING COMMITTEE**

### **MINUTES OF THE MEETING HELD ON WEDNESDAY, 21 APRIL 2021**

**Councillors Present:** Alan Law (Chairman), Tony Linden, Royce Longton, Ross Mackinnon, Alan Macro (Vice-Chairman), Geoff Mayes, Graham Pask, Jo Stewart and Keith Woodhams

**Also Present:** Sharon Armour (Solicitor), Jessica Bailiss (Policy Officer (Executive Support)), Stephen Chard (Principal Policy Officer), Bob Dray (Development Control Team Leader) and Donna Toms (Planning Officer)

#### **PART I**

#### **40. Minutes**

The Minutes of the meeting held on 10<sup>th</sup> March 2021 were approved as a true and correct record and signed by the Chairman.

#### **41. Declarations of Interest**

There were no declarations of interest received.

#### **42. Schedule of Planning Applications**

##### **(1) Application No. & Parish: 21/00236/HOUSE - Feathers Farm, Blandys Lane, Upper Basildon**

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 21/00236/HOUSE in respect of a single storey rear extension.

Ms Donna Toms introduced the report and highlighted the key points. There had been over ten letters of objection to the proposal and Officers were recommending approval of the application.

##### **Removal of Speaking Rights**

As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights were removed for virtual Council meetings. This right was 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.

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.

In accordance with the Extraordinary Council resolution, a written submission relating to this application was received from Mr Anthony Cogan, Agent.

##### **Agent Representation**

The written submission of Mr Anthony Cogan was read out by the Clerk to the Committee as follows:

## **EASTERN AREA PLANNING COMMITTEE - 21 APRIL 2021 - MINUTES**

- Your Officer's report comprehensively sets out the planning considerations and associated planning balance. This proposal is supported by Officers with an unequivocal recommendation to approve this application.
- The site is located within the settlement boundary of Upper Basildon, a location washed over by the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Your Officer's report confirms that the proposal complies with the relevant Development Plan policies and thus the principle of developing the site is acceptable.
- Neighbour and Parish Council representations are noted. The thrust of objectors comments relate to the alleged impact on the amenity of immediate neighbours.
- Considering the scheme design, land uses and separation distances I submit that this proposal will not result in neighbouring properties been overlooked or overshadowed. The proposed extension is a single storey extension located adjacent to the boundary wall with the neighbouring property.
- Windows serving the proposed extension face into the private garden of the application site. The proposed development is a single storey extension within the existing rear garden, which, due to the slope of the original land, is set down well below the neighbour fence lines. The garden is bounded by high walls, fences and soft landscaping, all of which effectively screens the site from all neighbouring properties. There are no views out of the site due to the height of the boundary enclosures surrounding the existing garden.
- It is also noteworthy that the neighbouring property of 3 Bethesda Street has a similar single storey extension projecting along the common boundary between the application site and 3 Bethesda Street. This existing neighbouring extension affords additional screening and amenity protection for the neighbouring occupier.
- With regard to the size of the proposed built form your Officer's report confirms that the overall footprint will not represent overdevelopment of the site.
- The ratio of building to garden curtilage is consistent with the urban grain of properties in this area and the proposal is entirely compliant with the policy aims and objectives of the adopted Local Plan.
- There are other concerns that the neighbours have raised in relation to this application, in terms of drains, party walls and retaining walls. These matters are all beyond the remit of the planning process and should not influence the decision of the Committee.
- It is hoped that Councillors will support their Officer's recommendation and approve this application.

### **Ward Member Representation:**

Councillor Alan Law in addressing the Committee raised the following points:

- The site had a chequered history and had caused consternation amongst neighbours because an approved extension from 2015 had been built that was not according to the approved plans. It had eventually gained consent through a certificate of lawfulness in 2020. Some of the issues that had been raised regarding drainage had been included in comments from objectors. Councillor Law reminded Members however, that they needed to consider the planning application before them rather than the history.
- The Parish Council had unfortunately missed the deadline for a submissions however, it was clear from their comments that they objected to the application in terms of overdevelopment of the site.

## **EASTERN AREA PLANNING COMMITTEE - 21 APRIL 2021 - MINUTES**

- Comments from objectors had also been raised stating that the proposed extension would not be subservient to the new dwelling and Councillor Law expressed sympathy for this point. Councillor Law stated that this was the reason why he had asked for the drawing showing the elevation to be re-shown during the Planning Officer's presentation.
- Other comments stated that the proposal did not respect the character of the existing building and Councillor Law expressed his sympathy for this view point. He felt that a site visit would have been particularly helpful for Members in this instance as it would have provided a full perspective on neighbouring amenity and setting of the proposed extension.
- Councillor Law was interested in the fact that two outbuildings, a utility room and a plant room, would be incorporated inside the flat roof extension but their pitched roofs would protrude outside of it. When looking at plans it could be seen that the access from the plant room, which contained equipment such as lawn mowers, would no longer be accessed via the garden but via a sitting room area. Councillor Law felt that the application contained a peculiar set of proposals and this, along with the history of the site, was the cause of concern for neighbours.
- As Ward Member, Councillor Law stated that he was leaning towards the view that the extension was not subordinate or sympathetic to the character of the main building however, he wished to remain open minded and wanted to hear from other Members of the Committee on the application before he finalised his opinion.

### **Member Questions to the Ward Member:**

Councillor Graham Pask noted that Councillor Law referred to a plant room and queried if this was actually a boiler room. Councillor Law stated that he would ask Planning Officer's to clarify this point.

Councillor Ross Mackinnon noted that Councillor Law had alluded to the previous extension not being built in accordance with the plans and he queried if this was the same property. Councillor Law confirmed that it was.

### **Member Questions to Officers:**

Councillor Keith Woodhams asked Officers to comment on the matters raised by Councillor Law. Councillor Law confirmed that this had included concerns of the building not being subordinate to the main building or in keeping in terms of character. Planning Officer, Mr Bob Dray, commented that in terms of subservience and overdevelopment there were no rules in relation to percentage increases and it was a matter of judgement. Normally Officers would take into account the size, height, footprint, massing and materials of a proposal and these were all relevant considerations. Mr Dray stated that with a single storey extension there could often be quite a large footprint and because of the low height it did not compete with the host dwelling. It was recognised that the proposal included a large footprint but the height was low with a flat roof. The wall between the proposed extension and the neighbouring property, number three Bethesda Street, helped the proposal adapt to the courtyard arrangement. Taking into account the relevant considerations such as height and scale, the judgement from Officers was that the proposal was adequately subservient. Regarding materials, Mr Dray stated that using contrasting materials could be a way of emphasising the subservience of a proposal.

Councillor Pask referred to his query about the plant room being a boiler room and asked the Officer to clarify this point. Mr Dray believed that the room referred to was a boiler room. Ms Toms agreed that from looking at the plans there was no reason to believe that the room would have any other use than as a plant room, which accommodated a boiler.

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There were other areas for housing plants, lawn mowers and equipment, which was away from the house.

Councillor Pask referred to the red line shown on the first page of the plans and queried if the front garden was the garden to the other side of the house. He asked if Officers were satisfied with the size of the garden to the back if the proposal was to be approved, as it would be significantly dominated by the extension. Ms Toms confirmed that part of the front garden was on the red line and there were also parking spaces in this area. Regarding the garden at the back, it was felt that there would still be a significant amount of space for the normal garden paraphernalia and space for playing if the extension was approved.

Mr Dray referred back to Councillor Pask's query about the plant room and stated that the plans did not need to be labelled regarding what each room would be used for as this was internal rather than development. There had been no concerns raised through the floor plans with regards to annexes or something similar and Mr Dray advised that this was not something that Members needed to be concerned about in terms of the decision.

Councillor Law stated that he had been concerned when he had looked at the plans and seen that the proposal was for a flat roof, when the utility and plant rooms had pitched roofs. He queried how usual this was. Mr Dray expected that this could be to do with cost and it was not entirely uncommon. Members had to consider the proposal before them.

Councillor Geoff Mayes referred to the boundary between the new proposed property and the swimming pool within the adjacent property and asked Officers to clarify the distance as it seemed very close. Secondly he queried what details would be followed regarding the drainage for the roof of the swimming pool building and asked Officers to clarify this point. Ms Toms confirmed that the distance from the new extension to the neighbour's pool room outbuilding was approximately 0.4 metres. On the rear extension there would be guttering between properties and as it was a flat roof there would be little run off. Councillor Mayes did not agree with this point and stated that a flat roof would run off to a gutter. Ms Toms confirmed that there did appear to be guttering on the plans. Councillor Mayes noted that there was a down pipe between the two buildings. Councillor Law stated that there was also a down pipe from the plant room roof. Councillor Mayes expressed concern about the two adjacent walls and that there would only be a distance of 0.4 metres.

Mr Dray referred to concerns raised about drainage and rainwater and stated that this was an area for building regulations.

Councillor Jo Stewart noted that there were a number of objections raised regarding shared sewerage arrangements and access. Councillor Stewart was of the understanding that this was not a material planning consideration and queried if this was correct. Mr Dray confirmed that in certain contexts drainage and sewerage could be planning considerations; however, regarding the issues raised in the representations, there was nothing that would have a bearing in planning terms on this particular application.

Councillor Stewart agreed with Councillor Law that the design seemed unusual however, this was presumably also not a planning consideration or a reason to refuse the application. Councillor Law was in agreement with this however, it had to be considered to what extent the design was subordinate or not in keeping with the main dwelling. Therefore the design could impact on these two issues.

Mr Dray stated that the application had to be considered in line with policies and design was a key issue in planning. Key policies in the Core Strategy included CS14 regarding proposals needing to have a high quality and sustainable design and CS19, which stated

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that a proposal had to be appropriate to its location. Government guidance was cautious that personal tastes were not applied when considering an application as a design was subjective, but that design was an important consideration.

Councillor Alan Macro queried how visible the extension would be from the surrounding properties. Ms Toms stated that she had viewed the plans and photographs and had spoken to an objector from a property opposite to the north of the site who had stated that they would not be able to see the proposed extension from their house. There would be limited views from the properties to the west of the site and the neighbouring property would be able to view it from their top bedroom window. Generally there would be limited views of the proposal if it was approved. Councillor Law concurred with this and stated that some of the houses in Bethesda Street might look down slightly on the roof of the proposed extension.

### **Debate:**

Councillor Law stated that he had listened to his colleagues on the Committee and had come to the view that he was uncomfortable with the proposal however, this was likely a subjective view. He disliked the design however, this was not a planning reason on which to refuse the application.

Councillor Pask stated that having tried to view the property earlier in the day he could confirm that views of the proposal would be very limited. He understood Councillor Law's views as the Ward Member and he was also not over enamoured with the proposal or the submission by the agent, who, in his view, had used an unusual term when stating that the garden curtilage was consistent with the urban grain of properties. Councillor Pask stated that the application site was located within a very rural area bounded by country lanes without footpaths and he struggled to see how the word 'urban' could be used. Councillor Pask concluded that he shared the concerns raised by Councillor Law and the views expressed by objectors however, many of the points did not relate to planning. On balance he therefore stated that he would struggle to find a good planning reason on which to refuse the application.

Councillor Tony Linden concurred with Councillor Pask with regards to planning grounds. He also noted that the neighbouring property had an extension. He would therefore be supporting Officer recommendation and formally proposed this. Councillor Linden's proposal was seconded by Councillor Woodhams.

Councillor Stewart did not feel that the design of the proposal was in keeping with the surrounding area. From looking at photos and drawings it could be seen that the proposal was of a very modern design including a flat roof. No other buildings, including the extension at the neighbouring property, had a flat roof, as it was pitched and a more traditional appearance. The proposed extension had a contemporary design and therefore was not in-keeping and on this basis Councillor Stewart was minded to support refusal of the application.

Councillor Mayes referred to the drainage issues raised and that it was a combined drainage system, which meant that the sewage from another dwelling passed under or near to the application site. This was of great concern in Councillor Mayes' view with regard to maintenance and repair. Councillor Law stated that this would be a matter for building control. Councillor Mayes felt that this needed to be taken into account.

Councillor Law invited Members to vote on the proposal by Council Linden, seconded by Councillor Woodhams. 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:

## **EASTERN AREA PLANNING COMMITTEE - 21 APRIL 2021 - MINUTES**

### **1. Commencement of development**

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

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

### **2. Approved plans**

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

- 2087/PL/01 received on 3 February 2021
- 2087/PL/02 received on 3 February 2021
- 2087/PL/05 Rev. A received on 3 February 2021
- 2087/PL/06 Rev. A received on 3 February 2021
- 2087/PL/07 Rev. A received on 3 February 2021
- 2087/PL/08 Rev. A received on 22 February 2021

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

### **3. Materials (as specified / to match)**

The materials to be used in the development hereby permitted shall be as specified on the plans, the application form and as detailed by email from Mark Campbell dated 1 April 2021. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Guidance 04/2 House Extensions (July 2004), and Supplementary Planning Document Quality Design (June 2006).

