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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 15 DECEMBER 2021

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

Also Present: Kim Maher (Solicitor), Masie Masiwa (Senior Planning Officer), Lydia Mather (Senior Planning Officer) and Simon Till (Principal Planning Officer (Team Leader))

Apologies for inability to attend the meeting: Councillor Jeff Cant and Councillor Howard Woollaston

PART I

29. Minutes

The Minutes of the meeting held on 13 October 2021 were approved as a true and correct record and signed by the Chairman.

30. Declarations of Interest

Councillors Adrian Abbs, Phil Barnett, Lynne Doherty, Clive Hooker and Tony Vickers declared an interest in Agenda Item 4(1), but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

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

31. Schedule of Planning Applications

(1) **Application No. and Parish: 21/02173/COMIND, Newbury Rugby Football Club, Monks Lane, Newbury and Greenham**

(Councillor Clive Hooker declared a personal interest in Agenda Item 4(1). As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillor Lynne Doherty declared a personal interest in Agenda Item 4(1) by virtue of the fact that as Leader of the Council she had been party to conversations on the proposed development, including some with Sport England, but she had never been the Executive Portfolio Holder for the project. As her interest was personal and not prejudicial or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.)

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

(Councillor Tony Vickers declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a Member of Newbury Town Council, which had a well-known position on the proposed development. As his interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)

(Councillor Adrian Abbs declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was Chairman of Greenham Parish Council's Planning and Highways Committee, which had previously considered the proposal. He was also a Ward Member for the site. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillor Phil Barnett declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a patient Falkland Surgery and a member of its Patient Participation Group. Also, he was a Member of the Planning and Highways Committees for Greenham Parish Council and Newbury Town Council, which had previously considered the proposal. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillors Adrian Abbs, Dennis Benneyworth, Carolyne Culver, Lynne Doherty, Claire Rowles and Tony Vickers declared that they had been lobbied on Agenda Item 4(1).)

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 21/02173/COMIND in respect of Newbury Rugby Football Club, Monks Lane, Newbury.
2. Mr Masie Masiwa, Senior Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Service Director – Development and Regulation be authorised to grant planning permission, subject to the conditions outlined in the main and update reports.
3. The Chairman asked Mr Paul Goddard, Team Leader (Highways Development Control), if he had any observations relating to the application. Mr Goddard stated that Highways Officers had no objections, and were satisfied with the proposed layout of the application. However, further work was required on pedestrian routes to the building, which could be provided in line with Condition 8. There were no concerns around traffic generation, due to its primary use during weekends. There were 51 car parking spaces in the application, and 280 just south of the development at the Rugby Club. Mr Goddard noted that the rugby club was more successful 10-15 years previously, attracting between 3,000 and 5,000 spectators during games, and the current number was expected to be a tenth of that, with the football club likely to attract 30-50. There were no present concerns, but Mr Goddard noted that these numbers would change if the football club were to be promoted: with the grounds capable of upgrading to Step 4. Therefore, Condition 9 would prevent concurrent rugby and football matches. Condition 10 stated that if the football club was promoted, there must be car parking beat surveys on specified streets. If issues were highlighted by the surveys then consultation on additional waiting restrictions (paid for by the applicant) would take place with residents. The Council would implement any supported restrictions, using funding received. Initial waiting restrictions were being sought to encourage spectators to use the College parking. Additional measures included a travel plan with a shuttle bus to take people from the College parking to the ground. A review would be undertaken after five years, which would take account of the club being promoted / demoted and to take account of changes in traffic and parking.

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

4. In accordance with the Council's Constitution, Mr Vaughan Miller, Newbury Town Council, Mr Tim Polack, Mr Alan Pearce, Mr Lee McDougall, Mr Paul Morgan and Mr Peter Lambert, objectors, and Mr James Smith, agent, addressed the Committee on this application.

Town Council Representation

5. Mr Vaughan Miller, Newbury Town Council, in addressing the Committee raised the following points:
 - Newbury Town Council was registering an objection due to existing concerns over noise and light pollution.
 - Trees would be impacted by the development, with the trees and shrubbery bordering Monks Lane to the north of the pitch being protected green space. Plans show that the fencing would go right to the edge of the space, and damage would be caused during the build phase.
 - The amount of parking available was considered inadequate, and claims that senior rugby and football matches could be held on alternate weekends were unlikely to translate to reality, due to events such as cup weekends. In addition, second teams would have fixtures on these alternate weekends, and training and junior teams would require time to use the pitches. A large number of cars could attempt to leave the car park simultaneously, which would cause Monks Lane to back up.
 - There were concerns over the size and scalability of the development. While plans were for grounds at Step 4, this would no longer be the case. Unlike Faraday Road, the ground at Monks Lane would not be scalable from Step 4 to Step 1.
 - The development was not near enough to the town centre to meet requirements, and so would fail to encourage active travel and use of public transport. In addition, local businesses were unlikely to benefit from the increased footfall.
 - The FA and Football Foundation remained as objectors to the development, and the RFU had a holding objection. It was unusual for Sport England to be out of line with other key national governing bodies on the development, and they were subject to a complaint for being manipulated into a joint political statement, which remained on the application.
 - The development lacked sustainability – it was expected to sustain losses of £200,000 a year, which would need to be underwritten by the Council. This was primarily due to the cost of the lease, lack of a clubhouse, and its status as a shared facility, with the rugby club not contributing any of the costs. The Playing Pitch Strategy stated that the ground would be wholly owned by the Council.
 - The development was seen by the Council administration as a replacement for development of the Faraday Road site. The Portfolio Holder had stated that funds would not be allocated if it was not a replacement. Newbury Town Council requested a pause to consider the new position, with the two proposals considered concurrently.

Member Questions to the Town Council

6. Councillor Adrian Abbs asked how a £200,000 annual loss was calculated. Mr Miller responded that the business case stated a £90,000 shortage, which was revised

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

upwards by Sport England to £150,000, and revised further due to a £60,000 additional cost.

7. Councillor Abbs asked for clarification on concurrent matches. Mr Miller responded that there was a second rugby team, ambitions for a second and under-23 football team, and it was believed that these could play concurrently to the senior teams.
8. Councillor Carlyne Culver asked if there were any women's team. Mr Miller responded that there was, and that they played on Sundays.
9. Councillor Culver asked what the differences were in the expected spectator numbers between team development steps. Mr Miller deferred to objector Mr McDougall.
10. Councillor Phil Barnett asked for elaboration on insufficient parking claims. Mr Miller responded that there would be regular issues with parking, which would fill the road. Mr Miller added that similar issues occurred at other sporting venues.
11. Councillor James Cole asked whether it was the Town Council's opinion that green land north of the grounds would be damaged by building work, and whether Mr Miller would be satisfied by a condition requiring that this be properly fenced off. Mr Miller responded that on that point, he would be satisfied.

Objector Representation

12. Mr Peter Lambert in addressing the Committee raised the following points:
 - The objectors represented local residents in the area around the Monks Lane grounds.
 - Despite clear requests for answers, the objectors remained uncertain as to whether the development was a replacement for the Faraday Road development or not. As a replacement, the development would be too small, too cramped, and not fit for its intended purpose. As a standalone application, it would be unnecessary and fundamentally flawed.
 - While the objectors were grateful for the rugby and football teams' plans to play on alternate weekends, they requested that a condition be put into place to that effect.
 - While 30 car parking spaces were offered by the rugby club, the objectors requested that they be made available on the weekends that the football team were playing, and that a condition be put into place to that effect.
 - Additionally, the objectors requested that additional spaces be made available in the main car park for the use of football teams on weekday evenings when both teams are undertaking training sessions.
 - The objectors were grateful that provision for overflow parking of 150 spaces would be made available at Newbury College with a shuttle bus service, and requested that this be made a condition for every weekend.
 - The objectors noted the recommended condition for a parking survey of surrounding streets at each future promotion of the football club. The objectors requested that any future restrictions on parking only applied on match days, and that it also applied to the rugby club.
 - The floodlights had the potential to be a nuisance for local residents, and a distraction and safety issue for drivers on nearby roads. The objectors requested

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

that a condition be added limiting the amount that the floodlights would shine onto Monks Lane.

13. Mr Lee McDougall in addressing the Committee raised the following points:

- Mr McDougall represented the Newbury Community Football Group.
- There was a lot of confusion, despite a year of planning, over whether the development was intended as a replacement for the Faraday Road development. The Planning Officer had stated that it was not proposed as a replacement, but it was stated at Executive that it was. The objectors requested that the application be delayed until this was clarified.
- There was also confusion as to whether the application was for a Step 4 Step 6 facility. While it was envisioned as a Step 4 ground, at the site meeting it was proposed as Step 6. The objectors had doubts over whether a Step 4 development was feasible, noting that crowds of 1,300 would need to be accommodated, which was not possible with the small proposal. It was also noted that the RFU would not allow rugby matches on the main pitch as it was too small.
- The objectors believed that the Council was rushing into agreeing to plans that it could not stop, without considering the other options.

