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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, 24 NOVEMBER 2021

Councillors Present: Jeff Beck (Substitute) (In place of Jeff Cant) and Andy Moore (Substitute) (In place of Phil Barnett)

Also Present:

Apologies for inability to attend the meeting: Councillor Phil Barnett and Councillor Jeff Cant

Councillor(s) Absent:

PART I

26. Minutes

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

27. Declarations of Interest

Councillors Jeff Beck, Hilary Cole, Andy Moore, Tony Vickers and Howard Woollaston declared an interest in Agenda Items 4(1) and 4(2), but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

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

28. Schedule of Planning Applications

(1) **Application No. and Parish: 20/01530/OUT, Newbury Football Club, Newbury Football Club, Faraday Road, Newbury**

(Councillors Jeff Beck, Andy Moore and Tony Vickers declared a personal interest in Agenda Item 4(1) by virtue of the fact that they were Members of Newbury Town Council, which supported the retention of football facilities at Faraday Road. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)

(Councillor Howard Woollaston declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was the Executive Portfolio Holder for Internal Governance, Leisure and Culture. However, he noted that the London Road Industrial Estate Redevelopment Site was within the remit of the Executive Portfolio Holder for Finance and Economic Development. 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 Hilary Cole and Howard Woollaston declared a personal interest in Agenda Item 4(1) by virtue of the fact that they sat on the London Road Industrial Estate Working

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

(Councillor Tony Vickers declared that he had been lobbied on Agenda Item 4(1).)

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 30/01530/OUT in respect of Newbury Football Club, Newbury Football Club, Faraday Road, 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 Head of Planning and Development 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 the proposal was to replace existing activities, with most events occurring in the off-peak. Therefore, few concerns around traffic had been raised, and it was acceptable in highways terms.
4. In accordance with the Council's Constitution, Mr Vaughan Miller, Newbury Town Council, Mr Paul Morgan and Mr John Stewart, applicants, addressed the Committee on this application.

Parish/Town Council Representation

5. Mr Vaughan Miller, Newbury Town Council, in addressing the Committee raised the following points:
 - Newbury Town Council supported the application, and it was also supported by the Football Association, Sport England, the Football Foundation, and the Newbury Society. The Town Council's Strategy sought set the aim that a first class football ground and stadium would enable and facilitate football teams that could play at National League level for men, and a Southern Premier League level for women, as well as youth teams.
 - The aspiration of the Town Council is for the grounds to be within a walking distance of the town centre, providing an increased footfall within the town through visiting fans.
 - Inability to provide a suitable alternative site should result in the ground on Faraday Road being redeveloped with 3G pitches, allowing for higher availability for the community.
 - The application was scalable, allowing redevelopment and upgrading in accordance with the team's success from Step 4 up to Step 2 and possibly Step 1 National League Southern Premier, reflecting the aspirations of the football clubs.
 - It was a financially sustainable proposal, with no ongoing subsidy required and would seek to generate a profit. Sport England considered this to be a planning consideration. The site was a Council owned asset funded by tax-payers' money, so this was a crucial aspect.
 - It would have a proper clubhouse and bar. Hungerford Town played in Step 2 and the team cost £2,500 - £3,500 to maintain per week. They generated income from gate receipts and also from the bar.

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- The proposal would provide a pathway from youth to senior football, with first class facilities encouraging retention of youths within the game.
- The previous clubhouse was well-used by the community, but the new facility would be better than before and could be used for a wide range of social events.
- The facility was also environmentally sustainable, being a short walk from public transport hubs and accessible by active travel modes. There were also extensive parking facilities nearby that could be used when needed.
- West Berkshire Council would retain control of the asset, and get a return on investment.
- Due to existing facilities, the new facility could be built within six months to a year.
- The application respects the value of both the pitch and clubhouse as an Asset of Community Value. The majority of local people wished the pitch to remain at Faraday Road – 2,000 people expressed their support and there was strong support expressed in response to the Newbury Weekly News survey. If the Council were to undertake public consultations they would probably get a clear steer to progress this proposal.