### **4. Hours of work (construction/demolition)**

No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

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.

## **Informatives**

### **1. Proactive statement**

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

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considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

### **2. Compliance with conditions**

Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.

### **3. Compliance with approved drawings**

Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.

### **4. Party Wall Act**

You are reminded of your duties under the Party Wall Act 1996. You are legally required to tell your neighbour if you want to: (1) build on or at the boundary of your two properties, (2) work on an existing party wall or party structure, or (3) dig below and near to the foundation level of their property. Your neighbours can't stop you from making changes to your property that are within the law, but they can affect how and when your works are carried out. Procedures under this Act are separate from the need for planning permission and for building regulations approval. Further guidance is available at: <https://www.gov.uk/party-walls-building-works/work-tell-your-neighbour-about>

### **5. Health and safety**

The responsibility and any liability for the safe development of the site rests with the developer and/or landowner. Although the Council has used its best endeavours to determine this application on the basis of the information available to it, this does not mean that the land or adjoining land will necessarily remain free from instability. The Council's consideration has been only on the basis of the development proposed, and these considerations may be different in relation to any other development. The question of stability of adjacent land has been a material planning consideration, and the resolution of this issue for the purposes of granting planning permission does not necessarily imply that the requirements of any other controlling authority would be satisfied and, in particular, the granting of planning permission does not give any warranty for support or stability or against damage of adjoining or nearby properties.

**(2) Application No. & Parish: 20/02849/FUL - Land Adjacent to Thatchers, Chapel Row, Reading**

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 20/02849/FUL in respect of the proposed replacement storage shed for use to store tools and equipment to maintaining land.

Mr Bob Dray introduced the report and highlighted the key points. There had been ten letters of objection to the application and Planning Officers were recommending approval.

Mr Dray referred to some of the concerns raised by objectors regarding the use of the proposal and clarified that there was no change of use proposed and the proposed shed would be used for ancillary storage only. If a change of use was to occur then this would be a matter for Planning Enforcement.

The update sheet provided an update to paragraph 6.13 (Character and Appearance) of the Planning Officer's report as well as an updated recommendation, which was subject to the amendment of condition five regarding the demolition of existing outbuildings on the land.

**Removal of Speaking Rights**

As resolved at the Extraordinary Council meeting held on 29 April 2020, public speaking rights were removed for virtual Council meetings. This right was 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.

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.

There were no written submissions received for the application.

Councillor Graham Pask as Ward Member addressed the Committee on the application.

**Ward Member Representation**

Councillor Graham Pask in addressing the Committee raised the following points:

- The application was for a shed and therefore the question needed to be asked as to why there were ten letters of objection. Councillor Pask noted from the Planning Officer's presentation that other uses of the land would be subject to enforcement and he stated that Enforcement Officers knew the site very well.
- Going back a number of years there had been a (now removed) chalet style building, where it was alleged the applicant's mother lived. Councillor Pask stated that he had been told by the residents of a neighbouring property that there were coming and goings from the site at all times of day and night, including mini diggers at the north end of the site after 10pm at night. This was why there were concerns about the application.
- Councillor Pask stated that other law enforcement agencies had been required to have an interest in the site up until very recently. None of issues mentioned were however, planning matters.
- Councillor Pask reiterated that it was an application for a shed however, it was particularly large in size and there was uncertainty as to why such a large shed



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was required to store a ride on mower, push along mower, a scaffolding tower, a few hand tools and a bench. Because of the history of the site it was causing people to question if the use would really be as a shed. Councillor Pask however, acknowledged that the application had to be judged on its merits.

- Councillor Pask stated that a neighbour had asked him to highlight that the existing shed did not have planning permission. This point was well covered in the report and current proposal would be judged as a new application.

There were no Member questions for the Ward Member.

### **Member Questions to Officers**

Councillor Keith Woodhams referred to the public representations on page 38 of the Planning Officer's report where the disposal of waste was referred to and he queried what type of waste this was and whether it was linked to servicing lawn mowers and the disposing of oil. Councillor Woodhams queried if there was a request regarding the disposal of waste or a condition. Mr Dray confirmed that the application was purely for the storage building rather than any use of the land. Mr Dray did not believe that waste was a relevant planning consideration for the application and it would be the applicant's responsibility to lawfully dispose of any waste.

Councillor Pask referred to Councillor Woodhams' question and clarified that it was not waste generated from the site but it was the alleged bringing in of waste at various times such as electrical cabling. This was what had caused concern amongst local residents. Allegedly this was not related to the proposal for a shed.

Councillor Tony Linden referred to the picture at the bottom of page 55 of the agenda, which showed a scaffolding tower and he queried if this was for pruning and if it would fit into the proposed shed. Mr Dray confirmed that this was what Officers had been told as part of the justification by the applicant. Councillor Law expected that the tower could be compressed for storage.

Councillor Alan Macro asked if he was right in understanding that the proposed shed would not be visible from the public realm or surrounding properties. Mr Dray confirmed that it would be very difficult to see the proposal if approved due to the intervening land. There would only be a glimpsed view from the access. There might be potential glimpse views from the upper storey windows of surrounding properties however, this would be filtered by trees.

Councillor Jo Stewart referred to the public representations and one which stated that the shed would be used to obtain planning permission for a new residential dwelling and Councillor Stewart asked if this was possible and Mr Dray confirmed that it was not. Councillor Law stated that there had been cases where sheds had been converted to residential dwellings over the years and therefore there was some fear around this. There was no proposal for residential use as part of the application.

### **Debate:**

Councillor Macro noted that the shed would be minimally visible. He understood the concerns of residents following the explanation from Councillor Pask however, a decision could not be taken based on suspicions. Councillor Macro proposed that the proposal be approved and this was seconded by Councillor Stewart. At the vote the motion was approved.

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

## **EASTERN AREA PLANNING COMMITTEE - 21 APRIL 2021 - MINUTES**

### **1. Commencement of development**

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

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

### **2. Approved plans**

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

- Drawing 2020-170-001 (Location Plan) received on 11.12.2020;
- Drawing 2020-170-002 (Proposed Site Plan) received on 11.12.2020;
- Drawing 2020-170-002 (Proposed Plans and Elevations) received on 11.12.2020.

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

### **3. Materials as specified**

The materials to be used in the development hereby permitted shall be as specified on the plans and the application form. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006) and Bucklebury Village Design Statement.

### **4. Construction hours of work**

No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

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.

### **5. Demolition of existing outbuildings on land**

The existing shed in the south-west corner of the land identified in red on Drawing 2020-170-001 received on 11.12.2020 shall be demolished and the land cleared of spoil and debris before the replacement storage shed hereby permitted is brought into use.

Reason: The demolition of the existing shed forms part of the justification for the approval of this development. Without the demolition this would have a harmful impact on the NWD AONB character. This condition is imposed in accordance with policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Supplementary Planning Document Quality Design (2006).

## **EASTERN AREA PLANNING COMMITTEE - 21 APRIL 2021 - MINUTES**

### **6. Prior approval for external lighting**

No external lighting shall be installed on the hereby approved storage shed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a plan to show the location of any lighting, and specifications all lighting to ensure that levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers. No external lighting shall be installed hereby approved storage shed except in accordance with the above strategy.

Reason: To conserve the dark night skies 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 CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

### **7. Restriction on use of building**

The storage building hereby permitted shall not be used for any other purposes than the storage of tools, equipment and machinery associated with the maintenance of the land identified in the red and blue lines on Drawing 2020-170-001 received on 11.12.2020.

Reason: The use of the shed was considered to meet an identified need. Another use could be in conflict with the strategy for the location of new development, and be unacceptable in terms of ensuring a sustainable pattern of development. It is also considered necessary in the interests of amenity for the adjoining land users. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

## **Informatives**

### **1. Proactive statement**

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 secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

### **2. Tree protection precaution**

The following precautions are recommended to ensure that the trees which are to be retained during the development are protected from damage:

- (a) Ensure that all works occur in a direction away from the trees.
- (b) Ensure that no materials are stored within close proximity i.e. underneath the canopy of trees to be retained.
- (c) Ensure that all mixing of materials that could be harmful to tree roots is done well away from trees (outside the canopy drip line) and downhill of the trees if on a slope, to avoid contamination of the soil.
- (d) To ensure the above, erect chestnut pale fencing on a scaffold framework at least out to the canopy extent to preserve rooting areas from compaction, chemicals or other unnatural substances washing into the soil.

## **EASTERN AREA PLANNING COMMITTEE - 21 APRIL 2021 - MINUTES**

- (e) If this is not possible due to working room / access requirements The ground under the trees' canopies on the side of construction / access should be covered by 7.5cm of woodchip or a compressible material such as sharp sand, and covered with plywood sheets / scaffold boards to prevent compaction of the soil and roots. This could be underlain by a non-permeable membrane to prevent lime based products / chemicals entering the soil.
- (f) If there are any existing roots in situ and the excavation is not to be immediately filled in, then they should be covered by loose soil or dry Hessian sacking to prevent desiccation or frost damage. If required, the minimum amount of root could be cut back using a sharp knife.
- (g) If lime based products are to be used for strip foundations then any roots found should be protected by a non-permeable membrane prior to the laying of concrete.

### **3. Compliance with conditions**

Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.

### **4. Compliance with approved drawings**

Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.

## **43. Appeal Decisions relating to Eastern Area Planning**

Members noted the outcome of appeal decisions relating to the Eastern Area.

*(The meeting commenced at 6.30 pm and closed at 7.46 pm)*

**CHAIRMAN** .....

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

# DRAFT

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

## EASTERN AREA PLANNING COMMITTEE

### MINUTES OF THE MEETING HELD ON TUESDAY, 4 MAY 2021

**Councillors Present:** Alan Law, Tony Linden, Royce Longton, Ross Mackinnon, Alan Macro, Geoff Mayes, Graham Pask, Richard Somner and Keith Woodhams

#### PART I

##### 1. Election of Chairman

**RESOLVED** that Councillor Graham Pask be elected Chairman of the Eastern Area Planning Committee for the 2021/22 Municipal Year.

##### 2. Election of Vice-Chairman

**RESOLVED** that Councillor Alan Macro be elected Vice-Chairman of the Eastern Area Planning Committee for the 2021/22 Municipal Year.

**CHAIRMAN** .....

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

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# Agenda Item 3.

Eastern Area Planning Committee – 2 June 2021

## **Item 3 – Declarations of Interest**

Verbal Item

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# Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/03068/FULD Midgham	4 March 2021 <sup>1</sup>	Erection of a farm owner's dwelling and garage with associated access  Button Court Farm, Windmill Lane, Midgham, Reading, RG7 5TY  Mr A Inwood
<sup>1</sup> Extension of time agreed with applicant until 4 <sup>th</sup> June 2021			

The application can be viewed on the Council's website at the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/03068/FULD>

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

**Ward Member:** Councillor Graham Pask

**Reason for Committee Determination:** Called-in by Councillor Pask should the officer's recommendation be of refusal.

**Committee Site Visit:** 26<sup>th</sup> May 2021

## Contact Officer Details

**Name:** Matthew Shepherd  
**Job Title:** Senior Planning Officer  
**Tel No:** 01635 519111  
**Email:** Matthew.Shepherd@Westberks.gov.uk

## 1. Introduction

- 1.1 This application seeks planning permission for the erection of a farm owner's dwelling and garage with associated access at Button Court Farm, Windmill Lane, Midgham, Reading, RG7 5TY.
- 1.2 The application site is located outside of any defined settlement boundary within open countryside. Woolhampton and Upper Bucklebury are the closest settlements with defined settlement boundaries. The application site is located outside of, but in close proximity to the North Wessex Downs Area of Outstanding Natural Beauty (AONB), the boundary for which is located approximately 200 metres to the north.
- 1.3 The application site is located to the south of School Hill in an open pasture field. To the east of the site are some barns and a gravel farm track. To the north of the site is the established farm yard of Button Court with the original farmhouse, another farmhouse and several farm buildings.
- 1.4 The proposed development would have two storeys albeit with the upper storey contained within the roof space. The overall approximate height would be 7.3 metres with an eaves height of 3.5 metres above ground level. It measures approximately 15 metres wide by 14.7 metres long. The proposed development would include an ancillary garage in the garden and residential curtilage with parking and garden space.