Member Questions to the Objectors

14. Councillor Abbs asked why 30 parking spaces were specified when 280 were quoted in the application. Mr Lambert responded that his discussions with David Jones, President of the Newbury Rugby Football Club, confirmed that 30 parking spaces were offered.
15. Councillor Culver asked if any floodlights were currently present. Mr Lambert responded that there were, and that they shined into residents' houses.
16. Councillor Culver asked for clarification over the development steps. Mr Paul Morgan responded that a Step 4 grounds required capacity for 1,300 spectators. Faraday Road for comparison was Step 5, with scope to upgrade to Step 2.

Agent Representation

17. Mr James Smith, Project Architect for Saunders Boston and agent for Alliance Leisure and West Berkshire Council, in addressing the Committee raised the following points:
 - There was a strategic need to correct the lack of grass pitches which had been identified in the Playing Pitch Strategy, and Newbury Rugby Club presented itself as a practical solution to help to correct the shortfall, and provided an opportunity for a new sports ground, that would benefit the local and wider community.
 - The proposal was for a new artificial grass pitch and spectator seating, supported by a new social space, toilets, medical room, kitchen, and four changing rooms. These supported the business case by allowing a high turnover rate, providing financial sustainability of the pitch, and for safeguarding purposes.
 - The facility had been designed to meet Step 4 FA Ground Grading Requirements and World Rugby Regulation 22 Standard. Although the initial level that would be played there needed FA Step 6, Step 4 was proposed and supported by Sport England who had consulted with both rugby and football team, and reviewed the

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

business plan. Their comments had been addressed and they now had no objections.

- The proposal included 82 parking spaces: 52 at the pavilion site, and 30 at Newbury Rugby Club. Agreements were in place to prevent overlapping rugby and football matches, with parking arrangements to be reconsidered in the event of any promotion. In addition, 150 parking bays would be provided at Newbury College on match days.
- A BREEAM pre-assessment had been conducted and had been given a Very Good rating, and Excellent in Energy Performance. Other sustainability improvements includes all-electric air source heat pumps, low flow-rate showers, permeable paving to the car park, a tank below the car park, a tanking system to the artificial grass pitch, and four electric vehicle charging spaces.
- There would be a biodiversity net gain due to the inclusion of 300 metres of double-planted hedgerows, 100 trees as part of the Queens' Canopy, and a bee bank, which would be mitigated by the northern boundary of the site, as well as protection zones. Measures would be put in place to reduce micro-plastics from leaving the site to 15 kg per year, and consultation was ongoing to mitigate this.
- The acoustic and lighting report detailed that measures would be put in place to reduce the impact below the background conditions of planning and legal requirements.
- The proposal was for a simple form, single story building with a pitched roof. The design aimed to reduce the impact on the local surroundings and would provide a clear route through the site.
- 30 car parking spaces had been committed by the rugby club, but more could be provided if required. The operator would be tendered to find the best value solution and there would be a professional booking system.

Member Questions to the Agent

18. Councillor Claire Rowles asked for clarification on the number of parking spaces, and if the 30 were specifically ring-fenced by the rugby club. Mr Smith responded that the 30 were ring-fenced.
19. Councillor Abbs asked how changing rooms would generate income. Mr Smith responded that there would be four, with two used by each team. Other teams could use the other two, reducing downtime between matches.
20. Councillor Abbs noted that Mr Smith had stated that the development was BREEAM Very Good, and that Policy CS15 stated that it must be BREEAM Excellent. Mr Smith confirmed that was correct.
21. Councillor Abbs asked how much biodiversity would be improved by the additional hedgerows. Mr Smith responded that there was a biodiversity metric that specified that, but he did not have it on hand.
22. Councillor Culver asked for elaboration on water run-off, noting that there was a steep bank between each pitch and that it was an AGP. Mr Smith responded that there was a tanking system underneath the AGP which would then pump the water off-site.
23. Councillor James Cole asked how microplastics were being removed from the rubber pitches. Mr Smith responded that the pitches did contain microplastics.

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

24. Councillor James Cole asked about the effect of floodlighting, and whether it would be directional. Mr Smith responded that directional panels would be fitted to the floodlights to avoid light pollution.
25. Councillor Rowles asked whether the development was proposing more or less lighting than at present. Mr Smith responded that there would be new directional floodlighting on the pitch, and that the lighting on Monks Lane would remain unchanged. Mr Smith added that the light pollution of the floodlighting would be reduced from 15 lux to 2 lux.

Portfolio Holder Representation

26. Councillor Howard Woollaston in addressing the Committee raised the following points:
 - Councillor Woollaston had taken over as Portfolio Holder in May 2021.
 - The current Playing Pitch Strategy recognised a shortage of eight 3G pitches, and a number of grass pitches, particularly for football. The Council's aspiration for economic and housing regeneration on the London Road Industrial Estate necessitated a replacement for the pitch on Faraday Road.
 - A report had been commissioned to find sites within a 20 minute drive of Faraday Road, but all were unworkable. Local landowners had been contacted, of which the rugby team had been responsive. The application was for a state-of-the-art sports hub featuring a world-class 3G artificial pitch with technologically advanced floodlighting, a high quality stand, and a 4,000 square foot clubhouse, with four changing rooms, a medical room, changing rooms for officials, function room, boardroom, kitchen and office.
 - The building would be BREEAM Excellent for Energy Provision, with the aim to have the entire development BREEAM Excellent.
 - The scheme was fully supported by Newbury Football Club and the Hellenic League, which they played in.
 - The pitch could be played on from the 2022/23 season, assuming no complications.
 - In response to assertions that the site was too far from the town centre, Councillor Woollaston stated that the majority of clubs in the lower leagues had grounds on the edge of the town, such as Basingstoke, Thatcham, Hungerford and Reading.
 - On parking, Councillor Woollaston stated that there was an agreement with the rugby club that home fixtures would not be played on the same day as football fixtures, and 280 of those spaces could be used in addition to the 52. An agreement with Newbury College would allow the use of an additional 150 on match days, and a traffic plan scheme formed part of the conditions.
 - On football getting fair playing time, Councillor Woollaston stated that 90% of playing time was for football. Sunday mornings and two 2 hour training sessions on weekdays were reserved for rugby, as well as two bookable grass pitches for mini football.
 - Councillor Woollaston asked that the Committee followed their decision on the Faraday Road applications and approved this application as there were no planning reasons to refuse it.

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

Member Questions to the Portfolio Holder

27. Councillor Abbs asked for clarification that the facility was Step 4. Councillor Woollaston confirmed that it was Step 4, but responded that it was currently Step 6, as the club was currently playing at Step 7.
28. Councillor Abbs asked for clarification as to how Step 4 would be achievable, noting the requirement to have seating for 1,300 spectators on three sides of the pitch, which did not feature in the application. Councillor Woollaston responded that he had raised this with officers, but had been assured that there was scope for spectators to view from three sides, it could meet the numbers required and it was definitely a Step 4 facility.
29. Councillor Tony Vickers noted that the Faraday Road site had been deemed 'unimplementable' and asked if there was a planning reason for this. He felt this was relevant if the Sports Hub would replace the Faraday Road site.
30. Mr Till confirmed that the Committee was being asked to consider if the proposal was capable of meeting the requirements of a Step 6 facility and if the proposed conditions were suitable to meet the requirements for a Step 4 facility. He stressed that the Faraday Road planning permission was a separate matter and whether that permission could / would be implemented was not a matter for consideration at this meeting.
31. Councillor Vickers noted that Councillor Woollaston had already referred to the site.
32. Councillor Culver expressed concern about the tone of debate. She asked about the ability to have seating on three sides, and how a water runoff tank could be accommodated in that scenario. Councillor Woollaston responded that the requirement would not be for seating on three sides, but spectators on three, and that there would be only be one stand, with standing on the other three sides.
33. Councillor Tony Vickers asked about walking times to the grounds. Councillor Woollaston responded that other grounds do not allow for parking close to the site, and that he had experienced an hour's walk to some football grounds, and therefore he did not consider it a problem.
34. Councillor Abbs noted that Step 4 grounds were usually expected to have two sides for seating, and asked how this would be possible. Councillor Woollaston noted that that was a preference, not a requirement.