Member Questions to the Parish/Town Council

6. Members did not have any questions of clarification.

Applicant Representation

7. Mr Paul Morgan and Mr John Stewart in addressing the Committee raised the following points:
 - The land had been owned by the Council since 1963, and it was believed that the Council should use the facilities for the benefit of the local community, as the proposal did.
 - The clubhouse had been used for many years as a cost-effective venue for community events such as parties and weddings, and had a long history of hosting charity events. This not only added to the community value, but allowed the facility to financially sustain itself.
 - The grounds were well-located and provides sustainable and public transport with easy access to the town centre. Car parking was already existing on the site.
 - The footprint of the clubhouse would be similar to the existing building, but will have a second story which will provide a more efficient use of land and provide an improved internal layout. Changing rooms, toilets, offices, and a conference room would be situated on the ground floor, with a bar, café and viewing area on the first floor.
 - The proposal fitted into the existing planning strategy, such as Area Delivery Planning Policy 2 and CS18. On CS18, the green infrastructure would be protected or enhanced.
 - The proposal would vastly improve the quality of the facility and a better environment for those who work and play in the area.
 - On the location of the development in Flood Zone 3, the proposal was a water-compatible development, and presented no threat to biodiversity.

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- The sustainable business model of the development involved provision of a first-class pitch for senior men's and women's football teams, and would fulfil the Playing Pitch Strategy's reported shortage of 3G pitches, which would be run by a not-for-profit community group which would use proceeds from the pitch and clubhouse towards maintenance. By the fifth year, a surplus of over £20,000 was expected.
- 75% of the funding would come from external sources, and West Berkshire Council would continue to receive rent. There would be no financial liability on West Berkshire Council's part, and they would retain the land.

Member Questions to the Applicants

8. Councillor Adrian Abbs asked for more information on how a 3G pitch would help the biodiversity in the area. Mr Morgan responded that the pitch acted similar to natural grass and would benefit in that way.
9. Councillor Andy Moore asked what the size of the stand was and how it would be scalable. Mr Morgan responded that it would have 250 seats, and would be scalable as the previous stand held 500 seats. Proposals to expand would come as the team progressed through the football league pyramid.
10. Councillor Clive Hooker asked if the proposal would encroach on the existing parking spaces. Mr Morgan responded that there were four areas for public parking that were sufficient for how they were being used, and would be unlikely to cause any issue. Councillor Hooker asked if any would be lost, to which Mr Morgan responded that there would not be any loss.

Ward Member Representation

11. Councillor Jeff Beck in addressing the Committee raised the following points:
 - Councillor Beck concurred with the points raised by the Town Council and applicants and did not have any further points to add.

Member Questions to the Ward Member

12. Members did not have any questions of clarification.

Member Questions to Officers

13. Councillor Hooker asked for further clarification from Mr Goddard over whether there would be any loss of parking spaces. Mr Goddard confirmed that there was no proposed loss of parking spaces from the main car parking area or the red area within the planning application.
14. Councillor Adrian Abbs asked how the new facility would be powered. Mr Masiwa responded that the application was not at the stage at which BREEAM and the access to power was being assessed. Councillor Abbs asked whether BREEAM can be currently discussed, to which Mr Masiwa responded that BREEAM Excellent was required and formed a condition of the application.

Debate

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15. Councillor Abbs opened the debate by stating that he was happy to agree with officer recommendations, and there were no planning terms with which to disagree. He indicated his wish to propose to accept officer recommendation.
16. Councillor Beck concurred with Councillor Abbs and indicated his wish to second.
17. Councillor Howard Woollaston expressed his dissatisfaction with the application coming to committee, as it was an uncontroversial application on Council land, and he saw no planning reasons to refuse.
18. Councillor Tony Vickers noted that the landowner is the elected District Council, whose intentions may change. He considered it arrogant therefore not to discuss those intentions and consider the application.
19. 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 Jeff Beck.
20. The Chairman invited Members of the Committee to vote on the proposal by Councillor Abbs, seconded by Councillor Beck to grant planning permission. At the vote the motion was carried.

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

Conditions

1	<p>Approval of reserved matters</p> <p>Details of the appearance, landscaping and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2	<p>Time limit for reserved matters</p> <p>Application(s) for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
3	<p>Commencement of development (Outline)</p> <p>The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
4	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the following approved documents and plans:</p>

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	<ul style="list-style-type: none"> • Parking Survey received on 06 July 2020 • Design and access statement received on 06 July 2020 • Preliminary Ecological Appraisal received on 06 July 2020 • Amended proposed block plan received on 27 September 2020 • NCFG response to Sport England received on 11 December 2020 • NCFG Indicative Business Plan received on 11 January 2021 • Flood Risk Assessment received on 13 August 2021 • Applicant's email response to Environment Agency received on 13 September 2021 <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
5	<p>External Materials</p> <p>Prior to above foundation level works commencing, details of 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>
6	<p>Means of Enclosure</p> <p>Notwithstanding the provisions of the plans hereby approved, the development hereby permitted shall not be first used until full details have been submitted to and approved in writing in respect of means of enclosure or boundary treatments on site, to include a plan indicating the positions, design, materials and type of boundary treatment and gates to be erected within the site. The boundary treatments shall be completed in accordance with the approved scheme before the development hereby permitted is first occupied. The boundary treatment shall thereafter be retained in accordance with the approved details.</p> <p>Reason In the interest of visual 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>
7	<p>Parking and turning in accord with plans</p> <p>The use shall not commence until the vehicle parking and turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and 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>