## 2. Planning History

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

Application	Proposal	Decision / Date
00/00705/AGRIC	General purpose Agricultural stock building.	Approved 13.12.2000
01/02171/FUL	Conversion of redundant building to two bedroomed dwelling	Approved 05.03.2002
02/01294/FUL	General purpose agricultural building	Approved 13.09.2002
04/00435/HOUSE	Conservatory	Approved 16.04.2004
04/01577/HOUSE	Erection of single storey garage, workshop and log store	Approved 26.08.2004
04/01583/LBC	General internal refurbishment including internal provision of 2No. bathrooms and 1No. shower room, together with mechanical extract ventilation. Provision of new utility room and kitchen fittings. New central heating system. External :- replacement of metal window with timber window to match existing.	Approved 06.10.2004
11/00920/HOUSE	New two bay detached car port	Approved 19.08.2011

20/03069/FUL	Erection of two general purpose agricultural buildings	Pending consideration
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### 3. Procedural Matters

- 3.1 **EIA:** Given the nature and scale of this development, outside of the AONB and other sensitive areas, 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 **Publicity:** Site notices were displayed on 17.01.2021 at front of the site on the adjacent fencing; the deadline for representations expired on 07.02.2021.
- 3.3 **CIL:** 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). The development is therefore CIL liable. CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)

### 4. Consultation

#### *Statutory and non-statutory consultation*

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

<b>Midgham Parish Council:</b>	No objections
<b>WBC Highways:</b>	<p>The level of car parking provided is acceptable. An electric vehicle charging point has been annotated on the plans within the proposed garage (identified as 7kw), however we require full details of the type of charger to remove the requirement for a pre-commencement condition.</p> <p>Cycle storage can take place within the garage.</p> <p>The highway recommendation is for conditional approval. At this stage there are pre-commencement conditions.</p>
<b>WBC Archaeology</b>	No objections, The main dwelling in the farm complex is a Grade II listed building described as timber framed and 17th century in date with later additions. Apart from a single storey agricultural building to the west of the farmhouse which is older (converted to a dwelling under 01/02171/FUL), the rest of the yard appears to be of late 19th century construction. However Button Court may have medieval origins; an individual called Thomas 'Butun' is mentioned in 1260-1 in connection with Midgham. From the 16th century

	<p>to mid 18th century the Tull family owned the land (not directly associated with the agriculturalist Jethro, though another Jethro Tull from Button Farm became a watch and clock-maker).</p> <p>There are also documentary references to 'Button Green'; its location is unknown but may have been opposite the farm, where the development is proposed. Currently Button Court is situated at a T junction of Windmill Lane from the north meeting School Hill running east-west. However until the early 19th century the northern road continued south from Button Court towards Midgham House and a chapel (both older buildings later demolished). This trackway is still visible as an earthwork though it goes into current farmland. The part of School Hill from Button Court westwards was a road created probably when Midgham Park was enlarged and landscaped to circle round the country house - after this the southern track fell out of use.</p> <p>The past function of Button Court in relation to Midgham Park is unclear but the farmhouse is in a prominent position on the hillside with views across the Kennet Valley. Though not a large house, it may have had some status, hinted at by its place name. I do not have strong evidence that there is archaeological potential within the two development sites, which for 20/03068/FULD is mainly greenfield, though the land of 20/03069/FUL already has some modern agricultural buildings on it. It could be argued that a long-lived farm should continue to evolve and grow, but I believe these proposals and their design should be carefully considered in the light of the history of the site, the visual prominence of the location and the setting of the listed building less than 100 directly to the north - Conservation may also wish to comment therefore. I am not seeking any archaeological conditions.</p>
<b>WBC Ecology</b>	No objections
<b>WBC Public Rights of Way Officer</b>	No response 21/05/2021
<b>WBC Tree Officer</b>	<p>No objections subject to conditions. No arboricultural information is included within the application, but this has been assessed on the basis of the submitted photos and plans etc.</p> <p>The application is for a new dwelling in an area of pasture. There are few trees bounding the north of the field, including a mature Oak. This will be immediately north of the parking/turning area, but the design is likely to have a minimal impact on the Root Protection Area of this and other trees. With a very broad brush approach I estimate this incursion will be ~7% of the offset RPA (see attached screendump).</p> <p>Nevertheless tree protection will be required to ensure these trees are protected from site vehicles, soil compaction and</p>

	root damage during site preparation and construction. This may be secured by Condition.
<b>WBC Conservation Officer</b>	<p>No objections, comments made. The application site lies to the south of School Hill, north of which is Button Court Farmhouse itself, a Grade II listed building, surrounded by modern farm buildings, which buildings significantly intervene between the listed farmhouse and the application site.</p> <p>The site is in open countryside, but not in the AONB which lies to the north of the farmhouse.</p> <p>Notwithstanding any other Development Control Case Officer considerations, the proposed dwelling is not considered to impact directly or on the setting of the Grade II listed farmhouse, but please feel free to discuss further if there are any concerns.</p>
<b>WBC Waste Management Officer</b>	The addition of a further dwelling in this location raises no cause for concern with regard to the storage and collection of refuse and recycling. Please note the waste will need to be presented on the curtilage of the property on the public highway at Windmill Lane
<b>WBC Sustainable Drainage Officer</b>	No response 21/05/2021
<b>Thames Water Utilities</b>	No response 21/05/2021

### ***Public representations***

4.2 Representations have been received from 11 contributors, all of which support the proposal. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Animal welfare is the main reason or the applicants need to move onto the farm leading to the need for the proposed dwelling.
- The applicant is committed to agriculture and has worked in the industry for many years and has a passion for farming.
- TB caused a blip in livestock numbers but these are now being rebuilt
- The essential need for the dwelling is demonstrated within the application.
- The proposed dwelling is well designed and situated in a logical position on the farm.
- The existing dwelling is not available to the applicant which is occupied by his mother
- The application for both the house and building are well thought through and positive additions to our village. The farm is an important business in the Midgham community.
- The site provides calves to local farm shops and butchers and reduces food miles by utilising local supplies.
- Letters of support note the applicants competence in farming in the local area

- The position of the dwelling will enable the owner to have good views across his land and across the farm yard, this will enhance the security of the farm which is more important today than ever due to rising rural crime.
- All local farming should be supported and encouraged as this is good for local business, the environment and helps reduce the carbon footprint.

## 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, ADPP6, CS1, CS10, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, C5 and P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS.5 and OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2019-24
- West Berkshire Landscape Character Assessment (August 2019)
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- The essential need for a rural workers dwelling at the enterprise
- The impact on the character and openness of the area

### ***Policy context***

6.2 The most important policies for determining whether the principle of development is acceptable are Policies ADPP1, ADPP6 and CS1 of the Core Strategy, and Policies C1 and C5 of the Housing Site Allocations DPD. The Core Strategy includes a Spatial Strategy (ADPP1 and ADPP6) that provides a broad indication of the overall scale of development in the district, applying the principles of sustainable development, and based on defined spatial areas and a settlement hierarchy. Policies CS1, C1 and C5 relate specifically to housing.

6.3 According to Policy ADPP1, most development will be within or adjacent to the settlements in the hierarchy, and related to their transport accessibility and level of services. The urban areas will be the focused for most development. The scale and density of development will be related to the site's accessibility, character and surroundings. Only appropriate limited development in the countryside (outside of the defined settlement boundaries) will be allowed, focused on addressing identified needs and maintaining a strong rural economy.

- 6.4 The application site is located within the East Kennet Valley, the name given to the rural south-east of the district that lies east of Thatcham and outside of the AONB. Policy ADPP6 is the spatial strategy for the East Kennet Valley. According to the policy, the character of all the settlements in this area will be conserved and enhanced by ensuring that any development responds positively to the local context. Development in the open countryside will be strictly controlled.
- 6.5 According to Policy CS1, new homes will be located in accordance with the Spatial Strategy and Area Delivery Plan Policies. New homes will be primarily located on suitable land within settlement boundaries, and other land allocated for development within the Local Plan.
- 6.6 In this context, Policy C1 of the HSA DPD gives a presumption against new residential development outside of the settlement boundaries. Exceptions to this are limited to some forms of development listed in the policy. One of these listed exceptions is housing to accommodate rural workers.
- 6.7 With respect to housing related to rural workers, Policy C5 of the HSA DPD provides the following:

*New dwellings in the countryside related to, and located at or near, a rural enterprise will be permitted where:*

- i. It is proven as essential to the continuing use of land and buildings for agriculture, forestry or a rural enterprise;*
- ii. Detailed evidence is submitted showing the relationship between the proposed housing and the existing or proposed rural enterprise and demonstrating why the housing is required for a full time worker in that location;*
- iii. It is demonstrated that there are no suitable alternative dwellings available or that could be made available in that location to meet the need. This includes those being used as tourist or temporary accommodation or existing buildings suitable for residential conversion.*
- iv. It must be shown why the housing need cannot be met by existing or proposed provision within existing settlement boundaries;*
- v. The financial viability of the business is demonstrated to justify temporary or permanent accommodation;*
- vi. The size, location and nature of the proposed dwelling is commensurate with the needs of the enterprise; and well related to existing farm buildings or associated dwellings;*
- vii. The development has no adverse impact on the rural character and heritage assets of the area and its setting within the wider landscape. Where it affects the AONB the impact on its special qualities and natural beauty of the landscape will be the overriding consideration;*
- viii. No dwelling serving or associated with the rural enterprise has been either sold or converted from a residential use or otherwise separated from the holding within the last 10 years. The act of severance may override the evidence of need.*

*Where a new dwelling is essential to support a new rural enterprise, temporary accommodation will normally be sought for the first 3 years. Any permission will be*

*subject to a condition restricting the use of the property to persons employed within the rural enterprise.*

*Agricultural occupancy conditions will be retained unless demonstrated there is no continuing need, that appropriate marketing has been undertaken and that it cannot meet an existing local housing need.*

- 6.8 In order for a new rural workers dwelling to be in accordance with the development plan, and be regarded as acceptable in principle, the development must comply with all of the aforementioned criteria of Policy C5. This is examined in the following section.

### **Assessment against Policy C5**

- 6.9 **Criteria i and ii (essential need):** The Council has instructed Kernons Countryside Consultants Limited to review and provide independent analysis as to the need for the proposed rural workers dwelling. They have reviewed the application documents and supporting statement of need. This has informed officer's recommendations as explained further in this report.
- 6.10 It is understood that the farm benefits from approximately 80 hectares (ha) of permanent pasture of which 27ha is owned, and the remaining 53ha is rented. There are a range of agricultural livestock buildings on site, and there has been an application made for the erection of two further agricultural buildings, which is still pending consideration (20/03069/FUL <http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/03069/FUL>). It is understood there are approximately 16 cross bred beef suckler cows and followers, calving takes place all year round, and the land is used for the making of hay. The existing bungalow is occupied by the applicant's retired mother who has a wholelife tenancy. It is understood that Button Court Farmhouse was sold off in 2004 and has had no connection with the land since.
- 6.11 The current situation of 16 suckler cows and followers on site is not of sufficient scale to require an essential worker to live on site according to the Council's consultant. The number of animals could be effectively managed by a worker who does not live on the site with good herd management and daily checks. The consistency and need for night checks will be minimal due to the number of cattle in calf. It is set out in the Agricultural Appraisal that the applicant intends to increase the number of suckler cows to 25, which is supported by the application for two more agricultural livestock buildings. The scale of the proposed enterprise at 25 suckler cows would still not generate an essential need to live on site according to the Council's consultant. Kernons have advised that approximately 40 suckler cows and above generates an essential need to live on site. Whilst there is scope in terms of land and the proposal for new farm buildings to allow the farm and its livestock to grow the need, at present, is not sufficient. Given these factors the application is not considered to meet criteria i and ii of Policy C5.
- 6.12 The applicant's agent provided a rebuttal to the Council's consultant's report dated 15/03/2021, which expresses how in their experience the applicant needs to be within sight and sound of the herd to manage them and the difficulties/unpredictability of calving. It also emphasis how living at the site will reduce the need for the applicant to travel between the sites reducing their impact on the environment.
- 6.13 However the Council's consultant noted that 16 cattle calving on a year round basis (spring and autumn calving) does not generate the intensity or quantity of cattle giving birth which require a rural worker to live on site full time. The herd will have been covered in two groups, one group calving in the spring, the other in the autumn and the farmer will know when the herd are coming into their calving period. This number of cattle will calve over a period of days/weeks rather than months. It is unlikely that the applicant would need to undertake 2 or 3 nightly checks every night with this number of cattle.



Night checks are only going to be required a relative few nights of the year when a cow is calving. Additionally, most calving takes place without the need for intervention from the farmer.