Ward Member Representation

35. Councillor David Marsh in addressing the Committee raised the following points:
 - Councillor Marsh noted that Mr Masiwa had referred to the neighbouring surgery, pharmacy, care home and David Lloyd Leisure Centre, but no reference had been made to the Priory hospital, and intended to ask whether the Council had considered its needs and those of the care home with regards to noise and light pollution.
 - Councillor Marsh additionally intended to ask Paul Goddard about Condition 10, which included roads which would be affected, but Monks Lane itself was not mentioned.
 - Councillor Marsh noted that it was the first time in a year that any Ward Member outside of the Executive had been given any opportunity to discuss the proposals,

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

and this approach was difficult to understand, as it denied people a stake in the process.

- Councillor Marsh stated that some of the consultants employed by the Councils had put in poor work, and this was reflected in the quality of the application.
- Councillor Marsh argued that the noise and light pollution report was inadequate as it had only taken into account a crowd of 30 people. At Step 6, grounds must have covered accommodation for over a hundred people. On light pollution, Councillor Marsh believed that the floodlights would affect neighbouring properties, and those residents had not been adequately consulted.
- On transport and roads, Councillor Marsh doubted whether people would walk up a hill, and instead believed that people would drive and park at the surgery and pharmacy and nearby residential areas.
- Councillor Marsh accepted that the rugby and football club would play on alternate weeks, but noted that this did not take into account the development's capacity for additional events.
- Councillor Marsh accepted that it was a good deal for the rugby club, but stated that it would be at the expense of the wider community. In addition, there was a 3G playing pitch nearby at Park House School and talk of another at Newbury College.

36. Councillor Adrian Abbs in addressing the Committee raised the following points:

- Councillor Abbs stated that he had asked local residents for their thoughts, and noted that the feedback had become more negative the closer he had got to Monks Lane. Residents agreed with the need for more playing pitches, but expressed concerns about the lack of on-site parking which they felt would create parking issues. There were also concerns about the quality and environmental sustainability of the development, as there were no solar panels on the roof.

Member Questions to the Ward Member

37. Councillor Doherty asked if Councillor Marsh was aware of the six week public consultation, and the standard planning consultation. Councillor Marsh stated that he was, but that it was months ago and did not account for changes in the application since. Councillor Marsh also raised concerns with how people such as those in care homes could respond.
38. Councillor Doherty noted that Newbury Rugby Club had been on the site for 25 years and that the homes present were built since, and asked why the long-term issues Councillor Abbs had raised had not been addressed before now. Councillor Abbs responded that he was actively addressing it in response to the survey.

Member Questions to Officers

39. Councillor Barnett asked Mr Goddard whether he had considered the existing number of parking spaces which may be generated through the surrounding buildings, and whether those could be restricted, as well as the narrow nature of the road. Mr Goddard responded that he had, and that it was considered that the grounds would be used at off-peak times, such as evenings and weekends.
40. Councillor Abbs asked whether the consultation had been put out prior to the application. Mr Till responded that it was a question better suited to the applicant, but

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

that the response to the consultation was publicly available. Mr Masiwa responded that the consultation by the applicant had been prior to submission of the application.

41. Councillor Culver asked, if the grounds were upgraded to Step 4, where spectators would be expected to stand? Mr Masiwa explained that Sport England had responded, indicating that the proposed development was designed with Step 4 in mind. The application was currently for Step 6, which had no minimum capacity, due to the league the football team was playing in. The Council recognised Sport England as a competent assessor of spectator numbers. Mr Masiwa further clarified that he was unsure about standing spectators, but assumed that it would accommodate standing spectators.
42. Councillor Rowles asked Mr Goddard whether there were more designated disabled spaces in other parking areas than the two specified. Mr Goddard responded that 4% was the guideline, and two spaces were considered satisfactory. Within the rugby club area, there were additional disabled spaces. Councillor Rowles asked whether there would be disabled spaces within the ring-fenced 30. Mr Goddard responded that he was unsure, as it was a private arrangement between the clubs, but that it was not the entirety of the spaces available.
43. Councillor Rowles asked why youth matches were not included within Condition 9. Mr Masiwa responded that it was assumed that the senior teams would cause the main demand on parking, and that it was a different consideration due to the different nature of parking use for youth matches, such as parents picking up children.
44. Councillor Doherty asked Mr Goddard whether Policy CS13 took into account changes in behaviour with regards to the climate emergency declaration, such as people being more likely to travel sustainably. Mr Goddard responded that all applications were assessed with a view to ensuring that people could access them by all modes of travel.
45. Councillor Doherty asked Mr Goddard about acceptable walking distances. Mr Goddard responded that the Institute of Incorporated Highway Engineers set maximum walking and cycling distances of 2 km and 5 km respectively. He felt that people would not walk 1.2km if there were alternative parking locations closer to the site.
46. The Chairman asked Mr Goddard whether there were any parking restrictions on Monks Lane. Mr Goddard responded that there were not. Noting the point raised by Councillor Marsh, Mr Goddard conceded that people may park on Monks Lane, and he had no objection to a condition requiring parking restrictions on it.
47. Councillor Abbs asked for clarification that the NPPF was a material planning consideration. Mr Masiwa responded that it was.
48. Councillor Rowles asked if the care home was part of the standard consultation. Mr Masiwa responded that the Council did not often notify specific residents of consultations, but it was clearly advertised and that this was clear from the number of responses.
49. Councillor Abbs asked for confirmation of the number of car parking spaces, noting that he had counted 105 in total. Mr Goddard responded that he had counted 283, including six coaches, and that 307 were available with no coach spaces. Councillor Abbs noted that the gravel area was marked with a 'staff only' sign, and asked for confirmation as to whether it would be made available. Mr Goddard responded that he understood it to be open on match days.

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

50. Councillor Abbs asked how the walking time and distance was calculated. Mr Masiwa responded that the calculation was submitted by the transport consultant, and that further clarification had been sought on Councillor Abbs' request, which was included with the update report. Mr Masiwa stated that he considered the calculation to be approximate, but accurate. Councillor Abbs added that it was a car park to car park calculation, not entrance to entrance.
51. Councillor Vickers asked for clarification on whether the definition of 'playing pitch' included any facilities, including car park, clubhouse and changing room. Mr Till responded that the Council did not have a definition, but Sport England sets certain requirements, which includes associated facilities.
52. Councillor Abbs asked how far the fence was from the run-off area on the east side, and how spectators could stand in such a narrow space. Mr Masiwa responded that Sport England was the statutory consultee on this application, and they had not raised an objection with regards to this issue.
53. Councillor Abbs asked if Sports England had visited the site. Mr Masiwa responded that he did not know, but that assessed sites according to their procedures. The Chairman added that Sports England had access to the same plans.
54. Councillor Clive Hooker asked what the seated capacity of the stadium was. Mr Masiwa responded that it was 268. Councillor Hooker asked the average number of spectators was. Mr Masiwa responded that consultations with Newbury Football Club stated that 50 regularly attended. Councillor Hooker asked if it was an irrelevant concern
55. Councillor Abbs asked for clarification on biodiversity. Mr Masiwa responded that it was calculated using a net gain metric, and that the Ecologist was satisfied with the proposed improvements to biodiversity. Mr Masiwa noted that the main concern was with the loss of the grass pitch, but that the gains were sufficient.
56. Councillor Abbs asked whether Sport England had been consulted on whether their concerns still held once the application was changed to Step 6. Mr Till responded that the change in the joint declaration was not relevant to the application, and therefore Sport England's position would not be changed and their reconsideration was not required.

Debate

57. Councillor Abbs opened the debate by stating that Faraday Road was mentioned 14 times within the application, and that it was relevant to the planning application. In addition, the Portfolio Holder had given a clear steer that the grounds were being proposed as a Step 4 venue rather than Step 6 as per the application. The application indicated that that the grounds would have to be ready to upgrade to Step 5. Councillor Abbs made clear that upgrading the ground to Step 4 would be difficult, as it required spectators on three sides and there was no space for that. Councillor Abbs stated that the intention of the Portfolio Holder was for this to be a Step 4 venue, and a replacement for Faraday Road. Residents were clear in their responses that they wanted a plan to progress to Step 4 which would require accommodation of 1,300 spectators, with associated parking demand that was not included within the current application. He noted that Thatcham Town Football Club operated as a Step 4 club and regularly got 661 spectators, so more could be expected for a big game. He stressed that he supported the call for more 3G pitches, but not this proposal.