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8	<p>Cycle parking</p> <p>The use shall not commence 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>
9	<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>
10	<p>Landscape and Ecological Management Plan</p> <p>No development shall take place on the site until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP should be based on the Preliminary Ecological Appraisal by CGO Ecology Ltd dated June 2020 received on 06 July 2020 and the approved SuDS and Landscaping documents and plans. Such a Plan shall include:</p> <ul style="list-style-type: none"> a) Detailed habitat creation and management prescriptions (including costings) for the retained and newly created habitats meeting all the needs of biodiversity net gain timeframes, monitoring and reviews. b) Provision of features for protected and priority fauna as outlined within the Preliminary Ecological Appraisal by CGO Ecology Ltd dated June 2020 received on 06 July 2020 and deliver the recommendations of this Assessment to ensure the appropriate protection and conservation of protected habitats and species. c) Include (but not necessarily be limited to) details of management, maintenance and long-term protection of the hard and soft landscaping, and ecological mitigation area. d) Submit a green phasing plan to interact with the CEMP and LEMP. Include the planting list, hard and soft infrastructure shown and boundary treatments and species and habitat enhancements and protections. e) May incorporate any/all mitigation measures secured by other planning conditions attached to this permission, including SuDS and Landscaping. <p>The approved LEMP 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</p>

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	<p>specific recommendations of the submitted Ecological Assessment. A comprehensive LEMP will also ensure that interrelated landscape and ecological proposals are delivered and managed in a holistic manner. To ensure that habitats are protected and enhanced in the best way possible and that the planting can become as established as possible. The detailed LEMP is required before commencement of development because insufficiently detailed information has been submitted at the application stage, and it may include measures that require implementation during the construction phase. This condition is applied in accordance with the NPPF, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
11	<p>Construction Environmental Management Plan (CEMP)</p> <p>No development shall take place (including ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following;</p> <ul style="list-style-type: none"> (a) A risk assessment of potentially damaging construction activities (b) Identification of biodiversity protection zones and a green phasing plan (c) Practical measures to avoid and reduce impacts during construction (d) The location and timing of sensitive works to avoid harm to biodiversity features including protected species and tree protection measures (e) The times during construction when specialist ecologists need to be present on site to oversee works (f) Responsible persons and lines of communication (g) The role and responsibilities of the ecological clerk of works or similarly competent person (h) Use of protective fences, exclusion barriers and warning signs (i) Any temporary lighting that will be used during construction (j) A scheme of works or such other steps to minimise the effects of dust during construction (k) The implementation of these measures prior to the commencement of each phase. <p>The development shall not be constructed otherwise than in accordance with the approved CEMP.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
12	<p>Gas protection measures</p> <p>Unless a landfill gas risk assessment is undertaken which indicates there is no risk, the proposed development shall be built with Characteristic Gas Situation 2 gas protection measures in accordance with BS 8485:2015 +A1:2019</p> <p>'Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings'. Following installation of the measures, a verification report shall be submitted to the Local Planning Authority prior to occupation of the site.</p> <p>Reason: To protect future occupiers of the site from the risks associated with the migration of toxic and flammable gasses. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire</p>

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	Core Strategy (2006-2026), and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
13	<p>Clubhouse and spectator stand design and layout</p> <p>No development shall commence until details of the design and layout of club house and spectator stand have been submitted to and approved in writing by the Local Planning Authority (after consultation with Sport England). The clubhouse and spectator stand shall not be constructed other than in accordance with the approved details.</p> <p>Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS18 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), the Newbury Town Design Statement and the West Berkshire Council Playing Pitch Strategy (2020).</p>
14	<p>Drainage measures</p> <p>The development shall be carried out in accordance with the submitted flood risk assessment (ref August 2021/3366 v.1/Brighton Consulting Engineers Limited and email '20/01966/COMIND and 20/01530/OUT: Newbury Football Club' dated 13/09/2021) and the following mitigation measures it details:</p> <ol style="list-style-type: none"> 1. There will be a reduction in the floor area of the clubhouse from 450sqm to 300sqm. 2. The spectator stand will be designed to be floodable/open to flood water. 3. The finished ground floor level (FFL) will be set at least 600mm above the 1 in 100-year flood level (76.65mAOD). The underside of the floor slab will be placed 300mm above flood level and built on stilts to avoid flood storage displacement <p>Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).</p>
15	<p>Programme of archaeological work</p> <p>No development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.</p> <p>Reason: To ensure that any significant archaeological remains that are found are adequately recorded. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).</p>
16	Landscaping