- 6.14 The applicant's agent refers to the loss of cattle due to Bovine TB in 2019, and that it is unfair for the applicant to be penalised for this. It should be clear that officers are not penalising the applicant for this. It is clear in the supporting statement that it is proposed to increase cattle numbers to 25 (not 40 as before TB struck). Therefore, the Council's assessment can only be based on the current enterprise and the proposals to increase herd numbers to 25 within this application. Taking into account the expert independent advice, it is considered that the proposed enterprise at 25 suckler cows would not generate a need to live on site and thus the enterprise will not be able to support the need for a permanent dwelling.
- 6.15 The applicant's agent states in their rebuttal dated 15/03/2021 that the paragraph 79a of the NPPF sets out that new dwellings can be permitted when it is for those taking majority control of a farm business, and accordingly the application should be permitted.
- 6.16 In full, paragraph 79a of the NPPF states:
- "Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: [amongst others]*
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside"*
- 6.17 The associated Planning Practice Guidance makes clear that the additional dwelling must also be *"essential for the continued viability of a farming business through the farm succession process"*.
- 6.18 Policy C5 is consistent with the NPPF and sets out that new dwellings in the countryside will be permitted where *"it is proven as essential to the continuing use of land and buildings for agriculture."*
- 6.19 Therefore, there must be an essential need as expressed in policy C5. This can include cases of those taking over majority control. There must be an essential need as referred to in the NPPF and it must be essential for the continuing viability as referred to in the PPG.
- 6.20 Following due consideration, it is considered that there is not an essential need as explained above and the planning agents rebuttal dated 15/03/2021 does not alter this view. The application is not considered to comply with section i. and ii. of Policy C5.
- 6.21 **Criteria iii, iv and viii (alternative housing and severance):** From the application supporting documentation it is understood that the original farmhouse was sold in 2004 and is now privately owned. The act of severance of this dwelling is outside of the policies threshold of the last time years and therefore does not override the applicant's arguments of need. There is an existing converted barn permitted in 2001 which is occupied by the applicant's mother, who is retired and has a whole-life tenancy. This building is therefore not available either. There are barns and agricultural buildings on the site but in the consultant's report they assume these will be required for the ongoing function of the farm but acknowledges that this point may need further investigation. It has been suggested in correspondence by the officer whether barns to the north of the site could be convertible.
- 6.22 It is, however, understood that the applicant lives 2 miles away from the site in Upper Bucklebury which is approximately a 5 minute car journey to the site. Policy C5 states

that a new dwelling will be permitted where the need cannot be met by housing within existing settlement boundaries, and the supporting text sets out that the Council's preference is for accommodation to be located in nearby towns or villages. This, in combination with the above discussion in regards to how there is at present no established need to live on site, means that criterion iv of C5 has not been satisfied. It is considered the enterprises current needs can, therefore, be met by the existing dwelling in Upper Bucklebury.

- 6.23 There are questions remaining over whether in relation to criterion iii; whether any existing barns could be utilised for residential conversion. However, no dwelling has been separated from the holding in the last 10 years in accordance with criterion viii.
- 6.24 **Criteria v (financial viability):** As part of the supporting documentation, accounts for the farm have been submitted and reviewed. These are commercial sensitive so can only be summarised within this report. This information is provided in a supplementary Part II report. Although the accounts show the enterprise is profitable and sustainable, it is marginal and would not have the capacity to support a dwelling of this size in the view of the Council's consultant. The applicant intends on increasing cattle numbers, which will in turn increase profits, so this situation may change into the future, but at this time officers are not content the financial viability of the business is demonstrated to justify permanent accommodation, and does not meet criterion v of policy C5.
- 6.25 The applicant sets out that the proposals will be funded privately by the sale of their own house, rather than by the enterprise. It would not be possible to secure the sale of the original home by any planning condition of legal agreement. Additionally, the proposed dwelling and barns will still need upkeep once it has been built. The enterprise provides the applicant's main income, and therefore needs to be making a profit sufficient enough to support the dwelling, and a larger house has bigger running costs. Having regard to the information available, it is considered that the enterprise is not making a profit sufficient to support a dwelling of this size.
- 6.26 **Criteria vi (size, location, nature of dwelling):** According to the policy, the size, location and nature of the proposed dwelling should be commensurate with the needs of the enterprise; and well related to existing farm buildings or associated dwellings. The Council's consultants have advised that the proposed dwelling is a two-storey, three-bedroom dwelling with associated garage and loft store creating an internal floorspace of approximately 290m<sup>2</sup> which, in Kernons' experience, is considered to be a large dwelling for a rural agricultural workers dwelling.
- 6.27 It is suggested by the applicant's agent that the floor space figures have been misunderstood, noting that the total floor space is 290sqm which comprises the dwelling at 256sqm and the detached garage at 34sqm. Given these two elements are contained within a single planning unit, and the garage is ancillary to the house on the site, it is considered correct to include the whole development floor space when considering the need.
- 6.28 Furthermore the agent suggests the ground floor of the proposed dwelling includes a farm WC, farm office and utility/boot/dog room, equating to 39sqm, which are uses ancillary to the farm and not associated with the residential use of the proposed dwelling. The effective residential floor space is therefore 217sqm according to the agent, who is of the opinion that this is not unusually large. Given this is a rural workers dwelling the elements associated with running the farm should be considered intrinsic to the dwelling and should not be excluded from consideration of the size.
- 6.29 The Council's agricultural consultant notes that:

*"A residential floorspace of 217sqm is still considered excessive. Considering that the minimum floorspace for a three bedroom, 2 storey dwelling for 4 people under the*

*Technical Housing Standards (March 2015) is 84sqm, a floorspace of 217sqm (2.5 times bigger) is not, in our opinion, modest. A dwelling of this size is not commensurate to an enterprise of 25 suckler cows and 80ha of permanent pasture. The only research we are aware of which relates to the size of agricultural workers dwellings permitted by local authorities was carried out by Reading Agricultural Consultants in 1999. This research shows that the average sqm of the larger agricultural dwellings (relating to owners/managers) permitted was 157sqm. In some cases, a larger dwelling can be justified, however, in our opinion, the enterprise does not justify the need for a dwelling of this substantial size."*

- 6.30 The size of the dwelling should be commensurate with the financial performance and the needs of the enterprise, with family circumstances considered. It is important to consider whether the enterprise would be able to support a dwelling of this size including all the floor space whether an outbuilding or floor space associated with the farm management. The enterprise is making a profit; however that level of profit is insufficient to support a dwelling of this substantial size according to the Council's consultant. Therefore the proposal conflict with criteria vi.
- 6.31 **Criteria vii (rural character, landscape and heritage):** This criteria states that the development should have no adverse impact on the rural character and heritage assets of the area and its setting within the wider landscape. The development is not within the AONB and does not have an impact on any heritage assets as confirmed by the Conservation Officer. Nevertheless, the close proximity (200m) is such that the area is within the immediate setting of the AONB, and therefore is of greater sensitivity in this respect.
- 6.32 These considerations broadly reflect general development management policies and considerations which are explored in more detail in the following section, wherein it is concluded that the proposal would fail to comply with this criteria in terms of harming the rural landscape character.
- 6.33 **Conclusions on Policy C5:** In summary, it is considered that the proposal fails to comply with criteria i, ii, iii, iv, v, vi and viii of Policy C5, and is therefore contrary to the policy as a whole. It has not been demonstrated that alternative housing provision is unavailable, there is not a demonstrable essential need for a presence on site at this current time, the business whilst profitable would not be sufficient to support a dwelling of this size, the size of the dwelling is not commensurate with the need of the enterprise, and the dwelling is considered to have an adverse effect on the rural character and openness of the site.
- 6.34 The failure to comply with Policy C5 means that, by extension, the proposal is contrary to the Council's policy strategy for locating new housing as set out in the aforementioned policies. The conflict with these policies weighs heavily against granting planning permission.

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

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

and design in the context of the existing settlement form, pattern and character, and (c) the conservation and, where appropriate, enhancement of heritage assets and their settings. Proposals for development should be informed by and respond to (amongst others) the distinctive character areas and key characteristics identified in relevant landscape character assessments.

- 6.37 The West Berkshire Landscape Character Assessment (LCA) was published in 2019 and provides an up-to-date assessment of the district's landscape. The application site is located within landscape character area WH4 – *Cold Ash Woodland and Heathland Mosaic* – which covers much of the countryside north of the A4 between Theale and Hermitage. This is an area dominated by an east-west orientated, heathland ridge and characterised by varied topography, from flat plateau areas to steeply undulating slopes. Woodland is a key component in the varied and attractive land cover mosaic, giving it a distinctive role in providing a rural setting to the adjacent towns of Thatcham and Newbury and also in containing settlement within the area and contributing to the rural character. This area includes parts of the AONB which share landscape characteristics.
- 6.38 The area surrounding the application site encapsulates many of the key characteristics identified in the LCA, including its undulating topography, irregular field pattern with parcels of woodland, strong hedgerows, nearby parkland, and a quiet, intimate and secluded character. Moreover it exhibits several of the valued features and qualities which indicate it could be regarded as a valued landscape, including proximity to the AONB and parkland, the mosaic of agricultural fields and woodland, and the very rural character away from major roads and urban edges.
- 6.39 The LCA provides a landscape strategy for the area. Of particular relevance to this proposal is the aim to maintain open views from routeways; whilst woodland and hedgerow planting is generally to be encouraged, sporadic long views across open land add to the variety that characterises this area. Gaps between dwellings that offer views across open farmland help to retain rural settlement character.
- 6.40 It is acknowledged that the design of the dwelling incorporates rural attributes, with its low eaves heights, dormer windows and hipped roof form. However, there is serious concern with respect to the size and location of the development.
- 6.41 The size of the development as expressed above is considered unjustified by an agricultural need so it is difficult to justify harm/intrusion into the countryside.
- 6.42 Given its location, the development would impact the openness of the rural area. The dwelling is located to the south of School Hill, apart from the existing farm complex which is to the north. Whilst there are existing barns to the west of the site on this side of the road the proposed development would be in an open paddock in a prominent location, and would introduce development into an previously undeveloped aspect. The gap between the two blocks of trees to the east and west of the site would be filled by the proposed dwelling, garage and garden, which it is considered would have a significant detrimental impact on the rural character and openness of the site.
- 6.43 The openness of this area, as seen looking southwards from School Hill, would be significantly changed. Officers have raised in correspondence that (without prejudice to the in principle objections) such development would likely be better placed to the north of the road near to the existing farmyard and farm buildings. The applicant's agent is of the opinion that this is not feasible.
- 6.44 Overall, it is considered that the proposed development would not conserve or enhance important aspects of the local landscape character, and thus would not respect and enhances the character and appearance of the area as required by the aforementioned policies.

- 6.45 It is noted that in the agent's rebuttal of the 15/03/2021 they included a further image looking northwards but do not include any photos looking southwards. The concern is with the impact on the openness and development further south of the road.

### ***Residential amenity***

- 6.46 According to Policy CS14, new development must demonstrate high quality and sustainable design that makes a positive contribution to the quality of life in West Berkshire. Paragraph 127 of the NPPF states planning decisions should ensure that developments create places with a high standard of amenity for existing and future users. Policy OVS.5 of the Local Plan relates to environmental pollution and Policy OVS.6 to noise. The Quality Design SPD discusses light, noise and amenity.
- 6.47 The proposed development is not considered to give rise to issues of neighbouring amenity (e.g. overshadowing or overlooking). This is due to its location away from other neighbouring dwellings
- 6.48 The development provides good quality amenity, including private outdoor amenity space, for future occupiers.

### ***Highways***

- 6.49 The level of car parking provided is acceptable. An electric vehicle charging point has been annotated on the plans within the proposed garage (identified as 7kw), however full details of the type of charger are also needed. This can be provided by condition.
- 6.50 Cycle storage can take place within the garage. The Highway Authority raised no objections subject to conditions.

### ***Trees and ecology***

- 6.51 The application is for a new dwelling in an area of pasture. There are few trees bounding the north of the field, including a mature Oak. This will be immediately north of the parking/ turning area, but the design is likely to have a minimal impact on the Root Protection Area of this and other trees. With a very broad brush approach the Tree Officer estimates this incursion will be ~7% of the offset RPA. Nevertheless tree protection will be required to ensure these trees are protected from site vehicles, soil compaction and root damage during site preparation and construction. This can be secure via planning condition in addition to a landscaping scheme. The Council's ecologist has raised no adverse comments.

### ***Flooding and drainage***

- 6.52 The site is located within Flood Zone 1, which indicates a low risk of fluvial (river) flooding. It is also not within any critical drainage area identified by the Strategic Flood Risk Assessment for the district. As minor development, a Flood Risk Assessment (FRA) is not required by Policy CS16, and there are no objections to the development on grounds of flood risk.
- 6.53 Notwithstanding the absence of any flood risk objections, Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS) in accordance with best practice and the proposed national standards and to provide attenuation to greenfield run-off rates and volumes, for all new development and re-development and provide other benefits where possible such as water quality, biodiversity and amenity. The

Council has adopted a Sustainable Drainage SPD which supports this policy, and provides examples of measures that can be incorporated into even minor developments. A condition is therefore necessary to secure the prior approval of a detailed sustainable drainage scheme and its subsequent implementation, in order to comply with Policy CS16. This can be secured by planning condition.