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

58. Councillor Culver noted that she had been lobbied on the application. She did not see a problem with expecting spectators to walk to the ground. She considered the discussion on the application to be of a very poor tone. Councillor Culver stated that she found it difficult to vote on this, as the agent had confirmed that the ground would be suitable for a Step 4 facility, but it clearly could not accommodate 1,300 spectators and there had been contradictory statements given throughout the meeting.
59. Councillor Tony Vickers noted that the NPPF required an application to be sustainable economically, socially and environmentally, and that, in his view, it did not meet any of these criteria. He stated that there was no plan presented for how it was economically sustainable, and that the Council would end up subsidising it for 40 years. On social sustainability, the Faraday Road site was an Asset of Community Value and it was proposed that it would be replaced on a like-for-like basis. The proposed sports hub could not provide the same social offer as Faraday Road. With regards to environmentally sustainability, there were clear traffic and parking issues with the Sports Hub.
60. Councillor Barnett recognised that there was a real need for more football pitches, and the residents were owed a suitable site. However, he did not believe this was a suitable site. He expressed concerns about car parking and traffic. He recalled that Monks Lane used to be a quiet road, and noted the large increase in traffic over the years. He observed that the access to the site was not ideal, since it had been laid out incorrectly. The car parking layout was also not ideal. Councillor Barnett suspected that spectators would not park at the College, but would park on nearby roads instead. He indicated that he did not support the proposal.
61. Councillor James Cole noted that there was an application in front of the Committee for a Step 6 venue, with the capability to upgrade to Step 4. The parking was adequate, with no clashes in terms of matches. He noted that the college parking was a 10-12 minute walk away. He felt that lighting concerns could be addressed. He concluded that the application was acceptable in planning terms, and there was no reason to refuse it.
62. Councillor Abbs noted that Sport England had based their original determination on the understanding that the ground would be a replacement for Faraday Road. However, the proposal was not presented as a replacement. Therefore, Councillor Abbs could not understand how Sport England had decided that this proposal was acceptable. He felt that alternative proposals were far more suitable and sustainable. He noted that Newbury College had proposed an alternative site.
63. Councillor Doherty stated that she trusted the conclusions reached by officers and Sport England on the suitability of the site, including that the spectators could be accommodated. Councillor Doherty noted concerns on parking, but she was satisfied by the condition set by Mr Goddard on the issue. She felt that people would park at the college and walk and that people needed to be nudged to be more sustainable. She saw no reason to oppose the application.
64. Mr Till reminded the Committee was not deciding between developments at Monks Lane and Faraday Road.
65. Councillor Rowles noted that the call-in had referenced the parking allocation. She trusted Mr Goddard's recommendation regarding parking, and that people should be encouraged to travel sustainably. Councillor Rowles requested that if Members were minded to approve the application, then parking restrictions on Monks Lane, and

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

residents' concerns regarding light pollution should be conditioned. She indicated that she would support the application if these were addressed.

66. Councillor Hooker felt that the proposal would provide a first class sports pitch for a range of activities not just football. In planning terms, he saw no reason to refuse the application. He felt that Members' concerns about parking and access had been addressed by officers. Councillor Hooker stated that it was a good opportunity to provide a state of the art facility and the proposal should be approved for the benefit of local youth and adult sports players.
67. Councillor James Cole stated that it was important to get people out of cars, and there was no planning reason to refuse the application.
68. Councillor Tony Vickers proposed to reject Officer's recommendation and refuse planning permission. This was seconded by Councillor Phil Barnett.
69. The Chairman invited Members of the Committee to vote on the proposal by Councillor Tony Vickers, seconded by Councillor Phil Barnett to refuse planning permission. At the vote the motion rejected.
70. Councillor James Cole proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Clive Hooker.
71. The Chairman invited Members of the Committee to vote on the proposal by Councillor James Cole, seconded by Councillor Clive Hooker to grant planning permission subject to the conditions listed in the main report and update report.. At the vote the motion was carried.
72. Concerns were expressed following the vote that there had not been a chance for Members to highlight issues that they wished to see address in the conditions (other than those relating to lighting and parking restrictions on Monks Lane) prior to the vote. The legal advisor confirmed that the vote had been concluded and that no further conditions could be imposed.

RESOLVED that the Service Director for Development and Regulation be authorised to grant planning permission subject to the following conditions:

Conditions

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| 1. | <p>Time Limit for commencement</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p> |
| 2. | <p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the following approved documents and plans:</p> <p>Received on 20 August 2021:</p> <ul style="list-style-type: none">• Proposed Clubhouse Roof Plan drawing No 1888-SBA -XX -R1-DR-A -012 Revision A• Proposed Clubhouse Sections drawing No 1888-SBA -XX -ZZ -DR-A -101 Revision A |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

- Proposed Clubhouse Elevations drawing No 1888-SBA -XX -ZZ -DR-A -201 Revision B
- Proposed Clubhouse Ground Floor Plan drawing No 1888-SBA -XX -00 -DR-A -010 Revision C
- Sewer survey report
- Match day maintained average illuminance report
- Guidance notes for the reduction of obtrusive light
- Optivision LED - Sports lighting

Received on 01 September 2021:

- Proposed Seat Stand Elevations and Plan drawing No 001 Revision A
- Utilities and CCTV Drainage Survey plan sheet 1 of 1
- AGP Floodlighting Scheme plan drawing No NSH-SSL-XX-ZZ-DR-A-03 Revision 01

Received on 23 September 2021:

- Business Plan
- Received on 18 October 2021:
- Amended Flood Risk Assessment
- Amended Noise Impact Assessment
- Amended Design and Access Statement
- Amended Location Plan drawing No 1888-SBA -XX -00 -DR-A -510 Revision E
- Amended proposed pitch layout plan drawing No 1888-SBA -XX -ZZ -DR-A -512 Revision D
- Amended Floodlighting performance report
- Amended proposed AGP Plan with dimensions drawing No NSHSSL-XX-ZZ-DR-A01Revision 02
- Amended floodlighting plan drawing No NSH-SSL-XX-ZZ-DR-A-03 Revision 01
- Amended Supporting Technical Information -Pitch, Drainage and Lighting
- Applicant response to Sport England comments
- Amended proposed landscape and enhancements masterplan drawing No 100 Revision A
- Amended planting schedule
- Amended Tree Removal and Protection Plan drawing No 701 Revision A
- Amended Tree survey and Arb impact assessment
- Amended Ecological Appraisal
- Biodiversity Net Gain Metric

Received on 03 November 2021:

- Rugby Pitch Plan drawing No 1888-SBA -XX -ZZ -DR-A -506 Revision C

Received on 11 November 2021:

- AGP particles research
- AGP users guidance to reduce micro plastic loss
- AGP users guidance
- AGP infill material statement
- Amended Landscape and Ecology Management Plan (LEMP)
- Amended Construction and Environmental Management Plan (CEMP)