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	<p>The development shall not be occupied until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of trees and plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment.</p> <p>The scheme shall ensure;</p> <p>a) Completion of the approved landscape scheme within the first planting season following completion of development.</p> <p>b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.</p> <p>Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
17	<p>Landscape Management Plan</p> <p>No development or other operations shall commence on site until a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The plan shall include any areas of existing landscaping, proposed wildlife areas, new tree planting and any areas of proposed landscaping other than areas</p> <p>Reason: To ensure the long term management of existing and proposed landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
18	<p>Arboricultural Programme of Works</p> <p>No development or other operations shall commence on site until a detailed schedule of tree works including timing and phasing of operations has been submitted and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
19	<p>Tree protection scheme</p> <p>No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local</p>

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	<p>Planning Authority.</p> <p>Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
20	<p>Arboricultural Method Statement</p> <p>No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.</p> <p>Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
21	<p>External lighting</p> <p>No external lighting shall be installed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:</p> <ul style="list-style-type: none"> (a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance. (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species. (c) Include and isolux diagram of the proposed lighting. (d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers. <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 strategy and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.</p> <p>Reason: Firstly, to ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. 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>

Informatives

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</p>
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	worked proactively with the applicant to secure and accept what is considered a development, which improves the economic, social and environmental conditions of the area.
2.	<p>CIL</p> <p>The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from 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>Ground grading requirements</p> <p>The applicants' attention is drawn to league requirements for ground grading and the associated requirements for internal spaces to play in a particular league.</p>

(2) **Application No. and Parish: 20/01966/COMIND, Newbury Football Club, Newbury Football Club, Faraday Road, Newbury**

(Councillor(s) Tony Vickers declared a personal interest in Agenda Item 4(2) by virtue of the fact that he was a Member of Newbury Town Council, which supported the retention of football facilities at Faraday Road. 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 Howard Woollaston declared a personal interest in Agenda Item 4(2) by virtue of the fact that he was the Executive Portfolio Holder for Internal Governance, Leisure and Culture. However, he noted that the London Road Industrial Estate Redevelopment Site was within the remit of the Executive Portfolio Holder for Finance and Economic Development. 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 Hilary Cole and Howard Woollaston declared a personal interest in Agenda Item 4(2) by virtue of the fact that they sat on the London Road Industrial Estate Working Party. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)

(Councillor(s) Tony Vickers declared that he had been lobbied on Agenda Item 4(2).)

21. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 20/01966/COMIND in respect of Newbury Football Club, Newbury Football Club, Faraday Road, Newbury.
22. Mr Masie Masiwa, Senior Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Head of Planning and Development be authorised to grant planning permission, *subject to the conditions outlined in the main and update reports.
23. The Chairman asked Mr Paul Goddard, Team Leader (Highways Development Control), if he had any observations relating to the application. Mr Goddard noted the different red line areas, with this application containing an area which covers the

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entire development and does involve loss of car parking spaces. However, Highways are raising no objections to the application, believing there to be a plentiful supply of parking spaces.

24. In accordance with the Council's Constitution, Mr Vaughan Miller, Newbury Town Council, Mr Paul Morgan and Mr John Stewart, applicants, addressed the Committee on this application.

Town Council Representation

25. Mr Vaughan Miller, Newbury Town Council, in addressing the Committee raised the following points:

- Mr Miller restated his points from the previous application: its support from key national governing bodies, local organisations and the public, its scalability to Step 1, its pathway from youth to senior football, its sustainability as an asset and the sustainability of our senior clubs, support of active travel and climate objectives, its quick and cost effective build, WBC's retention of the asset, and its respect of the asset as an Asset of Community Value.

Member Questions to the Town Council

26. Members did not have any questions of clarification.

Applicant Representation

27. Mr Paul Morgan and Mr John Stewart in addressing the Committee raised the following points:

- Football has always occurred on Faraday Road, and has not been able to occur since 2018 when the application was first proposed.
- The application supports the general development ambition on the London Road Industrial Estate, by making the grounds better than they were.
- The application is popular with the public, with a petition receiving 2,000 signatures. A planning consultation received a turnout of 100, and no public objections to the application are currently known.
- The grounds are an Asset of Community Value, a status which has just been renewed until 2026.
- A confirmation certificate of lawful use of the land as a football ground has been received, under Class F2 of the Use Classes Order Amendment 2020.
- In response to points made about the car park, previously it was not generally accessible and used.
- The development supports the Playing Pitch Strategy, Leisure Strategy, the FA's Local Football Facility Plan, and the local community campaigns. The pitch is of a larger size than it needs to be, and passes the FA's National Ground Grading.
- The application is futureproof and sustainable, and can accommodate football's growth within Newbury, with scale for Step 2 or Step 1 levels of football.