## **7. Planning Balance and Conclusion**

- 7.1 In summary, it is considered that the proposal fails to comply with all of the criteria of Policy C5, and is therefore contrary to the policy as a whole. It has not been demonstrated that alternative housing provision is unavailable, there is not a demonstrable essential need for a presence on site at this current time, the business whilst profitable would not be sufficient to support a dwelling of this size, the size of the dwelling is not commensurate with the need of the enterprise, and the dwelling is considered to have an adverse effect on the rural character and openness of the site.
- 7.2 The failure to comply with Policy C5 means that, by extension, the proposal is contrary to the Council's policy strategy for locating new housing as set out in the aforementioned policies. The conflict with these policies weighs heavily against granting planning permission.
- 7.3 The area has a strong rural character, within the immediate setting of the AONB, and exhibiting several features which indicate it is a valued landscape. The principal concern is that the proposed development would introduce new built form into an open aspect of the landscape, and therefore cause demonstrable harm to the character and appearance of the area. Given the sensitivity of the area, this also weighs heavily against granting planning permission.
- 7.4 Whilst the development adequately addresses the highways requirements of the proposed development and does not have a detrimental impact on neighbouring amenity these factors are given neutral weight in the planning balance.
- 7.5 Whilst the creation of a new dwelling is a benefit in terms of providing an additional dwelling to local housing stock, and would additionally support the rural enterprise, this does not outweigh the policy conflict and harm identified. These considerations tilt the planning balance very strongly towards refusal of this application. Accordingly the application is recommended for refusal.

## **8. Full Recommendation**

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

### ***Refusal Reasons***

#### **1. Rural Workers Dwelling**

According to Policy C1, there is a presumption against new residential development outside of the settlement boundaries. Exceptions to this are limited to some forms of development listed in the policy. One of these listed exceptions is housing to accommodate rural workers. Policy C5 sets out that new dwellings in the countryside related to, and located at or near, a rural enterprise will be permitted where prescribed criteria are met. The proposed development conflicts with Policy C5 for the following reasons:

- a) The farm currently has 16 suckler cows and followers on site which is not of sufficient scale to require an essential worker to live on site. It is set out in the submitted Agricultural Appraisal that it is intended to increase the number of suckler cows to 25, which is supported by the application for two more agricultural livestock buildings. The scale of the proposed enterprise at 25 suckler cows would still not generate an essential need to live on site. Whilst there is scope in terms of land and the proposal for new farm buildings to allow the farm and its livestock to grow the need at current, is not sufficient. Given these factors the proposal does not comply with criteria i and ii.
- b) The applicant lives 2 miles away from the site in Upper Bucklebury which is approximately a 5 minute car journey to the site. Policy C5 states that a new dwelling will be permitted where the need cannot be met by housing within existing settlement boundaries, and the supporting text sets out that the Council's preference is for accommodation to be located in nearby towns or villages. This, in combination with no present established need to live on site, means that criterion iv has not been met. It is considered the enterprises needs can, therefore, be met by the existing dwelling in Upper Bucklebury. It has not been demonstrated that alternative suitable accommodation cannot be provided, contrary to criterion iii.
- c) It is submitted that the proposals will be funded privately by the sale of property, rather than by the enterprise. It would not be possible to secure this sale by any planning condition of legal agreement. Additionally, the proposed dwelling and barns will still need upkeep once it has been built. The enterprise provides the applicants main income, and therefore, needs to be making a sufficient profit sufficient to support the dwelling, and a larger house has bigger running costs. It is considered that the enterprise is not making a profit sufficient to support a dwelling of this size, and thus does not meet criteria v.
- d) The size and location of the proposed dwelling is not commensurate with the needs of the enterprise, and not well related to existing farm and associated buildings, contrary to criteria vi.
- e) Owing principally to its location, the proposed dwelling would harm the rural character of the area, detracting from the sense of openness, within a sensitive landscape in the setting of the North Wessex Downs Area of Outstanding Natural Beauty (AONB), contrary to criteria vii.

Accordingly, the presumption against new residential development in Policy C1 applies, and the development is contrary to the Council's strategy for new housing as set out in Policies ADPP1, ADPP6 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policies C1 and C5 of the Housing Site Allocations Development Plan Document 2006-2026.

## 2. **Adverse Impact on the Rural Character and Openness of the Countryside.**

According to Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Development shall contribute positively to local distinctiveness and sense of place.

Policy CS19 states that particular regard will be given to, amongst others, (a) the sensitivity of the area to change, and (b) ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. Proposals for development should be

informed by and respond to (amongst others) the distinctive character areas and key characteristics identified in relevant landscape character assessments.

Criteria vi and vii of Policy C5 seek to ensure that rural workers dwellings are well related to existing farm buildings or associated dwellings, and that they have no adverse impact on the rural character of the area and its setting within the wider landscape.

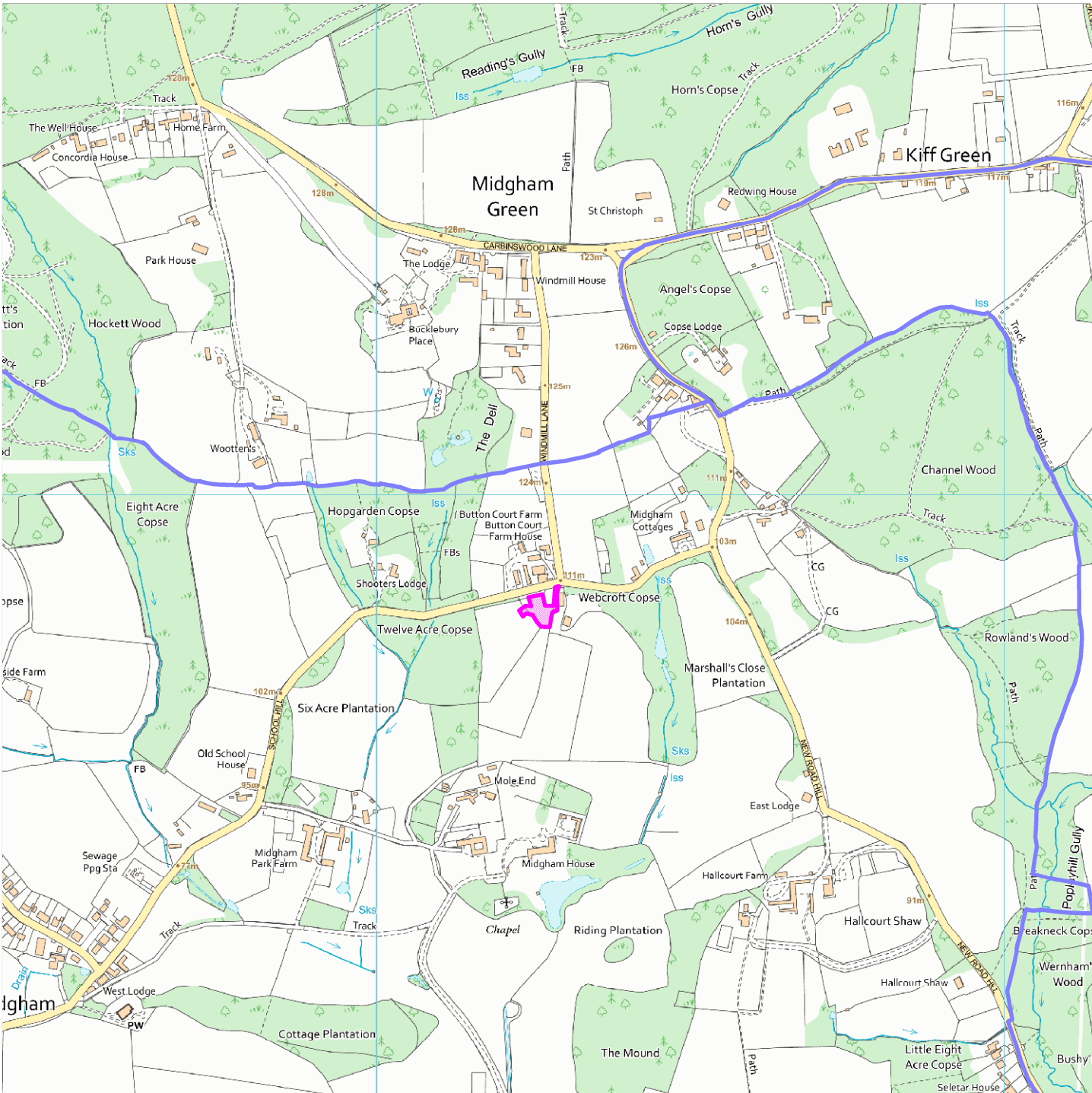
The application site is located within landscape character area WH4 (Cold Ash Woodland and Heathland Mosaic) of the West Berkshire Landscape Character Assessment (LCA). This is an area characterised by varied topography, from flat plateau areas to steeply undulating slopes. Land cover is characterised by a mosaic of fields and woodland, that gives a strong rural character.

The gap between the two blocks of trees to the east and west of the site would be filled by the proposed dwelling, garage and garden, which would have a significant detrimental impact on the rural character and openness of the site. The openness of this area as seen looking southwards from School Hill would be significantly changed from open pasture to enclosed residential curtilage.

The size of the development is unjustified by an agricultural need. As such there is no justification for the harm this dwelling creates by its inclusion into the countryside.

The proposed development would not conserve and enhance this aspect of the landscape character. The application is contrary to Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies C3 and C5 of the Housing Site Allocations DPD 2006-2026, the Council's adopted Quality Design SPD, and the West Berkshire Landscape Character Assessment 2019.



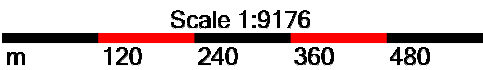


Map Centre Coordinates :

Scale : 1:9175

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	21 May 2021
SLA Number	0100024151

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# Button Court Farm, Windmill Lane, Midgham, RG7 5TY

Photographs for Eastern Area Planning Committee  
Application 20/03068/FULD



View of application site from junctions between School Hill and Windmill Lane looking South





View of application site from junctions between School Hill and Windmill Lane looking South



View of application site from adjacent farm track access of School Hill South west





View of farm track adjacent to the east of the development site looking south.



View of application site to the west of the adjacent farm track looking north towards the junctions between School Hill and Windmill Lane





View looking south beyond the development site on the adjacent farm track.



View of application site looking north west.





View of application site from junctions between School Hill and Windmill Lane looking South



View of farm buildings, farm yard and existing bungalow at Button Court farm. Looking north from School Hill





View of farm land and farm yard at Button Court Farm. Looking north from School Hill



View from School Hill looking at the site eastwardly.



# Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	20/01895/COMIND Beenham	2 December 2020 <sup>1</sup>	Proposed scaffold hire depot, comprising open storage area, modular office building and car parking, together with means of access off Pips Way, drainage and landscaping.  Land West Of Anchor Van Centre, Bath Road, Pips Way, Beenham, Reading  Generation (UK) - Mr Clifford

<sup>1</sup> Extension of time agreed with applicants until 3<sup>rd</sup> June 2021

The application can be viewed on the Council's website at the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/01895/COMIND>

**Recommendation Summary:** Delegate to the Head of Development and Planning to GRANT planning permission.

**Ward Member(s):** Councillor Dominic Boeck

**Reason for Committee Determination:** Referred to EAPC by the Development Control Manager given the need to balance economic and environmental considerations in the AONB.

**Committee Site Visit:** 26<sup>th</sup> May 2021

## Contact Officer Details

**Name:** Alice Attwood MRTPI  
**Job Title:** Senior Planner  
**Tel No:** 01635 519111  
**Email:** Alice.Attwood1@westberks.gov.uk

## 1. Introduction

- 1.1 This application seeks planning permission for a proposed scaffold hire depot, comprising an open storage area, modular office building and car parking, together with means of access off Pips Way, drainage and landscaping.
- 1.2 The proposed development is not within any defined settlement boundary, and is therefore regarded as open countryside for planning purposes. The development is within the North Wessex Downs Area of Outstanding Natural Beauty (AONB), the boundary of which runs along the A4.
- 1.3 The application site is located outside of, but adjacent to the Protected Employment Area known as Beenham Industrial Area. The site is a former landfill, which has now been restored. The site is therefore regarded as greenfield land, as it does not fall within the definition of previously developed land in the NPPF.
- 1.4 Planning permission has been granted for part of the application site to accommodate an extension to the existing Anchor Vans site to the north-east. Part of the concrete access for this development has been erected. There is an existing earth bund which prevents access to the current site. The site appears to have been left and as such vegetation has reclaimed the land.
- 1.5 The proposal is for a scaffold hire depot, with a site area of 1.56 hectares. The majority of the area would be used for the storage of materials and equipment. There would be a site office and car park situated in the north-west corner.
- 1.6 The site is accessed via Pips Way from the Bath Road (A4). The proposed development will have 20 parking spaces for staff, 4 parking spaces for visitors. There will be two electric vehicle charging points and cycle stands for 8 bikes. There are some opportunities for sustainable modes of transport, with a regular bus route along A4 and the nearby Aldermaston Railway Station, although it is considered that the nature of the use is such that movements to and from the site are less likely to make significant use of such modes of transport.
- 1.7 The application would retain the existing landscaping on the existing earth bund. The boundary to the North of the site would have a 5 metre wide strip of trees and shrub planting. To the south of the site the boundary would retain the poplar tree row and additional planting of small trees would be added.