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>Received on 12 November 2021:</p> <ul style="list-style-type: none"> • AGP Filtration catchment • AGP Sportfix Filtration system • Amended Transport Statement • Applicant response to Highways <p>Received on 15 November 2021:</p> <ul style="list-style-type: none"> • Applicant response to Drainage 1 • Applicant response to Drainage 2 • Applicant response to Drainage 3 • Trial Pit Investigation Log • Amended Combined Flood Risk Assessment and Drainage Strategy • Amended Drainage General Arrangement Plan drawing No PB-1019-ZZ-ZZ-DR-C1001 Revision P2 • Amended proposed AGP Elevation -Lighting Column, Acoustic Barrier, Container drawing No HTA-SSL-XX-ZZ-DR-A-02 Revision 03 • Amended proposed AGP Drainage plan drawing No NSH-SSL-XX-ZZ-DR-A-04 Revision 02 • Amended AGP Section drawing No HTA-SSL-XX-ZZ-DR-A-07 Revision 00 <p>Received on 16 November 2021:</p> <ul style="list-style-type: none"> • Cross section drainage and plastics filtration pipes <p>Received on 19 November 2021:</p> <ul style="list-style-type: none"> • Amended proposed site plan and Electric Vehicle charging drawing No 1888-SBA - XX -ZZ -DR-A -511 Revision F <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p> |
| 3 | <p>External Materials</p> <p>Notwithstanding the provisions of the plans and documents hereby approved, prior to above foundation level works commencing, schedule of all the materials for the external surfaces of the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with approved details.</p> <p>Reason: To ensure the satisfactory appearance of the development and in order to protect the character and amenity of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP2, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the Quality Design SPD (June 2006) and the Newbury Town Design Statement.</p> |
| 4 | <p>Means of Enclosure</p> <p>Notwithstanding the provisions of the plans and documents hereby approved, the development hereby permitted shall not be first used until full details have been submitted to and approved in writing by the Local Planning Authority in respect of the means of enclosure or boundary treatments on the site. These details shall include a plan indicating the positions, design, materials and type of boundary treatment (including acoustic fencing) and gates to be erected within the site. The boundary treatments shall be completed in accordance with the approved scheme</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>before the development hereby permitted is first used. The boundary treatment shall thereafter be retained and maintained in accordance with the approved details.</p> <p>Reason In the interest of visual amenity, to protect neighbouring amenity and to ensure the satisfactory appearance of the development. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP2, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the Quality Design SPD (June 2006) and the Newbury Town Design Statement.</p> |
| <p style="text-align: center;">5</p> | <p>Parking, turning and travel</p> <p>The use of the development hereby approved shall not commence until the vehicle parking and turning spaces have been surfaced, marked out and provided in accordance with the approved plans.</p> <ul style="list-style-type: none"> a) The parking provisions to be made available before first use shall also include that all parking overflow arrangements at the Newbury Rugby Club and Newbury College are in place before the development hereby approved is first used. b) As submitted in the application documents: In terms of the overflow parking at Newbury College, a transport bus from the college to the club shall be made available before and after the matches when the use of the overflow parking at Newbury College is required. c) A “How to get there” page with travel directions and maps for driving, cycling and walking shall be placed on the relevant Rugby Club and Football Club websites before the development hereby approved is first used. <p>The development hereby approved shall not be brought into use until confirmation of how the requirements of points (a),(b) and (c) above are delivered has been submitted and approved in writing by the Local Planning Authority.</p> <p>The parking, turning and travel provisions shall thereafter be implemented and kept available for use at all times during matches. If provision of parking at the Rugby Club and Newbury College is terminated, alternative arrangements shall be submitted and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| <p style="text-align: center;">6</p> | <p>Electric vehicle charging points</p> <p>The use of the development hereby approved shall not commence until 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 charging of electric vehicles at all times.</p> <p>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 TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| <p style="text-align: center;">7</p> | <p>Cycle parking</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>The use shall not commence until the cycle parking has been provided in accordance with the approved plans and this area shall thereafter be kept available for the parking of cycles at all times.</p> <p>Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| 8 | <p>Pedestrian footpath link</p> <p>The use of the development hereby approved shall not commence until details of a pedestrian footpath link from Monks Lane to the approved sports hub building (including any surfacing arrangements and marking out) have been submitted and approved in writing by the Local Planning Authority. The pedestrian footpath shall thereafter be completed and maintained in accordance with the approved details.</p> <p>Reason: To ensure the development is provided with adequate pedestrian footpath access, in the interest of providing adoptable infrastructure, road safety and 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 TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| 9 | <p>Alternating rugby and football home match days</p> <p>The provision of adult football and rugby home matches shall be played on alternate match days in the evenings and on Saturdays and Sundays. No main adult football and rugby team matches shall take place on the same day.</p> <p>Reason: To ensure the development is provided with adequate parking facilities to cope with the demand for parking, 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 TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| 10 | <p>Additional parking demand</p> <p>In the event that the football club is promoted at any point following the completion of the approved development the applicant/operator shall submit a report that includes details of an undertaking as per the details below and results from at least two on street car parking and photograph surveys on non-match days and during match days covering the following streets: Tydehams, Highlands, Monkswood Close, Dormer Close, Sutherlands, Heather Gardens, Rupert Road, Byron Close, Robins Close, Charter Road, and adopted roads within any Sandleford Park development within 700 metres of the site</p> <ol style="list-style-type: none"> a) The survey report shall be submitted within three months of the commencement of each new promotion season. b) Should the results on both match occasions reveal significant car parking on two or more streets, a financial contribution of £2,000 shall be provided to the West Berkshire Highway Authority towards the consultation and potential provision of waiting restrictions (the extent and type to be determined at the time depending on the submitted on street car parking survey results). |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>c) Should the consultation for the above measures be negative amongst affected residents, then no further action is to be taken.</p> <p>d) Should the consultation for the above measures be positive amongst affected residents the applicant shall provide a Travel Plan Statement including but not limited to the following:</p> <ul style="list-style-type: none"> i. Appropriate incentives and targets to encourage use of sustainable travel for home matches ii. At home matches, the provision of overflow car parking within the Newbury College / University complex with the number of car parking spaces to be agreed and the agreement attached as an Appendix. iii. At home matches, the provision of a shuttle bus from Newbury College / University to the football ground. <p>All of the above measures shall be reviewed at five years intervals following implementation or at the point when the football club is promoted further, whichever comes first. The review shall include the submission of a review and/or monitoring report for approval in writing by the Local Planning Authority in consultation with the Local Highway Authority.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| 11 | <p>Updated Ecological Appraisal</p> <p>In the event that development has not commenced 3 years from the date of this permission, no development shall take place until an updated Ecological Appraisal has been submitted to and approved in writing by the Local Planning Authority, together with any additional surveys recommended by the updated Ecological Appraisal. The updated surveys shall be used to inform the mitigation measures for this development.</p> <p>Reason: If the development has not been commenced the ecological appraisal should be updated. This is because the ecology of the site is likely to change over time. This condition is applied in accordance with the statutory provisions relating to the protected species and habitats on the site, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p> |
| 12 | <p>Landscape and Ecological Management Plan (LEMP)</p> <p>The use of the development hereby approved shall not commence until the Landscape and Ecological Management Plan is implemented in accordance with the Landscape and Ecological Management Plan (LEMP) JSL4065_555 Revision 2 by RPS Group received on 11 November 2021.</p> <ul style="list-style-type: none"> a) Any detailed habitat creation and management in accordance with the approved LEMP scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this LEMP shall be replaced within the next planting season by habitat creation and management measures of a similar size and scale to that originally approved. b) Before the development is first used the applicant shall submit a planting plan as an addendum to the approved LEMP for approval in writing by the |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>Local Planning Authority. The plan shall include the links between the LEMP and any other supporting information, including reference to the LEMP and the final SuDS drainage and maintenance plan.</p> <p>The approved LEMP details shall be implemented in full upon commencement of development.</p> <p>Reason: The LEMP is necessary to ensure the adequate protection and conservation of protected species and habitats on the site, and to achieve the specific recommendations of the submitted Ecological Assessment. A comprehensive LEMP will also ensure that interrelated landscape, drainage and ecological proposals are delivered and managed in a holistic manner. To ensure that habitats are protected and enhanced in the best way possible and that the planting can become as established as possible. This condition is applied in accordance with the NPPF, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).</p> |
| 13 | <p>Micro plastics and nature conservation measures</p> <p>Before the 3G Artificial Grass Pitch is brought into use, an Addendum to the Landscape and Ecological Management Plan (LEMP) Shall be submitted for approval in writing by the Local Planning Authority. The Addendum shall outline the following:</p> <ul style="list-style-type: none"> a) Pitch substrate structural makeup showing details of the materials. b) Details of the installation of signage with the aim of reducing micro plastics leaving the pitch and site. c) A layout plan of the site – showing where grates, fences and other Micro plastic control infrastructure is located. d) Details of how the applicants propose to ensure there is no net increase in the amount of plastics (that could become micro in size if not already that size) entering the natural environment because of the proposed development and its use. The details shall address mitigating the expected 15kg of micro plastics outlined within the submitted documents. The overall objection is a reduction to the point of zero offset incorporating other measures and schemes that can be employed, including schemes with third party organisations already knowledgeable in the micro plastics field such as Thames Water and the Kennet Catchment Partnership or other partners. <p>The approved measures shall thereafter be complied with in full, with effect from commencement of use of the Artificial Grass Pitch.</p> <p>Reason: To ensure that the release of plastics and in particular micro-plastics into the environment is mitigated to safeguard the River Kennet and River Lambourn Sites of Special Scientific Interest (SSSI) catchment areas. The two rivers are rivers of national and international importance with significant nature conservation value. This condition is applied in accordance with the statutory provisions relating to protected species and habitats, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p> |
| 14 | <p>Construction Environmental Management Plan (CEMP)</p> <p>The development hereby permitted shall be implemented in accordance with the Construction Environmental Management Plan (CEMP) JSL4065 by RPS Group received on 11 November 2021.</p> <ul style="list-style-type: none"> a) The construction site office, compound and storage of materials shall be |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>located within the bounds of the application site, unless prior approval has been granted in writing by the Local Planning Authority.</p> <p>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.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats during 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.</p> |
| 15 | <p>AGP Certification</p> <p>Use of the development shall not commence until confirmation of the following certifications and registrations has been submitted to the Local Planning Authority:</p> <ul style="list-style-type: none"> a) Certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality and b) Confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches, and these details shall be submitted to and approved in writing by the Local Planning Authority. c) Certification that the Artificial Grass Pitch hereby permitted has met World Rugby Regulation 22 <p>Thereafter the development shall be implemented in accordance with the certified and registered details and details approved by the Local Planning Authority.</p> <p>Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with the National Planning Policy Framework, Policies CS14 and CS18 of the West Berkshire Core Strategy (2006-2026).</p> |
| 16 | <p>Community use agreement</p> <p>Prior to the AGP and associated pavilion and car parking being first brought into use, a community use agreement shall be submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement shall be provided to the Local Planning Authority. The agreement shall apply to the Artificial Grass Pitch, the pavilion and car parking and include details of pricing policy, hours of use, access by non-members of Newbury Sport Hub, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.</p> <p>Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with the National Planning Policy Framework, Policies CS14 and CS18 of the West Berkshire Core Strategy (2006-2026).</p> |
| 17 | <p>AGP Management and Maintenance Scheme</p> <p>Before the Artificial Grass Pitch is brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority. This is to ensure the replacement of the Artificial Grass Pitch within the manufacturer's recommended</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>specified period. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the artificial grass pitch.</p> <p>Reason: To ensure that a new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and to accord with the National Planning Policy Framework, Policies CS14 and CS18 of the West Berkshire Core Strategy (2006-2026).</p> |
| 18 | <p>Sustainable drainage measures</p> <p>No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.</p> <p>These details shall:</p> <ol style="list-style-type: none">a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and the WBC SuDS Supplementary Planning Document December 2018 and in particular incorporate infiltration and 'green SuDS' measures;b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels. Soakage testing should be undertaken in accordance with BRE365 methodology;c) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse or surface water drainage system at no greater than 1 in 1 year Greenfield run-off rates;d) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;e) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;f) Include with any design calculations an allowance for an additional 10% increase of paved areas over the lifetime of the development;g) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;h) Include permeable paved areas which are designed and constructed in accordance with manufacturers specification or guidelines if using a proprietary porous paved system; otherwise ensure any permeable areas are constructed on a permeable sub-base material, such as MoT/DoT Type 3;i) 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;j) Include a Contamination Risk Assessment for the soil and water environment (assessing the risk of contamination to groundwater, develop any control requirements and a remediation strategy);k) Include measures with reference to Environmental issues which protect or enhance the ground water quality and provide new habitats where possible;l) Include details of how surface water will be managed and contained within the site during construction works to prevent silt migration and pollution of watercourses, highway drainage and land either on or adjacent to the site;m) Upon completion, include a verification report carried out by a qualified drainage engineer demonstrating that the drainage system has been constructed as per the approved scheme (or detail any minor variations |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>thereof), to be submitted to and approved by the Local Planning Authority on completion of construction. This shall include : plans and details of any key drainage elements (surface water drainage network, attenuation devices/areas, flow restriction devices and outfalls) and details of any management company managing the SuDS measures thereafter.</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (2006) and SuDS Supplementary Planning Document (2018).</p> |
| 19 | <p>Construction hours</p> <p>No construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:</p> <p>7:30am to 6:00pm Mondays to Fridays; 8:30am to 1:00pm Saturdays;</p> <p>No work shall be carried out at any time on Sundays or Bank Holidays.</p> <p>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.</p> |
| 20 | <p>Construction method statement</p> <p>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:</p> <ul style="list-style-type: none"> (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) Wheel washing facilities; (g) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction; (h) A scheme for recycling/disposing of waste resulting from construction works; (i) Hours of construction work; (j) Hours of deliveries and preferred haulage routes; <p>A pre-commencement condition is required because the CMS must be adhered to during all construction operations including the first operations on the site.</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>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).</p> |
| 21 | <p>Noise Impact Assessment</p> <p>The development and use hereby permitted shall be implemented in accordance with the Noise Impact Assessment ref: 9157/RD by Acoustic Consultants Ltd received on 18th October 2021.</p> <p style="padding-left: 40px;">a) The Noise Management Plan within the approved Noise Impact Assessment, including measures for the control of antisocial behaviour, hours of operation and reporting shall be implemented in full.</p> <p>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).</p> |
| 22 | <p>Lighting Assessment</p> <p>The development and use hereby permitted shall be implemented in accordance with the AGP Technical Information to Support Planning Revision 1 by Surfacing Standards Limited received on 18th October 2021 and the Match day maintained average illuminance report by Surfacing Standards Ltd received on 20 August 2021 and the approved lighting details listed under condition 2.</p> <p>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).</p> |
| 23 | <p>Landscaping</p> <p>The development hereby permitted shall not be first used until details of treatment of all parts on the site not covered by buildings have been submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season of the completion of the development. Details shall include:</p> <p style="padding-left: 40px;">a) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;</p> <p style="padding-left: 40px;">b) location, type and materials to be used for hard landscaping including specifications, where applicable for:</p> <p style="padding-left: 80px;">i. permeable paving</p> <p style="padding-left: 80px;">ii. tree pit design</p> <p style="padding-left: 80px;">iii. underground modular systems</p> <p style="padding-left: 80px;">iv. Sustainable urban drainage integration</p> <p style="padding-left: 80px;">v. use within tree Root Protection Areas (RPAs);</p> <p style="padding-left: 40px;">c) a schedule detailing sizes and numbers/densities of all proposed trees/plants;</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>d) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and</p> <p>e) types and dimensions of all boundary treatments</p> <p>There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required by a separate landscape management condition, all soft landscaping shall have a written five year maintenance programme following planting.</p> <p>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 landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p> <p>Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality. This condition is applied in accordance with the NPPF and Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p> |
| 24 | <p>Tree protection scheme</p> <p>All Tree Protective Fencing shall be erected in accordance with the submitted plans, reference drawing numbers JSL4065_771 & JSL4065 dated July 2021.</p> <p>The protective fencing shall be implemented and retained intact for the duration of the development.</p> <p>Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase. This condition is applied in accordance with the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p> |
| 25 | <p>Arboricultural Method Statement</p> <p>The Arboricultural Method Statement and tree protection measures within report ref: JSL4065_771 dated July 2021 shall be implemented in full and tree protection measures and works carried out in accordance with the Assessment. No changes shall be made to the works unless amendments have been submitted to and approved in writing by the Local Planning Authority and shall include details of any changes to the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.</p> <p>Reason: To ensure the protection of trees identified for retention at the site. This condition is applied in accordance with the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p> |
| 26 | <p>Pre-commencement meeting (Tree protection)</p> <p>No development shall take place (including any ground works or site clearance) until</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>a pre-commencement meeting has been held on site and attended by a suitably qualified arboricultural consultant, the applicant/agent and a Tree Officer from the Council to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed or that all tree protection measures have been installed in accordance with the approved tree protection plan.</p> <p>The outcome of the meeting shall be submitted and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with these approved details or any variation as may subsequently be agreed in writing by the Local Planning Authority.</p> <p>Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out to ensure the protection of trees identified for retention at the site. This condition is applied in accordance with the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p> |
| 27 | <p>Retaining trees</p> <p>No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted in writing from the Local Planning Authority.</p> <p>Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality. This is to ensure the implementation of a satisfactory scheme of landscaping. This condition is applied in accordance with the NPPF and Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p> |
| 28 | <p>BREEAM</p> <p>The sports pavilion building hereby permitted shall not be occupied until a final Certificate has been issued, and a copy submitted to the Local Planning Authority, certifying that BREEAM "EXCELLENT" has been achieved for the development.</p> <p>Reason: To ensure the development contributes to sustainable construction and sustainable operations. This condition is applied in accordance with the National Planning Policy Framework, Policy CS15 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD (Part 4).</p> |
| 29 | <p>External lighting</p> <p>The development hereby permitted shall be implemented in accordance with the Match day maintained average illuminance report by Surfacing Standards Ltd received on 20 August 2021 and the approved lighting details listed under condition 2.</p> <p>No additional external lighting shall be installed except in accordance with a lighting strategy that has been submitted to and approved in writing by the Local Planning Authority.</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, no external lighting shall be installed except in accordance with the specifications and locations set out in the approved lighting strategy and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior written consent from the Local Planning Authority.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. To ensure the protection of neighbouring residential amenity. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026)</p> |
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Informatives