Member Questions to the Applicants

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28. Councillor Adrian Abbs asked how the change in the fencing has affected the application. Mr Stewart responded that the fencing would likely need to be replaced in any case, but it has been recently removed.
29. Councillor Tony Vickers asked why the red line extends so far to the west, noting that the pitch does not reportedly have a draining issue. Councillor Vickers asked if the west area was an area in which biodiversity could possibly be improved. Mr Stewart responded that he thought it was as part of the proposal.
30. Councillor Andy Moore asked how important the training pitch area is for the aspirations of the proposed club. Mr Stewart responded that it would allow substitutes to prepare for play, and training facilities for two teams at the same time.

Ward Member Representation

31. Councillor Jeff Beck in addressing the Committee raised the following points:
 - Councillor Beck concurred with the points raised by the Town Council and applicants and did not have any further points to add.

Member Questions to the Ward Member

32. Members did not have any questions of clarification.

Member Questions to Officers

33. Councillor Tony Vickers asked how artificial sports pitches replacing grass could cause issues with biodiversity. Mr Masiwa responded that the consultation responses from biodiversity experts and the Environment Agency that 3G pitches do cause microplastic pollution, and as such, the Council has been advised to request measures to prevent microplastics from entering rivers be implemented. However, microplastics are not fully understood and are an ongoing subject of research.
34. Councillor Moore asked why there was no objection from Property Services as there was on the previous application. Mr Masiwa responded that the objection was solely for the clubhouse, not the playing pitch.

Debate

35. Councillor Howard Woollaston opened the debate by stating that there was no grounds to oppose the application, proposing that the officer recommendation be accepted.
36. Councillor Abbs expressed his concerns with ensuring that biodiversity is protected, and asked that officers take note of them. He expressed his intention to second.
37. Councillor Howard Woollaston 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 Adrian Abbs.
38. The Chairman invited Members of the Committee to vote on the proposal by Councillor Woollaston, seconded by Councillor Abbs to grant planning permission. At the vote the motion was carried.

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

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Conditions

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> <ul style="list-style-type: none"> • Proposed block plan received on 25 August 2020 • Parking Survey received on 25 August 2020 • Preliminary Ecology Survey received on 25 August 2020 • Amended Design and access statement received on 27 September 2020 • NCFG response to Sport England received on 11 December 2020 • NCFG Indicative Business Plan received on 11 January 2021 • Flood Risk Assessment received on 13 August 2021 • Applicant email response to Environment Agency received on 20 October 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 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 hereby approved, the development hereby permitted shall not be first used until full details have been submitted to and approved in writing in respect of means of enclosure or boundary treatments on the site, to include a plan indicating the positions, design, materials and type of boundary treatment and gates to be erected within the site. The boundary treatments shall be completed in accordance with the approved scheme before the development hereby permitted is first used. The boundary treatment shall thereafter be retained in accordance with the approved details.</p> <p>Reason In the interest of visual 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>
5	<p>Parking and turning in accordance with plans</p>

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	<p>The use shall not commence until the vehicle parking and turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and turning space shall thereafter be kept available for parking (of private motor cars and 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>
6	<p>Cycle parking</p> <p>The use shall not commence 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>
7	<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>
8	<p>Landscape and Ecological Management Plan</p> <p>No development shall take place on the site until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP should be based on the Preliminary Ecological Appraisal by CGO Ecology Ltd dated June 2020 received on 06 July 2020 and the approved SuDS and Landscaping documents and plans. Such a Plan shall include:</p> <ul style="list-style-type: none"> f) Detailed habitat creation and management prescriptions (including costings) for the retained and newly created habitats meeting all the needs of biodiversity net gain timeframes, monitoring and reviews. g) Provision of features for protected and priority fauna as outlined within the Preliminary Ecological Appraisal by CGO Ecology Ltd dated June 2020 received on 06 July 2020 and deliver the recommendations of this Assessment to ensure the appropriate protection and conservation of protected habitats and species. h) Include (but not necessarily be limited to) details of management,