## 2. Planning History

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

Application	Proposal	Decision / Date
17/00386/FUL	To erect perimeter fencing and form car parking area for storage and display of motor vehicles on former land-fill site, including new vehicular access off Pips Way for deliveries, with sales / customer access via Anchor Vans Ltd.   Anchor Vans Ltd Bath Road Beenham Reading Berkshire RG7 5JF	Approved – 11.05.2017

18/03343/COND1	Application for approval of details reserved by Conditions 7 - Contamination, 8 - Sustainable drainage, 9 - Tree protection, 10 - Landscaping, 15 - Parking and turning , 16 - Transporter delivery and 17 - Delivery management plan of approved application 17/00386/FUL - To erect perimeter fencing and form car parking area for storage and display of motor vehicles on former land-fill site, including new vehicular access off Pips Way for deliveries, with sales / customer access via Anchor Vans Ltd.	Approved – 08.05.2019
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### 3. Procedural Matters

- 3.1 **EIA:** A screening letter was undertaken under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, wherein it was established the development is not considered to be EIA development.
- 3.2 **Publicity:** A site notice displayed on 23.10.2020 at the entrance to Pips Way; the deadline for representations expired on 13.11.2020. A public notice was also displayed in the Newbury Weekly News on 10.09.2020; the deadline for representations expired on 01.10.2020.
- 3.3 **CIL:** 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 floor space (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). Given the proposed use, the initial assessment is that the development would be zero rated. 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](http://www.westberks.gov.uk/cil)

### 4. Consultation

#### *Statutory and non-statutory consultation*

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

<b>Beenham Parish Council:</b>	Objection. Members are concerned that the depot would create a noise disturbance to nearby residents. That the development would be an intrusion on the open space. That the open storage nature of the development would be unsightly in an AONB.
<b>Padworth Parish Council (adjacent):</b>	No comments received.

<b>WBC Highways:</b>	<p>No objection. The clarification previously requested has now been provided within the Technical Note. I am satisfied that the level of vehicle movements that are likely to be generated, as summarised in the table at paragraph 4.14, would not be to the detriment of highway safety. It is not considered that the impact of these additional vehicles on the public highway would be severe.</p> <p>The parking and turning, electric vehicle charging points, and proposed cycle stands are acceptable.</p> <p>The highway recommendation is therefore for conditional approval.</p>
<b>Environmental Health:</b>	I have reviewed the Noise impact Assessment and write to confirm that is satisfactory and shows a low impact, however I recommend that the measures outlined in Section 5 f the report be implemented in order to improve the noise environment from the site.
<b>Environment Agency:</b>	We remove our objection to the application as submitted. However, as the Phase 1 Preliminary Risk Assessment by Encon proposes further site intrusive investigation (Page 10) and the drainage design by P&DG may require further detailed clarification, therefore we request planning conditions should be imposed on any planning permission to protect groundwater quality from water leaching through a historic landfill.
<b>WBC Waste Management:</b>	No comment received.
<b>Natural England:</b>	No objection. Following receipt of further information on 29/01/2021, Natural England is satisfied that the specific issues we have raised in previous correspondence relating to this development have been resolved. We therefore consider that there will be no significant adverse impacts on protected landscapes and withdraw our objection.
<b>WBC Tree Officer:</b>	<p>No objections. TPO – no, Conservation Area – no.</p> <p>The revised landscaping proposal is welcome - the planting at the south east is to be bolstered to a hedge with a good mix of native species proposed. There is the addition of a handful of standard trees to the north east of the site also, though these will struggle if not adequately protected from vehicle parking. A knee rail in front of the tree pits would help and ensure the expense of installing 5 tree pits in this area was not wasted. Perhaps the agent could confirm this will happen please?</p> <p>Subject to the above assurance, I have no objections to the proposal subject to condition.</p>
<b>WBC Ecology:</b>	No comments received.
<b>Exolum (Oil Pipe Line):</b>	No objection subject to condition.

<b>WBC Economic Development Officer:</b>	<p>Support.</p> <p>I fully support this proposal. The creation of 20 employment opportunities will give a very significant boost to the local employment market, and further solidify this area as an employment hub. The presence of these new jobs and the day to day expenditure associated with them should also have some positive impact upon the local daytime economy of Aldermaston.</p> <p>This proposal would allow a national business to expand and invest within West Berkshire for the first time. Providing an environment that supports this adaptability and growth is a priority of both our Economic Development Strategy, and paragraph 80 of the NPPF.</p> <p>The site is compatible with the surrounding protected employment area and is in a location which has been designated by the HELAA as having potential for development for B2 and B8 uses. For these reasons while the site does not fall within the protected employment area, I feel it is appropriate and in-keeping with Core Strategy policy CS9 because it is not in conflict with surrounding uses, it has access to a major road, and is the closest viable location to the PEA available.</p> <p>Given the surrounding area contains a large amount of business space, and given its' low height, I do not feel this proposal will have a detrimental impact upon the character of the site. That is if the applicants implement the conditions requested by Environmental Health.</p> <p>Furthermore the proximity of Aldermaston train station will provide a sustainable commuter option for employees; but this should be supported by the provision of bicycle racks and an electric car charging port on site.</p>
<b>Local Lead Flood Authority:</b>	No comment received.
<b>Ministry of Defence:</b>	No objection. Thank you for consulting Defence Infrastructure Organisation (DIO) on the above proposed development. This application relates to a site outside of Ministry of Defence safeguarding areas. We can therefore confirm that the Ministry of Defence has no safeguarding objections to this proposal.
<b>AWE:</b>	No comment received.
<b>Archaeological Officer:</b>	Thank you for the consultation. There are no archaeological implications to this proposal on restored land. I do not believe there are any setting issues for heritage assets either.
<b>North Wessex Downs AONB:</b>	No comment received.
<b>Planning Policy:</b>	No comment received.

<b>Housing Development:</b>	No objection.
<b>Thames Water Utilities:</b>	No objection – standing advice.

### ***Public representations***

4.2 Representations have been received from 1 contributor, objecting to the proposal. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- I refer to the revised Noise Assessment that has recently been posted online. I know little about Noise Assessments, but I live in Beenham Village and I do hear the bangs and scrapes that come from the industrial activities below us. I therefore have the following comments on the Noise Assessment:
  - The assessment only considers the closest NSRs, and does not consider impacts on higher land that is further away but much more exposed to noise.
  - The assessment considers noise from vehicle movements, and a tube cutter. It does not consider the noise from reversing alarms and bangs from loading scaffolding tubes. These are the noises that we can hear in Beenham Village, much more than the constant noise from the road.
  - The background noise in Beenham is low, so any industrial noise is much more noticeable.

I would be grateful if the Noise Assessment could be updated to cover these issues.

- The Landscaping Plan has details of hedges which are all very well for neighbouring properties, but do little to screen it from the higher ground.

## **5. Planning Policy**

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

- Policies ADPP1, ADPP5, CS5, CS8, CS9, CS10, CS11, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies TRANS.1, OVS.5 and OVS.6 and of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2019-2024
- WBC Quality Design SPD (2006)

- Planning Obligations SPD (2015)
- Local Transport Plan for West Berkshire 2011-2026
- Manual for Streets
- North Wessex Downs AONB Position Statement on Setting
- WBC Cycle and Motorcycle Advice and Standards for New Development
- West Berkshire Landscape Character Assessment (2019)
- North Wessex Downs AONB Integrated Landscape Character Assessment

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Compliance with commercial policies of the development plan
- Major development in the AONB
- HELAA
- Previous planning permission and fall-back position
- Character and appearance (trees and landscaping)
- Neighbouring amenity and noise
- Highways
- Employment benefits
- Ecology
- Oil pipeline
- Contamination
- Flood risk and drainage

### ***Compliance with commercial policies of the development plan***

- 6.2 The most important policies for determining whether the principle of development is acceptable are Policies ADPP1, ADPP5, CS9 and CS10 of the Core Strategy. The Core Strategy includes a Spatial Strategy (ADPP1 and ADPP5) that provides a broad indication of the overall scale of development in the district, applying the principles of sustainable development, and based on defined spatial areas and a settlement hierarchy. Policies CS9 and CS10 relate specifically to employment and the economy.
- 6.3 According to Policy ADPP1, most development will be within or adjacent to the settlements in the hierarchy, and related to their transport accessibility and level of services. The majority of development will take place on previously developed land, and the urban areas will be the focused for most development. The scale and density of development will be related to the site's accessibility, character and surroundings. Significant intensification of residential, employment generating and other intensive uses will be avoided within areas which lack sufficient supporting infrastructure, facilities or services or where opportunities to access them by public transport, cycling and walking are limited. Only appropriate limited development in the countryside (outside of the defined settlement boundaries) will be allowed, focused on addressing identified needs and maintaining a strong rural economy.
- 6.4 Policy ADPP5 is the spatial strategy for the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Recognising the area as a national landscape designation, the policy envisions that development will conserve and enhance the local distinctiveness, sense of place and setting of the AONB whilst preserving the strong sense of remoteness, tranquillity and dark night skies, particularly on the open downland. Development will respond positively to the local context, and respect identified landscape features and components of natural beauty. With respect to the economy, Policy ADPP5 states that the Protected Employment Areas within the AONB will continue to play a vital role in supporting the local economy, especially those in edge of

centre locations. Small, local businesses will be supported, encouraged and protected within the AONB providing local job opportunities and maintaining the rural economy.

- 6.5 According to Policy CS9, the Council seeks to facilitate and promote the growth and forecasted change of business development in the plan period in order to retain a portfolio of sites for B8 uses in suitable locations. Proposals for industry, distribution and storage uses will be directed to the District's defined Protected Employment Areas, and existing suitably located employment sites and premises. Any proposals for such uses outside these areas/locations will be assessed by the Council against the following:
- compatibility with uses in the area surrounding the proposals and potential impacts on those uses; and
  - capacity and impact on the road network and access by sustainable modes of transport.
- 6.6 In terms of managing the scale, type and intensification of business development, Policy CS9 states a range of types and sizes of employment sites and premises will be encouraged throughout the District to meet the needs of the local economy. Proposals for business development should be in keeping with the surrounding environment, not conflict with existing uses, and promote sustainable transport.
- 6.7 According to Policy CS10, proposals to diversify the rural economy will be encouraged, particularly where they are located in or adjacent to Rural Service Centres and Service Villages. Existing small and medium sized enterprises within the rural areas will be supported in order to provide local job opportunities and maintain the vitality of smaller rural settlements.
- 6.8 The proposed development is not within any defined settlement boundary, and is therefore regarded as open countryside in terms of Policy ADPP1. The settlement boundary for Aldermaston Wharf runs opposite along the southern side of the A4, which is predominantly residential in character. The site is outside of, but adjacent to the Protected Employment Area known as Beenham Industrial Area to the west. There is a further small cluster of economic development along the northern side of the A4, directly abutting the site to the north-east. The development is within the AONB. The site has been restored and in planning terms is considered greenfield land.
- 6.9 In terms of Policy CS9, the site is adjacent to the existing Anchor Vans premises to the north-east, and other commercial development to the south-west, including Porsche and vacant land which has permission for B2 and B8 uses. The Beenham Industrial Estate comprises mainly B2 and B8 uses. Behind the site to the north is the Grundon Waste Management facility. The application seeks a B8 use. It is considered that the proposed scaffold hire depot would have a high degree of compatibility with the existing commercial uses in the area.
- 6.10 The nearby residential development is a more sensitive use. The application has been supported by a noise assessment which demonstrates that the proposed use would not cause material harm. Lighting can be controlled by condition. In the context of existing commercial development, it is considered that the proposed use is compatible.
- 6.11 The site is accessed from the A4, and as such there are no capacity issues relating to the local road network. There are some opportunities for sustainable modes of transport (e.g. Regular bus route along A4, nearby Aldermaston Railway Station), although it is considered that the nature of the use is such that visitors are less likely to make use of public transport options in any event.
- 6.12 Overall, it is considered the proposal complies with Policy CS9.



- 6.13 As indicated within the planning statement the proposed business on the site is the UK's largest supplier of access, scaffolding, groundworks, edge protection, safety and training products. Through a nationwide network of branches and lorry fleet it provides a full hire and sale service to the Construction, Events, Industrial and Utility sectors. The proposal would help diversify the local rural economy, albeit with quite a sizeable operation. As discussed above, the site is considered to be compatible with existing commercial development in the area. In this respect it is considered to be supported by Policy CS10.

