

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	21/02130/OUTMAJ Midgham	15 th November 2021	Outline Application for commercial B2 (general industrial) and/or B8 (storage and distribution) development together with ancillary office space and associated landscaping, car parking, service yards and access. Matters to be considered: Access. Land Adjacent To 1 Gables Way Bath Road Colthrop Thatcham West Berkshire Ptarmigan Thatcham Limited
¹ Extension of time agreed with applicant until 13 th May 2022.			

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/02130/OUTMAJ>

Recommendation Summary:	Delegate to the Service Director of Development and Regulation to grant outline planning permission
Ward Member:	Councillor Graham Pask
Reason for Committee Determination:	The Council has received in excess of 10 objections to the application.
Committee Site Visit:	4 th May 2022

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1. Introduction

- 1.1 This application seeks outline planning permission for the erection of up to 19,536m² of B2 and B8 space on agricultural land lying immediately to the east of the existing Colthrop Industrial Estate, south of the Bath Road (A4). To the east lies open fields and to the south lies the Newbury/Reading rail line. The site area is approximately 5ha in extent and lies at 68m AOD in the north and 64m AOD to the south so has a gentle slope. The eastern boundary is well treed whilst the boundary to the south is open. It is proposed to erect 3 industrial/warehouse units across the site with access from the A4 to the north with additional parking and turning areas on the site, for employees and HGVs. This is indicative at this stage.
- 1.2 A development parameters plan has been submitted in relation to the proposal. This notes three areas, the northernmost one having a building no higher than 10.5m to ridge, whilst the two southern areas will be 15m to ridge height. In addition there will be a minimum width of 10m wide landscaped buffers around the site on all perimeters except to the west adjacent the existing industrial estate.
- 1.3 Unit 1 will be notionally 6037m² of B8 with 606m² of B1, Unit 2 will be 9324m² of B8 plus 960m² of B1 and the smallest facing the Bath Road will be 2411m² of B8 and 198m² of ancillary office space. The whole site would have 224 car parking spaces. Again this is indicative.
- 1.4 If outline planning permission is granted, a reserved matters application will ensue that will seek the Council approval of scale, layout, appearance and landscaping. However the overall quantum of floor space and the heights of the buildings will be controlled by conditions.
- 1.5 There are no special landscape designations which wash over this area, being in the open countryside in policy terms. The existing Colthrop Industrial Estate to the east is a designated Protected Employment Area which protects this employment site from alternative non employment generating uses.

2. Planning History

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

Application	Proposal	Decision / Date
20/00140/PREAPP	Erection of up to 18,800m ² of B2 and B8 space.	Closed December 2020.

3. Procedural Matters

- 3.1 **EIA:** On the 1st September 2021 the Council wrote to the applicant's agent noting that although the application was a Schedule 2 development under the 2017 EIA Regulations, no environmental statement was required to be submitted with the application. The reasons are set out in that letter which is on the public file.
- 3.2 **Publicity:** A site notice was posted on the 26th of August last year with expiry on the 17th September. In addition, with further information being submitted a new notice was

posted on the 22nd December last year with an expiry on the 16th January 2022. A press notice was published in the Newbury Weekly News on the 26th of August 2021 for major development. In addition a further amended plans notice was erected on site on the 14th April 2022 with an expiry on the 30th April 2022.

- 3.3 **CIL:** The development will not be CIL liable since it does not fall into any chargeable category of land use.

4. Consultation

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

Midgham Parish Council:	<p>Objection.</p> <ol style="list-style-type: none"> 1. Claims to biodiversity would be cancelled out by the Incursion on to farmland causing destruction of many mature trees and hedgerows. 2. Another piece of ribbon development taking Thatcham towards Theale. 3. Increased noise pollution from reversal alerts and tannoy announcements. In addition, the noise of piling machines during the construction work will cause great disturbance to those nearby 4. Light pollution from the existing buildings is already a concern 5. Concreting over more farmland will surely increase the likelihood of flooding in a very flat area so close to the river
Thatcham Town Council (adjacent):	<p>Objection on the following grounds.</p> <ol style="list-style-type: none"> 1) Traffic movement, lorry movements which result from the type of usage proposed and noting the existing problems congestion and disturbance through Thatcham and Woolhampton. 2) If to be used as commercial site Thatcham Town Council would like to see it providing many more opportunities for employment of people who live in the area, rather than it being a warehouse site. <p><u>Condition should the application be granted</u> If permission is granted in principle for this site then the access should be made through the existing road in the Colthrop Estate which reaches the boundary of this site and not from the A4 as there are too many junctions on the A4 already.</p>
Highways:	<p>Conditional permission be granted. The officer has examined the traffic generation from the site, its accessibility in terms of overall sustainability, the amended plans for the site access and the internal parking/turning arrangements which are all deemed to be acceptable.</p>
Environmental Health:	<p>No objections raised on air quality grounds, land contamination or noise</p>