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	<p>maintenance and long-term protection of the hard and soft landscaping, and ecological mitigation area.</p> <ul style="list-style-type: none"> i) Submit a green phasing plan to interact with the CEMP and LEMP. Include the planting list, hard and soft infrastructure and boundary treatments and species and habitat enhancements and protections. j) May incorporate any/all mitigation measures secured by other planning conditions attached to this permission, including SuDS and Landscaping. <p>The approved LEMP 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 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. The detailed LEMP is required before commencement of development because insufficiently detailed information has been submitted at the application stage, and it may include measures that require implementation during the construction phase. This condition is applied in accordance with the NPPF, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
9	<p>Construction Environmental Management Plan (CEMP)</p> <p>No development shall take place (including ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following;</p> <ul style="list-style-type: none"> (a) A risk assessment of potentially damaging construction activities (b) Identification of biodiversity protection zones and a green phasing plan (c) Practical measures to avoid and reduce impacts during construction (d) The location and timing of sensitive works to avoid harm to biodiversity features including protected species and tree protection measures (e) The times during construction when specialist ecologists need to be present on site to oversee works (f) Responsible persons and lines of communication (g) The role and responsibilities of the ecological clerk of works or similarly competent person (h) Use of protective fences, exclusion barriers and warning signs (i) Any temporary lighting that will be used during construction (j) A scheme of works or such other steps to minimise the effects of dust during construction (k) The implementation of these measures prior to the commencement of each phase. <p>The development shall not be constructed otherwise than in accordance with the approved CEMP.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
10	<p>3G Artificial Grass Pitch design and layout</p>

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	<p>No development shall commence until details of the design and layout of 3G Artificial Grass Pitch have been submitted to and approved in writing by the Local Planning Authority (after consultation with Sport England). The 3G Artificial Grass Pitch shall not be constructed other than in accordance with the approved details.</p> <p>Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS18 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), the Newbury Town Design Statement and the West Berkshire Council Playing Pitch Strategy (2020).</p>
11	<p>Community use agreement</p> <p>Within 3 months of work commencing on site, a community use agreement prepared in consultation with Sport England shall be submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the stadium site and include details of pricing policy, hours of use, access by non-members, 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 facility/facilities, to ensure sufficient benefit to the development of sport. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS18 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), the Newbury Town Design Statement and the West Berkshire Council Playing Pitch Strategy (2020).</p>
12	<p>Management and Maintenance Scheme</p> <p>Before the 3G 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 after consultation with Sport England. This should measures to ensure the replacement of the Artificial Grass Pitch within the manufacturer's 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. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS18 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), the Newbury Town Design Statement and the West Berkshire Council Playing Pitch Strategy (2020).</p>
13	<p>Micro plastics and nature conservation measures</p> <p>Before the 3G, Artificial Grass Pitch is brought into use, a Management and Mitigation Plan for the prevention of the release of plastics and in particular micro-plastics into the environment shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:</p>

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	<p>a) Details of the substrate type to be used on the pitches</p> <p>The measures set out in the approved plan shall 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 Site of Special Scientific Interest (SSSI), which is a chalk river of national importance with a significant nature conservation value. 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>
14	<p>Flood Risk</p> <p>The development shall be carried out in accordance with the submitted flood risk assessment (ref 12/08/2021/3366/ by Brighton Consulting Engineers Limited and email from the applicant dated 20/10/2021) and the following mitigation measures it details:</p> <p>a) There shall be no raising of existing ground levels on the site.</p> <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).</p>
15	<p>River buffer zone</p> <p>No development shall take place until a scheme for the provision and management of a minimum 10-metre wide buffer zone alongside the River Kennet Site of Special Scientific Interest (SSSI) has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting and formal landscaping. The scheme shall include:</p> <ol style="list-style-type: none"> 1) Plans showing the extent and layout of the buffer zone including the distances between the development and the bank top of the river. 2) Details demonstrating how the buffer zone and river will be protected during development from damage, disturbance and contamination/pollution. This should be in the form of a Construction Environment Management Plan (CEMP) and should include such measures as: <ul style="list-style-type: none"> • Temporary fencing to prevent any vehicle movements or storage within the buffer zone. • Pollution prevention measures, particularly from surface water run-off. • An environmental risk assessment.