### ***Major development in the AONB***

- 6.14 According to paragraph 172 of the NPPF, great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
  - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
  - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
- 6.15 Footnote 55 of the NPPF advises that, for the purposes of paragraphs 172, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. This means that it 'major development' does not have the same means as given in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (e.g. 1,000sqm or more new floor space, or site areas of 1 hectare or more). Rather it is a matter of planning judgement.
- 6.16 The site area is 1.56 hectares. The nature and scale of the development are considered comparable to the existing commercial development that surround the site on two sides. In this context it is considered that the development would not have a significant adverse impact on the purposes for which the area has been designated an AONB. Consequently, it is concluded that the proposed development is not 'major development' in terms of paragraph 172, and therefore the policy to refuse except in exceptional circumstances is not engaged. It should be stressed that this conclusion does not diminish the great weight that should still be applied to serving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.

### ***HELAA***

- 6.17 All local planning authorities are required by national planning policy and guidance to maintain an up-to-date picture of the amount of land that is available for new development, including land for housing and economic development. This process is known as the Housing and Economic Land Availability Assessment (HELAA).

- 6.18 It has been noted by the Economic Development Officer and the applicant that the site was assessed in the 2020 HELAA under BEEN5 as potentially developable for B2 and B8 uses. However, this is subject to surface water issues and land contamination.
- 6.19 It is important to note that whilst the HELAA will identify potential sites, it will not allocate them for development or add weight to the site for the purpose of decision making on a planning application. The allocation of future sites for development will only take place through statutory plan processes (e.g. Local Plan, Neighbourhood Development Plans) which undergo public consultation and independent examination. This site has not been allocated and consequently no weight should be given to the site's inclusion within the HELAA.

### ***Previous planning permission and fall-back position***

- 6.20 Planning permission was granted in May 2017, pursuant to application 17/00386/FUL, to erect perimeter fencing and form a car parking area for storage and display of motor vehicles on the former land-fill site, including new vehicular access off Pips Way for deliveries, with sales / customer access via Anchor Vans Ltd.
- 6.21 All pre-commencement conditions for 17/00386/FUL have been discharged under 18/03343/COND1. An email was sent to the Council on 12.03.2020 which detailed a photo showing the site access being constructed, in order to indicate that the planning permission had been implemented. No formal application has been made to verify the implementation of this permission. Nevertheless it is considered that the relevant planning policies remain the same and there has been no significant changes on the ground which indicate a different decision would be made if a resubmission was made.
- 6.22 Application 17/00386/FUL had a condition which restricted the use of the site to the storage and display of motor vehicles, and associated sales. Therefore, planning permission would have been required for any use outside the aforementioned.
- 6.23 The proposed scaffold hire depot will have a site area of 1.56 hectares whereas the previous permission granted under application 17/00386/FUL had a site area of 0.88 hectare.
- 6.24 Overall, it is considered that limited weight should be given to any fallback position arising from application 17/00386/FUL application, and this application should be judged on its own merit against current policies.

### ***Character and appearance (tree and landscaping)***

- 6.25 According to Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Good design relates not only to the appearance of a development, but the way in which it functions. Considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place.
- 6.26 Policy CS19 states that particular regard will be given to, amongst others, (a) the sensitivity of the area to change, and (b) ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.27 The West Berkshire Landscape Character Assessment (LCA) was published in 2019 and provides an up-to-date assessment of the district's landscape. The application site is located within landscape character area LV1 – *Kennet Lower River Valley* – which

covers the strip of the countryside in the lower Kennet river valley between Theale and Newbury. The area is characterised by a flat and wide valley floor. It is bounded to the north and south by a change in topography, marking the rising slopes of the immediate valley sides. The northern edge of the floodplain (north of the A4), forms part of the North Wessex Downs AONB. Whilst the area is predominantly rural in character, the LCA identifies nucleated clusters of development around small settlements, and that transport corridors follow the length of the valley, including the main railway line and the A4. Gravel extraction has led to the modification of large portions of the valley floor, including areas around Aldermaston Wharf. Large industrial and commercial areas have also been constructed.

- 6.28 The application site forms part of the nationally valued AONB landscape, but it is not considered that the site exhibits any strong examples of the other valued features and qualities that the LCA identifies for this area, primarily due to past mineral extraction creating an industrialised character with the subsequent presence of existing commercial development.
- 6.29 Currently the site appears as a grassed field with no discernible use. The site is enclosed by post and rail fencing, sections of hedgerow vegetation and open storage areas and warehousing to the east, and by bunding, a short section of hedgerow and vegetation west separating it from Pips Way. To the south the site is enclosed by a low bund, a line of mature Poplar trees and understorey vegetation, beyond which is Bath Road. The surrounding buildings do give the impression of the site being surrounded by industrial development. The site very much has a character of a vacant plot in an industrial estate. The rural character has been eroded by the other nearby industrial developments within the immediate vicinity.
- 6.30 The proposed would see the current grassland covered in hardstanding with landscaping around the boundary. The landscaped earth bund would be further enhanced by additional boundary landscaping to the north of the site, which would comprise a 5 metre wide strip of tree and shrub planting. To the south of the site the boundary will retain the poplar tree row and additional planning of small trees will be added.
- 6.31 Natural England initially objected to the proposed scheme but removed their objection after the submission landscape and visual appraisal (LVA) and additional landscaping proposals.
- 6.32 The LVA indicated that a landscape (mitigation and enhancement) strategy is recommended to respond to some of the proposal's *minor* and *minor moderate* visual impacts. The proposed landscape mitigation centres around strengthening the boundary vegetation, and providing a landscape 'buffer' to the site's northern boundary. The landscape proposals also seek to provide a net gain to biodiversity through the use of native tree and shrub species to complement the existing landscape structure. The LVA concluded that by reason of the proposal's nature and scale, on balance it will be acceptably absorbed into its landscape setting without materially significant harm to the baseline landscape and visual resource.
- 6.33 The Council's tree officer has also removed their objection provided the landscaping details were conditioned. It is considered that robust landscaping proposals have been put forwards and these mitigate the potential harmful of this development of the North Wessex Downs AONB. Thus the development is cable of complying with policies ADPP5, CS14 and CS19.

## ***Neighbouring amenity and noise***

- 6.34 According to Policy CS14, new development must demonstrate high quality and sustainable design that makes a positive contribution to the quality of life in West Berkshire. Paragraph 127 of the NPPF states planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.
- 6.35 Consequently, all development should be designed in a way to avoid any unacceptable harm to neighbouring residential living conditions, or the amenity of other uses. Applications will typically be assessed in terms of any significant loss of light, overlooking of neighbouring buildings or land, and whether the proposal would result in any undue sense of enclosure, overbearing impact, or harmful loss of outlook to neighbouring properties. The environmental impacts arising from commercial development are also relevant, such as noise, dust, fumes, odours and lighting.
- 6.36 Policy OVS.6 states that the Council will require appropriate measures to be taken in the location, design, layout and operation of development proposals in order to minimise any adverse impact as a result of noise generated. Special consideration is required where noisy development is proposed in or near Sites of Special Scientific Interest or which would harm the quiet enjoyment of Areas of Outstanding Natural Beauty.
- 6.37 The proposed use is considered compatible with the existing commercial development in all these respects. Given the location of the proposed development, and the separation distance from residential properties, no concerns are raised in terms of the built form (overlooking, overshadowing or overbearing impacts).
- 6.38 One of the protected characteristic on the North Wessex Downs AONB is tranquillity. According to the PPG, for an area to justify being protected for its tranquillity, it is likely to be relatively undisturbed by noise from human sources that undermine the intrinsic character of the area. It may, for example, provide a sense of peace and quiet or a positive soundscape where natural sounds such as birdsong or flowing water are more prominent than background noise, e.g. from transport. It is considered the site is in area which does not exhibit this special quality of the AONB due to the proximity to the A4 Bath Road and existing commercial development. It is therefore considered that this is not a determinative issue in this case.
- 6.39 Concern has, however, been raised in public representations and by the parish council with respect to the impact on local amenity. An objector did raise concerns in regards to the noise level generated by this proposed development.
- 6.40 A Noise Impact Assessment was undertaken by the applicants, and reviewed by the Council's Environmental Health Officer. The Environmental Health Officer also reviewed the comments made by objectors regarding the noise assessment. They concluded that the assessment was satisfactory and shows a low impact, however, they do recommend that the measures outlined in Section 5 the report be implemented by way of mitigation. These include:
- All saw work needs to be undertaken in the northern corner of the site.
  - All scaffolding inspecting also needs to take place at the northern corner of the site.
  - A noise management plan should be implemented at the site.
  - All employees should be trained in low noise working practices.
  - All engines should be turned off when vehicles are stationary no engine idling.

- 6.41 The mitigation measures can be secured by condition. It is considered that with these mitigation measures the proposed development will not have a materially harmful impact of neighbouring amenity through the noise. When considered as whole, it is concluded the proposal are compliant with Policies and OVS.6.

### ***Highways***

- 6.42 Policies CS13 of the Core Strategy, and TRANS.1 of the Local Plan relate to highways and parking provision for non-residential uses. The Highway Authority was consulted on the application documents. The Highways Officer found that they were satisfied that the level of vehicle movements that are likely to be generated would not be to the detriment of highway safety. It is not considered that the impact of these additional vehicles on the public highway would not be severe. The parking and turning, electric vehicle charging points, and proposed cycle stands are acceptable. It is considered the proposal is compliant with the aforementioned policies subject to conditions.

### ***Employment benefits***

- 6.43 According to paragraph 80 of the NPPF, planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be given to the need to support economic growth and productivity.
- 6.44 The Council's Economic Development Officer fully supports this proposal. They consider the creation of 20 employment opportunities will give a very significant boost to the local employment market, and further solidify this area as an employment hub. The presence of these new jobs and the day to day expenditure associated with them should also have some positive impact upon the local daytime economy of Aldermaston.
- 6.45 The Economic Development Officer further considers that this proposal would allow a national business to expand and invest within West Berkshire for the first time. Providing an environment that supports this adaptability and growth is a priority of both the Council's Economic Development Strategy, and paragraph 80 of the NPPF.
- 6.46 Accordingly, it is considered that significant weight should be given to the economic benefits of this proposal.

### ***Ecology***

- 6.47 A Landscape and Ecology Management Plan (LEMP) has been submitted as part of this application. No comments have been received from the Council's Ecologist; however, it is noted that no ecological objections were raised in relation to application 17/00386/FUL. It is considered that the LEMP would lead to better management of the site in regards to ecology and landscaping. It is considered the proposal is likely to have a neutral impact in regards to ecological matters.

### ***Oil pipeline***

- 6.48 According to Policy CS5 the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery, whilst protecting local amenities and environmental quality. An oil pipeline crosses the application site, and consequently consultation with Exolum has taken place. Following negotiation, no objections have been raised subject to a condition to provide a Construction and Operations Management Plan. It is considered that the proposed development can

therefore be undertaken without harming this infrastructure. The application is therefore compliant with Policy CS5.

### ***Contamination***

- 6.49 According to Policy OVS.5 the Council will only permit development proposals where they do not give rise to an unacceptable pollution of the environment.
- 6.50 The Environment Agency (EA) removed their objection subject to the imposition of conditions. They found that the Phase 1 Preliminary Risk Assessment by Encon proposes a further intrusive site investigation, which may require further detailed clarification. However, the EA felt that this could be dealt with by condition.
- 6.51 It is considered that the measures set out in the Preliminary Risk Assessment demonstrates the proposal would not lead to unacceptable pollution or contamination of the environment. Thus the proposal is compliant with Policy OVS.5.

### ***Flood risk and drainage***

- 6.52 The site is located within Flood Zone 1, which indicates a low risk of fluvial (river) flooding. It is also not within any critical drainage area identified by the Strategic Flood Risk Assessment for the district. However, a Flood Risk Assessment (FRA) has been submitted because the site area is more than 1 hectare. The applicant has also submitted a Sustainable Drainage Methods Strategy and Plan.
- 6.53 The EA removed their objection after received additional sustainable drainage information. They found that the drainage design by P&DG may require further detailed clarification, but that this could be dealt with by condition.
- 6.54 Notwithstanding the absence of any flood risk objections, Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS) in accordance with best practice and the proposed national standards and to provide attenuation to greenfield run-off rates and volumes, for all new development and re-development and provide other benefits where possible such as water quality, biodiversity and amenity. The Council has adopted a Sustainable Drainage SPD which supports this policy. A condition is therefore necessary to secure the prior approval of a detailed sustainable drainage scheme and its subsequent implementation, in order to comply with Policy CS16.
- 6.55 It is considered the proposal has demonstrated that it is capable of complying with Policy CS16 subject to conditions.

## **7. Planning Balance and Conclusion**

- 7.1 It is considered that this decision is finely balanced. Whilst the application site is located in open countryside in terms of Policy ADPP1, it is considered that the proposal complies with Policies CS9 and CS10 and therefore the most important policies of the development plan when read as a whole. Furthermore, the economic benefits of the proposal are considered to attract significant weight in favour of granting planning permission.
- 7.2 The development would introduce new built form into a currently undeveloped parcel of land within the AONB, albeit recognising that permission has previously been granted on part of the land for an extension of adjacent commercial development. Given the

existing context of commercial development within the immediate vicinity, it is considered that the proposal can be absorbed into its landscape setting, and any landscape harm would be limited. Applying great weight to this limited harm, it is considered that this would not outweigh the policy support and economic benefits.