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| 1. | <p>Approach of the LPA</p> <p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.</p> |
| 2 | <p>CIL.</p> <p>The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from the Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil</p> |
| 3 | <p>FIFA Quality Concept for Football Turf</p> <p>(artificial grass pitches for Steps 1 to 4 of the FA's National League System) - FIFA Quality Pro and Steps 3 to 6 should be built in accordance with FIFA Quality as a minimum and tested annually as per league rules. For Rugby the artificial grass pitch is to be tested bi-annually by an accredited testing laboratory in order to achieve and maintain World Rugby Regulation 22.</p> |
| 4 | <p>Highways waiting restrictions</p> <p>In respect of the requirements of condition 10 should the football club be promoted and the results of the public consultation public consultation on parking be negative, the Local Highways Authority has stated that appropriate waiting restrictions will be considered and implemented where necessary.</p> |
| 5. | <p>As indicated above, the Joint Statement by West Berkshire Council and Sport England is now included as an informative, which is outlined below:</p> <p>The Local Planning Authority notes the content of a joint statement issued by West</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| <p>Berkshire Council and Sport England, setting out the Council's wider intentions with regard to delivery of the requirements of the Playing Pitch Strategy.</p> <p>The submitted Joint Statement by West Berkshire Council and Sport England is referred in the committee report for the purposes of context for the application. In considering this planning application, the material planning consideration is the West Berkshire Playing Pitch Strategy and its requirements, not the joint statement.</p> |
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(2) **Application No. and Parish: 21/01868/FULD, Hungerford Old Peoples Home, Chestnut Walk, Coldharbour Road, Hungerford**