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	<p>3) Details of any proposed footpaths, fencing, lighting, etc. Please note that there should be no light spill into the river corridor as this could affect the behaviour of nocturnal animals such as bats. To reduce light spill into the river corridor from outside the buffer zone, all artificial lighting should be directional and focused with cowlings. For more information see the Institution of Lighting Professionals guidance:</p> <p>https://www.theilp.org.uk/documents/obtrusive-light/ https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/</p> <p>4) Details of ecological enhancements to the buffer zone including any proposed planting. This could include the removal of any non-native plant species and sympathetic tree works of native trees to allow more light into the channel and hence encourage more in-channel vegetation. It could also include additional planting of native species only. This could include native shrubs typical of the area such as grey willow, goat willow, alder, oak and aspen.</p> <p>5) Details of how the buffer zone vegetation will be managed over the longer term including adequate financial provision and named body responsible for management. If a Landscape Management Plan is required for the site, the management of the buffer zone could be incorporated into the management plan.</p> <p>Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential that it is protected. For this development, it is particularly important to protect and enhance the river corridor of the River Kennet SSSI. 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>
16	<p>Drainage measures</p> <p>No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).</p>
17	<p>Contamination</p> <p>No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:</p> <p>1. A preliminary risk assessment which has identified:</p>

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	<ul style="list-style-type: none"> • all previous uses • potential contaminants associated with those uses • a conceptual model of the site indicating sources, pathways and receptors • potentially unacceptable risks arising from contamination at the site <p>2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.</p> <p>3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.</p> <p>4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.</p> <p>Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.</p> <p>Reasons: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
18	<p>Programme of archaeological work</p> <p>No development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.</p> <p>Reason: To ensure that any significant archaeological remains that are found are adequately recorded. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).</p>
19	<p>Scheme of Landscaping</p> <p>The development shall not be occupied until a detailed scheme of landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of trees and plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment.</p> <p>The scheme shall ensure;</p> <p>a) Completion of the approved landscape scheme within the first planting season following completion of development.</p> <p>b) Any trees shrubs or plants that die or become seriously damaged within five years</p>

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	<p>of this development shall be replaced in the following year by plants of the same size and species.</p> <p>Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
20	<p>Landscape Management Plan</p> <p>No development or other operations shall commence on site until a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The plan shall include any areas of existing landscaping, proposed wildlife areas, new tree planting and any areas of proposed landscaping other than areas</p> <p>Reason: To ensure the long term management of existing and proposed landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
21	<p>Arboricultural Programme of Works</p> <p>No development or other operations shall commence on site until a detailed schedule of tree works including timing and phasing of operations has been submitted and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
22	<p>Tree protection scheme</p> <p>No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.</p> <p>Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
23	<p>Arboricultural Method Statement</p> <p>No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local</p>

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	<p>Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.</p> <p>Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
24	<p>External lighting</p> <p>No external lighting shall be installed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:</p> <ul style="list-style-type: none"> (e) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance. (f) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species. (g) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not have an adverse impact on neighbouring amenity (h) Include and isolux diagram of the proposed lighting. (i) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers. <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 strategy and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.</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>

Informatives

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 a development, which improves the economic, social and environmental conditions of the area.</p>
2.	<p>3G Artificial Grass Pitch design</p> <p>The applicant is advised that the design and layout of the 3G Artificial Grass Pitch should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, Football Foundation.</p>

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3	<p>FIFA Quality Concept for Football Turf</p> <p>(artificial grass pitches for Steps 1 to 6 of the FA's National League System)</p> <p>– The applicant is advised that pitches to be used for Step 1 and Step 2 level football matches should be built in accordance with FIFA Quality Concept for Football Turf - 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.</p>
4	<p>Environmental permit</p> <p>The Environmental Permitting (England & Wales) Regulations 2010 make it an offence to cause or knowingly permit a groundwater activity unless authorised by an Environmental Permit which we will issue. A groundwater activity includes any discharge that will result in the input of pollutants to groundwater.</p> <p>Environmental permit - advice to applicant</p> <p>The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:</p> <ul style="list-style-type: none"> • on or within 8 metres of a main river (16 metres if tidal) • on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal) • on or within 16 metres of a sea defence • involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert • in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission <p>For further guidance please visit https://www.gov.uk/guidance/flood-risk-activities-environmental-permits or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.</p> <p>The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.</p>

(3) **Application No. and Parish: 20/02062/COMIND, St Gabriels Farm, The Ridge, Cold Ash, Thatcham**

(Councillor Hilary Cole declared a personal interest in Agenda Item 4(3) by virtue of the fact that she was a Local Ward Member. 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.)

39. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 20/02062/COMIND in respect of St Gabriels Farm, The Ridge, Cold Ash, Thatcham.
40. Mrs Sian Cutts, 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 unsatisfactory in planning terms and officers recommended that the Head of Planning and

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Development be authorised to refuse planning permission, for the reasons listed in the main and update reports.