- 7.3 Other environmental and technical considerations can be made acceptable through the application of planning conditions. It is therefore recommended that conditional planning permission is granted.

## **8. Full Recommendation**

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

### **Conditions**

1. **Commencement of development**

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

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

2. **Approved plans**

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

- Application Form received 17.08.2020
- Site Location Plan received 02.09.2020
- Amended Site Plan drawing number 20.061/02h received 05.04.2021
- Proposed Elevation received 01.09.2020
- Proposed Floor Plans received 01.09.2020
- Roof Specification received 01.09.2020
- Initial Flood Risk Assessment and Drainage Strategy from Encon Associates received 25.08.2020
- Summary Statement of Flood Risk and Sustainable drainage received 17.08.2020
- Drainage sketch received 17.08.2020
- Flood Risk Assessment and Drainage Strategy from Encon Associates received 23.02.2021
- Phase 1 Desk Study Report Reference Number: D10076/01 received 02.02.2021
- British Standards 5837:2012 Tree Survey: Arboricultural Impact Assessment, Method Statement and Tree Protection Plan Report Reference: RSE\_4034\_01\_V1 received 17.08.2020
- Landscape and Ecology Management Plan report reference RSE\_4034\_02\_V2 received 17.08.2020
- Landscape And Visual Appraisal report reference 20.076-01 LVA received 27.01.2021
- Landscaping Plan drawing number 20.076/LA01 Rev C received 27.01.2021
- Letter addressing consultee comments received 22.12.2020
- Noise impact Assessment Rev A received 19.02.2021
- Supporting Planning, Design and Access Statement received 02.09.2020

- Transport Technical Note Rev A Report Reference: A4712 received 22.12.2020

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

3. **Schedule of materials (prior approval)**

No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is required because the approved materials will be used throughout construction.

4. **Construction method statement**

No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved CMS. The CMS shall include measures for:

- (a) A site set-up plan during the works;
- (b) Parking of vehicles of site operatives and visitors;
- (c) Loading and unloading of plant and materials;
- (d) Storage of plant and materials used in constructing the development;
- (e) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing;
- (f) Temporary access arrangements to the site, and any temporary hard-standing;
- (g) Wheel washing facilities;
- (h) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;
- (i) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- (j) Hours of construction and demolition work;
- (k) Hours of deliveries and preferred haulage routes.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all construction operations.

5. **Contamination remediation strategy**

No development shall take place until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. Any changes to these components require the written consent of the Local Planning Authority. Thereafter the development shall not be carried out except in accordance with the approved strategy. This strategy will include the following components:



- a) A site investigation scheme, based on the preliminary risk assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- b) The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework. The site overlies a landfill which has the potential to cause pollution if disturbed. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is applied in accordance with paragraphs 170, 178, 179 and 180 the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required to ensure that adequate investigation and a suitable remediation and monitoring is agreed before it may be implemented throughout the demolition and construction phase.

6. **Construction and Operations Management Plan (Oil Pipeline)**

No development shall take place until a Construction and Operations Management Plan (COMP) has been submitted to and approved in writing by the Local Planning Authority. The COMP shall include a scheme detailing a layout confirming the means of safeguarding the Exolum Pipeline outside of the operational works but within the application boundary, including a zone of potential excavation material, protection of easement, means of communication between the site operator and pipeline authority (including out of hours) and routes free of obstruction to the pipeline, including in the event of an emergency. The approved plan shall be adhered to throughout the construction and operational period. The development shall then be carried out in accordance with the COMP as approved.

Reason: To ensure the implementation of a satisfactory Construction and Operations Management Plan (COMP) to ensure access and maintain to the Oil Pipe Line. This condition is applied in accordance with the NPPF, Policy CS5 of the West Berkshire Core Strategy 2006-2026.

7. **Construction Environmental Management Plan**

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

- (a) Risk assessment of potentially damaging construction activities.
- (b) Identification of "biodiversity protection zones".
- (c) Practical measures (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.
- (i) Plan of ecology enhancements.

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: Insufficient detail has been received in the course of the application in regard to how ecology will be protected through the construction period. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.

#### 8. **Sustainable drainage**

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 best practice and the proposed national standards;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include details of how the existing flood plain will be sustained or mitigated (any measures for loss of flood plain shall not increase flood risk elsewhere);
- d) Include a drainage strategy for surface water run-off from the site that ensures that no discharge of surface water from the site will be directed into the public system;
- e) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than Greenfield run-off rates;
- f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- g) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +30% for climate change;
- h) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- i) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines;
- j) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
- k) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the premises;
- l) 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 residents' management company or any other

arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

All sustainable drainage measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. 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 imposed in accordance with the National Planning Policy Framework (February 2019), Policy CS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design – Part 4 Sustainable Design Techniques (June 2006). A pre-commencement condition is required because the SUDs needs to be implemented during construction.

**9. No infiltration drainage**

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework. To protect groundwater quality from water leaching through a historic landfill.

**10. Hours of work (construction/demolition)**

No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

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.

**11. Noise mitigation**

The permitted use of the site shall not commence until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be informed by the recommendations of the Noise Impact Assessment (Rev A, received 19/02/2021). Thereafter, the permitted use shall not take place except in accordance with the approved Plan, or any replacement plans approved by the Local Planning Authority pursuant to this condition.

Reason: To protect future occupiers of the development from excessive noise levels from scaffold hire depot, to ensure a good standard of amenity. 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.

**12. Parking and turning**

The permitted use of the site shall not commence until vehicle parking and turning spaces have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring 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 applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS.1 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

**13. Electric vehicle charging points**

The permitted use of the site shall not commence until two 22kw electric vehicle charging points have been provided in accordance with the approved plans. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

**14. Cycle parking/storage**

The permitted use of the site shall not commence until cycle parking/storage facilities have been provided in accordance with the approved drawings. Thereafter the facilities shall be maintained and kept available for that purpose at all times.

Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

**15. Soft landscaping**

All soft landscaping works shall be completed in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including Robing Lines Landscape drawing number 20.076/LA01 rev C dated 7/1/21, within the first planting season following completion of building operations / first use of the site (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

**16. Lighting strategy (AONB)**

No external lighting shall be installed within the application site until a lighting strategy has been submitted to and approved in writing by the Local Planning

Authority. The strategy shall include a plan to show the location of any lighting, isolux contour diagram(s), an operation strategy (e.g. details of any timed operation) and specifications all lighting to ensure that levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers. No external lighting shall be installed within the application site except in accordance with the above strategy.

Reason: To conserve the dark night skies 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 CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

**17. Use restriction**

The land (as identified on Site Location Plan received 02.09.2020) shall be used solely for the scaffold hire depot, comprising open storage area, ancillary modular office building and ancillary car parking. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and/or the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order(s) revoking, re-enacting or modifying those Orders with or without modification), the land shall be used for no other purpose.

Reason: Any other use may not be acceptable on the site due to the compatibility with surrounding land uses, and the potential landscape and visual impact within the AONB. This condition is applied in accordance with the National Planning Policy Framework, and Policies ADPP5, CS13, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

**18. Customer opening hours**

The premises shall not be open to customers outside of the following hours:  
Mondays to Fridays: 08:00 to 19:00  
Saturdays: 08:00 to 18:00  
Sundays and public holidays: 08:00 to 13:00

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

**19. Delivery hours**

No deliveries shall be taken at or despatched from the site outside the following hours:  
Mondays to Fridays: 08:00 to 19:00  
Saturdays: 08:00 to 18:00  
Sundays and public holidays: 08:00 to 13:00

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

**20. Operating hours (machinery/processes)**

No machinery shall be operation or any ancillary industrial processes take place outside of the following hours:  
Mondays to Fridays: 8:00 to 19:00  
Saturdays: 9:00 to 17:00  
Sundays and public holidays: 10:00 to 13:00

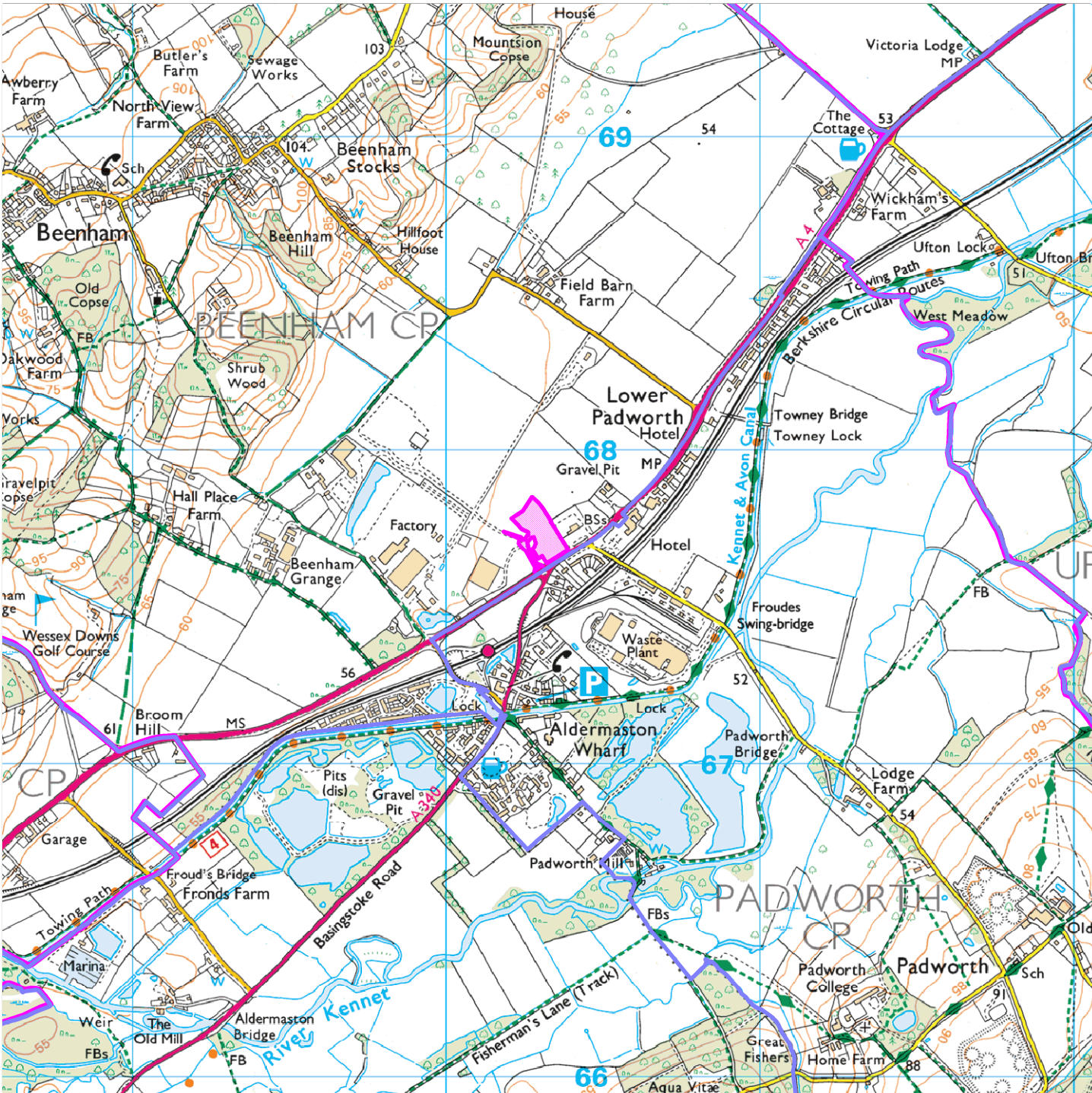
Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

21. **No amplified music**

No amplified or other music shall be played externally on the premises.

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



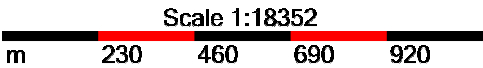


Map Centre Coordinates :

Scale : 1:18351

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	21 May 2021
SLA Number	0100024151

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# Land West Of Anchor Van Centre, Bath Road, Pips Way, Beenham, Reading

Photographs for Eastern Area Planning Committee  
Application 20/01895/COMIND

### Key

Where officer was standing when the photo was taken. ●

Direction of photo →

Photo number ①







View of application site from earth bund joining pips way (looking south)





View of application site from earth bund joining pips way (looking south)





View of application site from earth bund joining pips way (looking south east)





View of application site from earth bund joining pips way (looking east)





View of application site from earth bund joining pips way (north east)



View of application site from earth bund joining pips way (north)









View of application site viewing entrance joining Pips Way (west)





View of application site viewing entrance and Earth Bund joining Pips Way (North West)

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