(Councillors Dennis Benneyworth, James Cole and Claire Rowles declared a personal interest in Agenda Item 4(2) by virtue of the fact that they were Local Ward Members for the site and had attended meetings at Hungerford Town Council where the proposal had been discussed. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)

73. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 21/01868/FULD in respect of Hungerford Old Peoples' Home, Chestnut Walk, Coldharbour Road, Hungerford.
74. Mr Masie Masiwa, Senior Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Service Director – Development and Regulation be authorised to grant planning permission, subject to the completion of a S106 legal agreement by 15 March 2022 (or such other date to be agreed in writing by the Service Director – Development and Regulation in consultation with the Chairman of the Western Area Planning Committee) and in accordance with the conditions outlined in the main and update reports.
75. The Chairman asked Mr Paul Goddard, Team Leader (Highways Development Control), if he had any observations relating to the application. Mr Goddard stated that Highways had no objection. However, the required parking spaces were not an ideal distance from some dwellings, but this was not a substantial reason for refusal.
76. In accordance with the Council's Constitution, Mr John Downe, Hungerford Town Council, addressed the Committee on this application.

Town Council Representation

77. Mr John Downe, Hungerford Town Council, in addressing the Committee raised the following points:
- The Town Council had seen a great deal of interest in the application over the past year, and were keen to see the derelict care home site used and improved. Additionally, affordable homes were much needed, as well as the addition of eight modestly-sized homes.
 - The Town Council had an issue with the design of the homes, and some concerns regarding sustainability. However, these had been addressed and the Town Council had no objections to the development.
 - However, the Town Council wanted to raise with the Committee that in discussions with Homes for West Berkshire they were repeatedly assured that the houses would be built with heating systems that would be in line with the

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

Government's standards. To make that happen, the Council was asked to accept a lower value for the land. However, the Town Council believed that it was necessary to provide the heating as it was a standard that the Council had set in declaring a climate emergency.

- The Town Council pleaded that the electric vehicle charging points have electricity come from the occupants' homes, as handing it to a private company would significantly increase their energy costs, and asked that it be made a condition.

Member Questions to the Town Council

78. Councillor Tony Vickers asked for clarification on whether the Committee was being asked to condition a significantly better level of sustainability than the policy required. Mr Downe confirmed that he was, and that it was the level that the Council should be aiming for.

Ward Member Representation

79. Councillor James Cole in addressing the Committee raised the following points:

- He noted that discussions with Sovereign and the Town Council had gone on for some time, and the conditions for refusal had gradually dissipated. For this reason, he had attempted to withdraw the call-in to save costs and time.
- He completely supported the Town Council's plea to adhere to heating standards and the Council's own Social Value Policy. However, it was not a planning issue and would therefore be raised with the Executive.
- On electric vehicle charging points, Councillor James Cole was in agreement that this become the standard, and that it could be looked at and worked out.

80. Councillor Claire Rowles in addressing the Committee raised the following points:

- Councillor Rowles thanked the Town Council for raising the heating standards as an issue.

Member Questions to the Ward Member

81. Members did not have any questions of clarification.

Member Questions to Officers

82. Councillor Tony Vickers noted that he now understands the Town Council's position on sustainability. He asked if there was any planning law reason why they could not request that the applicant go beyond the sustainability requirements. Mr Till responded that the intention of the law was to ensure adherence with the frameworks and NPPF, and from a policy perspective the Council must adhere to those frameworks, and not impose additional requests or requirements. While an applicant may take from a meeting that they could do more, they must not feel like they are held to it as that could be grounds for an appeal.

83. Councillor Carolyne Culver asked whether Policy CS15 did not apply to the application because it was not a major application, and how the Compton NDP could set a 19% improvement in carbon emissions as a requirement. Mr Till responded that

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

Policy CS15 did not apply in this case, and an NDP was a policy, allowing the parish council to bring forward their policy own requirements.

84. Councillor Rowles asked Mr Goddard if it was correct that four garages would be demolished and four retained, and whether he envisioned any issues with visitor parking. Mr Goddard responded that the parking standards didn't include visitor parking, but that the five bays near the entrance could be conditioned as available for use by visitors.
85. Councillor Adrian Abbs asked if a management company was handling any of the land. Mr Masiwa confirmed that some of the area near the demolished garage was owned by Sovereign and the retained garages were privately owned.
86. Councillor James Cole asked Mr Goddard if there was a policy on charging points for electric vehicles. Mr Goddard noted that there was no policy, but supported the charging being provided as part of the curtilage. Mr Goddard would take the point forward.
87. Councillor James Cole asked how affordable housing worked within the policy. Mr Masiwa responded that all eight dwellings delivered were affordable housing, and was pushed by the applicant. The requirement in Policy CS6 was for 25% affordable housing to be built.
88. Councillor Clive Hooker asked whether the retained garages would be repaired, there was clear right of way, and that there was no obstruction of the garages. Mr Till responded that these were not planning issues, but that they were legal requirements outside of the planning process. The third point would be down to an agreement between the owners.
89. Councillor Culver asked whether the dwellings would be social rent. Mr Masiwa responded that 50% of the dwellings would be social rent.

Continuation of Meeting

90. In accordance with the Council's Constitution point 7.13.5, the Committee supported the Chairman's motion that the remaining business could be concluded by 10.30pm, and therefore continued with Agenda Item 4(2).

Debate

91. Councillor Abbs opened the debate. He felt that it was an easy decision to go along with officer recommendations. He was happy that charging points were discussed, notably the cost of charging, and asked that it be conditioned if it was not already part of the curtilage. Mr Till responded that it could not be conditioned as it would go beyond policy, but it could be suggested.
92. Councillor Phil Barnett noted that he was upset to see the previous old people's home closed, but supported this application.
93. Councillor Tony Vickers sympathised with Mr Downe's point, and asked that Members' enthusiasm for sustainability to be looked at to be minuted. Mr Till agreed that it could be minuted. Councillor Tony Vickers stated that as it was important to reduce the bills of residents, it should be included as an advisory. Mr Till responded that it could. Councillor James Cole added that he would raise it at Executive.
94. Councillor Rowles stated her support, as it would improve on an existing eyesore.

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

95. The Chairman stated his support, as residents were anxious to see the area developed.
96. Councillor Adrian Abbs proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Phil Barnett.
97. Mr Till noted that there was an added informative regarding the powering of the electric vehicle charging points.
98. The Chairman invited Members of the Committee to vote on the proposal by Councillor Adrian Abbs, seconded by Councillor Phil Barnett to grant planning permission. At the vote the motion was carried unanimously.

RESOLVED that the Service Director - Development and Regulation be authorised to grant planning permission subject to the completion of a Section 106 legal agreement by 15 March 2022 (or such other date to be agreed in writing by the Service Director – Development and Regulation in consultation with the Chairman of the Western Area Planning Committee) in accordance with the following heads of terms and in accordance with the following schedule of conditions:

Heads of Terms for the Section 106 Agreement

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| 1. | Affordable housing <ul style="list-style-type: none">• To provide 25% affordable housing on site in the form of 2 Units (one 3 bedroom unit and one two bedroom unit).• Transfer to Registered Housing Provider.• Of the two affordable housing units, one unit being social rented tenure, one unit being an intermediate or shared ownership form of affordable housing.• Detailed requirements and specifications in accordance with the Planning Obligations SPD. |
| 2 | Council's Costs <ul style="list-style-type: none">• To pay the Council for the reasonable legal costs incurred in the review, negotiation, preparation and execution of the section 106 legal agreement through an administration fee |