41. 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 has no objection to the proposed layout.
42. In accordance with the Council's Constitution, Mr Bernard Clark, Cold Ash Parish Council, Mr James Iles, agent, addressed the Committee on this application.

Parish Council Representation

43. Mr Bernard Clark, Cold Ash Parish Council, in addressing the Committee raised the following points:
 - Mr Clark agreed with the points raised by Mrs Cutts.
 - Mr Clark underlined the importance of the site, noting that it was highly significant to members of the local community.
 - Mr Clark stated that the local community considered the expansion of residential curtilage as a Trojan horse towards further development, and that it would seriously undermine the NDP.

Member Questions to the Parish Council

44. Members did not have any questions of clarification.

Agent Representation

45. Mr James Iles in addressing the Committee raised the following points:
 - Mr Iles represented the planning agent, who appealed to the Planning Inspector over the refusal of the Class Q Prior Approval application, and the non-determination of the linked full application. Mr Iles noted that the officer recommendation for the initial applications were to approve, but was refused by the decision of the Committee. The decision on the full application was subsequently deferred. The Committee is being asked to instruct the Planning Inspector on the decision that would have been taken were it considered.
 - The application related to limited works to enhance the Class Q Residential Scheme, including extending the residential curtilages, improved landscaping and parking arrangements, and as well as demolishing the barn and slurry pits.
 - The application will improve biodiversity with the creation of a meadow and ponds, and visual improvements to the site by the removal by the redundant barn and paddock.
 - The purpose of the parallel application is a number of tangible benefits to improve the Class Q Residential Scheme, with no technical objections raised by any statutory consultees, and no adverse impacts on the Area of Outstanding Natural Beauty, flood risks, or highways concerns.
 - The officer's report recommends that the application should be refused due to the fate of the linked application. However, the original recommendation was to approve.

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- Mr Iles requested that the members acknowledge that the application is refused due to the link with the application, with no other grounds for refusal.

Member Questions to the Agent

46. Members did not have any questions of clarification.

Ward Member Representation

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

- Councillor Cole stated that as the previous application for development had been refused, there was no need for the subsequent application to be approved.

Member Questions to the Ward Member

48. Members did not have any questions of clarification.

Member Questions to Officers

49. Councillor Adrian Abbs asked for clarification that this was the second application, which the Committee opted not to consider due to prior refusal. Mrs Cutts clarified that it was.
50. Councillor Hilary Cole asked whether weight could be given to the Cold Ash Neighbourhood Development Plan. Mr Till responded that it would be given due weight in considerations of planning applications.

Debate

51. Councillor Tony Vickers opened the debate by thanking Mrs Cutts and the applicant for making clear that the Committee has no other logical option but to accept the officer recommendation. Councillor Tony Vickers noted that the prior application was refused as it was not suitable, and would set a precedent for further development. He expressed a willingness to propose.
52. Councillor Abbs noted that it had been clarified that he has no logical option but to accept officer recommendation, and that he did not see a need to add the language suggested by Mr Iles. He expressed an intention to second.
53. Councillor Tony Vickers proposed to accept Officer's recommendation and refuse planning permission for the reasons listed in the main report and update report. This was seconded by Councillor Adrian Abbs.
54. Mr Till noted that the resolution is not a determination of the planning application, as it has now been appealed, but it would be passed to the Planning Inspector as advice on what the Committee's determination would have been were it in a position to determine.
55. The Chairman invited Members of the Committee to vote on the proposal by Councillor Tony Vickers, seconded by Councillor Abbs to refuse planning permission. At the vote the motion was carried.

RESOLVED that the Service Director for Development and Regulation be authorised to refuse planning permission for the following reasons:

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Reasons

1.	<p>Impact on the Character and Appearance of the Area</p> <p>The application is proposing the provision of residential amenity space and parking and turning areas on a site where there is no authorised residential use. This is contrary to policies C1 and C8 of the Housing Site Allocations DPD (2006-2026), which set out the limited exceptions for residential development in the open countryside, and the permitted circumstances for extended residential curtilages. The proposed use of the land for residential purposes and parking will result in residential curtilages and parking area and turning heads which are unconnected to the use of the agricultural buildings, and would have an adverse suburbanising impact on the setting and appearance of the agricultural buildings within the wider countryside setting and would be contrary to policies CS14, CS19, of the Core Strategy (2006-2026) and policies C1 and C8 of the Housing Site Allocations DPD (2006-2026).</p>
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(The meeting commenced at 6.30 pm and closed at 8.30 pm)

CHAIRMAN

Date of Signature