Conditions

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| 1. | Time Limit for commencement <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p> |
| 2. | Approved plans <p>The development hereby permitted shall be carried out in accordance with the following approved documents and plans:</p> <p>Received on 14 July 2021:</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <ul style="list-style-type: none"> • Affordable Housing Statement • Highways search • Site solutions • Drainage and Water search • Utilities Search • Ground Investigation Report • Ground Investigation <p>Received on 11 August 2021:</p> <ul style="list-style-type: none"> • Plots 1 and 2 - Proposed elevations and floor plans drawing No D111 Revision E • Plots 3 and 4 - Proposed elevations and floor plans drawing No D112 • Plots 5, 6, 7 and 8 - Proposed elevations and floor plans drawing No D110 Revision D • Bat Survey Report <ul style="list-style-type: none"> • Preliminary Ecology Appraisal received on 29 July 2021 • Applicant response to Highways received on 16 September 2021 • Amended roof plan drawing No D09 Revision A received on 27 September 2021 • Amended Arboriculture Report received on 27 September 2021 • Amended site plan drawing No D06 Revision K received on 29 September 2021 • Amended proposed street elevation drawing No D200 Revision F received on 06 October 2021 • Amended proposed landscape plan drawing No D900 Revision A received on 11 October 2021 • Amended design and access statement received on 02 November 2021 • Affordable housing statement addendum received on 04 November 2021 • Amended energy and sustainability statement received on 12 November 2021 • Amended boundary treatment drawing No D07 Revision D received on 03 December 2021 <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p> |
| 3 | <p>External Materials</p> <p>Prior to above foundation level works commencing, details of external facing materials and any hard surfacing for the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with approved details.</p> <p>Reason: To ensure the satisfactory appearance of the development and in order to protect the character and amenity of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and the Quality Design SPD (June 2006).</p> |
| 4 | <p>Updated Ecological Appraisal</p> <p>In the event that development has not commenced 3 years from the date of this permission, no development shall take place until an updated Ecological Appraisal has been submitted to and approved in writing by the Local Planning Authority,</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>together with any additional surveys recommended by the updated Ecological Appraisal. The updated surveys shall be used to inform the mitigation measures for this development.</p> <p>Reason: If the development has not been commenced by July 2024 the ecological appraisal should be updated. This is because the latest ecology assessment report was dated July 2021 and many of the species considered during the current survey are highly mobile and the ecology of the site is likely to change over this period. This condition is applied in accordance with the statutory provisions relating to the protected species and habitats on the site, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p> |
| 5 | <p>Ecological reports</p> <p>The development hereby approved shall be implemented fully in accordance with the Preliminary Ecological Appraisal dated June 2021 received on 29 July 2021 and Bat Activity Surveys dated July 2021 received on 11 August 2021 both produced by Abricon Ltd and thereafter all recommendations shall be retained.</p> <p>Reason: To ensure the protection of species which are subject to statutory protection. This condition is applied to avoid contravention of the Conservation of Habitats and Species Regulations 2010 (as amended), and in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p> |
| 6 | <p>Sustainable Drainage Measures</p> <p>No above ground development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The sustainable drainage measures shall include details of an acceptable SuDS design and maintenance plan.</p> <p>The details shall also consider the management of waste water drainage and if any surface and waste water drainage is proposed to be connected to the Thames Water system, then the developer shall contact Thames Water to establish whether there is capacity on the network and whether there needs to be any additional infrastructure upgrade. As a discharge of condition application, the developer shall submit confirmation in writing from Thames Water on the capacity of the network and the acceptability of connection to the network.</p> <p>Reason: To ensure that surface water and waste water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, amenity and ensure future maintenance of any proposed surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policies CS5, CS16 and CS17 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (2018).</p> |
| 7 | <p>Electric Charging Point</p> <p>No development shall take place until details of an electric vehicle charging points for each dwelling have been submitted to and approved in writing by the Local Planning Authority. The approved charging points shall thereafter be retained and kept available for the use of electric vehicles.</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>Reason: To promote the use of electric vehicle. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| 8 | <p>Construction method statement (Highways)</p> <p>No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:</p> <ul style="list-style-type: none"> (a) The parking of vehicles of site operatives and visitors (b) Loading and unloading of plant and materials (c) Storage of plant and materials used in constructing the development (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing (e) Wheel washing facilities (f) Measures to control the emission of dust and dirt during construction (g) A scheme for recycling/disposing of waste resulting from demolition and construction works (h) A site set-up plan during the works <p>Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| 9 | <p>Footway resurfacing</p> <p>No dwelling shall be occupied until the 2 metre wide footway fronting the site has been resurfaced following the completion of works, including relocating the street lighting columns.</p> <p>Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and cyclists. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p> |
| 10 | <p>Parking in accordance with plans</p> <p>The dwellings shall not be occupied until the vehicle parking and turning spaces have been surfaced, marked out and provided in accordance with the approved plans. The parking spaces shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| 11 | <p>Cycle parking</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>The dwellings shall not be occupied until the cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.</p> <p>Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| 12 | <p>Hours of work (demolition and construction)</p> <p>No demolition and construction works shall take place outside the following hours:</p> <p>7:30am to 6:00pm Mondays to Fridays; 8:30am to 1:00pm Saturdays;</p> <p>No work shall be carried out at any time on Sundays or Bank Holidays.</p> <p>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).</p> |
| 13 | <p>Construction Management Plan (Environmental)</p> <p>No development shall take place until details of a scheme (Demolition and Construction Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-</p> <ul style="list-style-type: none">(i) the control of noise(ii) the control of dust, smell and other effluvia(iii) the control of rats and other vermin(iii) the control of surface water run-off(iv) the proposed method of piling for foundations (if any)(v) proposed construction and demolition working hours(vi) hours during the construction and demolition phase when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the site. <p>The development shall be carried out in accordance with the approved scheme.</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers. The approval of this information is required at this stage because insufficient information has been submitted with the application. The approval of this information is required before development commences because insufficient information accompanies the application and the Construction Management Plan must be in place before construction operations commence. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 of the West Berkshire Core Strategy (2006 -2026), and Policies OVS.5, OVS.6 of the West Berkshire District Local Plan 1991 -2006 (Saved Policies 2007).</p> |
| 14 | <p>Planting and landscape works</p> <p>All tree planting and landscape works shall be completed in accordance with the submitted plans, reference drawing numbers Landscape Plan ref: D900 Revision A received on 11 October 2021.</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | <p>The approved tree and landscaping plan shall be implemented within the first planting season following completion of development or prior to first occupation of any of the dwellings.</p> <p>Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p> <p>Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality. This is to ensure the implementation of a satisfactory scheme of landscaping. This condition is applied in accordance with the NPPF and Policies ADPP5, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p> |
| 15 | <p>Permitted development restriction (extensions/outbuildings)</p> <p>Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C and E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.</p> <p>Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding 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 the Quality Design SPD (June 2006).</p> |

Informatives

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| 1. | <p>Approach of the LPA</p> <p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.</p> |
| 2. | <p>CIL</p> <p>The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from the Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For</p> |

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

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| | further details see the website at www.westberks.gov.uk/cil |
| 3. | Legal agreements - Section 106 This Decision Notice must be read in conjunction with the terms of the Legal Agreement of the *. You are advised to ensure that you have all the necessary documents before development starts on site. |
| 4 | Access construction The Asset Management team, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD, or highwaysassetmanagement@westberks.gov.uk should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf. |
| 5 | Damage to footways, cycleways and verges The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations. |
| 6 | Damage to the carriageway The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic. |
| 7 | Excavation in close proximity to the highway In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority. Written approval would be obtained from the Asset Manager, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD or highwaymaintenance@westberks.gov.uk |
| 8 | Official Postal Address Please complete an online street naming and numbering application form at https://www.westberks.gov.uk/snn to obtain an official postal address(s) once development has started on site. Applying for an official address promptly at the beginning of development will be beneficial for obtaining services. Street naming and numbering is a statutory function of the local authority. |
| 9 | Street Lighting The Council's Street Lighting Team have confirmed that the relocation of the street lighting columns as identified on the proposed plans is acceptable, however they would prefer that the Council's contractors carry out the works which would be undertaken at the applicant's expense. An informative is attached for the applicant to make direct arrangements with the Council's Street Lighting Team. |

Refusal reason

WESTERN AREA PLANNING COMMITTEE - 15 DECEMBER 2021 - MINUTES

If the legal agreement is not completed by the by 15th March 2022 (or such other date to be agreed in writing by the Service Director – Development and Regulation in consultation with the Chairman of the Western Area Planning Committee), to **DELEGATE** to the Service Director, Development and Regulation to **REFUSE PLANNING PERMISSION**, or to extend the period for completion if it is considered expedient to do so.

S106 Planning Obligation Refusal Reason

The development fails to provide an appropriate scheme of works or off-site mitigation measures to accommodate the impact of the development on local infrastructure, or provide an appropriate mitigation measure such as a planning obligation.

The application fails to provide a Section 106 Planning Obligation to deliver necessary infrastructure and mitigation measures, including:

(a) Affordable housing provision in accordance with Policy CS6, without which the proposal would be contrary to the NPPF, Policy CS6 of the West Berkshire Core Strategy (2006-2026), and the Planning Obligations SPD.

(3) Application No. and Parish: 20/01336/OUTMAJ, Institute For Animal Health, High Street, Compton

99. Due to time constraints, the Committee was unable to consider Agenda Item 4(3) concerning Planning Application 20/01336/OUTMAJ in respect of the Institute for Animal Health, High Street, Compton. It was agreed that the item should be deferred and considered at the next meeting of the Committee.

(The meeting commenced at 6.30 pm and closed at 10.25 pm)

CHAIRMAN

Date of Signature