Planning Policy:	<p>National and local policies seek to support a sustainable rural economy, whilst also protecting nationally designated landscapes (such as AONBs, where the site is within its setting).</p> <p>Local policy seeks to assess the compatibility of the proposal with uses in the surrounding area as well as any potential impacts on those uses; and, the capacity and impact on the road network and access by sustainable modes of transport. The Employment Land Review, as a material consideration, considers the site to be compatible with surrounding land uses, and outlines that there is potential in including the site within the new Designated Employment Area. The site has been recommended for inclusion within the new DEA within the Local Plan Review Regulation 18 consultation draft, which is at an early stage of development.</p>
Tree Officer:	<p>Conditional permission is recommended. A good landscaping scheme is required in the defined buffer strips as annotated on the development parameters plan. Landscaping and arboricultural protection conditions to be applied.</p>
Ecology Officer:	<p>Conditional permission is recommended as below:</p> <ol style="list-style-type: none"> 1. CEMP (Construction Environmental Management Plan) – submitted as a pre commencement 2. LEMP (Landscape Environmental Management Plan) – submitted as a pre commencement 3. An isolux lighting drawing (if sufficient details can be obtained to mean that in principle there will not be impacts on protected nocturnal species for the purposes of the Outline application). 4. The submission of an acceptable SuDS design and maintenance plan as a pre commencement condition (should focus on water quality as well as flood prevention). 5. A condition stating that each ecological report (with regard to the aspect that it covers) is only valid for 3 years (for bat aspects of the report these will need updating after 12 months) from when it is written, this includes relevancy as to how these documents inform other necessary related submissions, the reports details/submission is subject to scrutiny by the LPA. Environmental Monitoring for construction and post-works phases.
Network Rail:	<p>No objections in principle. Pre-condition regarding drainage.</p>
Economic Development Officer:	<p>The West Berkshire Employment Land Review 2020 identifies a requirement for an additional 62,000 m² of industrial floor space. By creating 19,536 square meters of additional B2 and/or B8 floor space this proposal will make a very significant contribution to ensuring that demand is met. Meeting this demand is essential for facilitating the economic growth of the district for a number of reasons that include attracting inward investment, allowing local businesses to expand, supporting the industrial and logistics industry and creating employment. The application is supported.</p>

Archaeology Officer:	A field evaluation has been undertaken on the site at the behest of the Council archaeologist and a report submitted. No finds of any significance identified. The archaeologist accordingly notes no further conditions to be applied.
Minerals and Waste Planning Officer:	The officer was originally concerned about the potential for minerals sterilisation on the application site given the sand and gravel deposits across the site. However following negotiations a recommendation of conditional permission is now agreed.
Landscape Consultant:	After much negotiation with the case officer and the applicants agent, despite the application being at the outline stage the parties have come to an agreement on how the conditions on this outline permission can successfully apply to the reserved matters application to be submitted that will mitigate the potential visual impact of the scheme to a satisfactory level. Conditions to be applied.
SSE:	If the application is approved and built, overhead lines will need to be diverted.
Lead Local Flood Authority:	Conditional permission is recommended. Drainage details submitted are acceptable.
Thames Water:	No objections on foul water disposal grounds or surface water disposal. However a condition to be applied re water network upgrades.
West Berkshire Spokes:	Seeking improved access onto cycle lanes onto the A4, plus improved cycle circulation in the site itself. In addition shower and locker facilities to be provided in buildings when built.
Transport Policy Officer:	No response received.
Berkshire Fire and Rescue	The scheme will need to comply with building regulations approval at a later stage.
Environment Agency:	No response received.
Serco:	No response received.
Natural England:	No response received.

Public representations

- 4.2 Representations on the original plans have been received from 17 contributors, 1 of which supports, and 16 of which object to the proposal. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Support: The application is permitted should be accompanied by a condition to ensure prior extraction of the sand and gravel on the site. This is a valuable resource and should not be squandered.
- Objections: Pollution increase, no need for the scheme, serious visual impact, increase in flooding problems, impact on local wildlife, massive traffic increase along the A4, safety concerns, why not build elsewhere where unemployment is high? urban expansion creep, precedent set for further expansion, site is not in Thatcham but Midgham parish, increased noise and light disturbance, if approved will not align with the Council climate change policy, lot of vacant premises already in the district so not needed anyway, loss of good agricultural land.

4.3 Regarding the amended plans, which noted some changes in the defined parameter plans, there have been five additional objections. The concerns are similar to the above, referring to the height of the development, visual harm, the eastern buffer should be strengthened further to reduce impact, the ecological improvements are paltry, the increase in flood risk is serious, the loss of agricultural land should not be accepted, urban creep, lighting impact, increased traffic and pollution, new jobs created will be low due to automation, and close to the AONB.

5. Planning Policy

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

- Policies ADPP1, ADPP3, ADPP6, CS5, CS9, CS10, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- Replacement Minerals Local Plan for Berkshire Policies 2 & 2A.

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Local Plan Review up to 2037 (emerging policy)
- Employment Land Review 2020
- Local Transport Plan
- Minerals and Waste Local Plan Policy 9 (emerging policy)
- West Berkshire Landscape Character Assessment 2019

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Transport and highways
- Minerals sterilisation
- Landscape and visual impacts
- Historic environment
- Flood risk and sustainable drainage

- Ecology and trees
- Sustainable construction and energy efficiency
- External lighting

Principle of development

- 6.2 In considering whether the principle of development is acceptable, consideration should be given to the relevant development plan policies, national planning policy, the latest information of employment need, and relevant emerging planning policies.

Development Plan

- 6.3 The most important development plan policies for determining whether the principle of development is acceptable are Policies ADPP1, ADPP3, ADPP6 and CS9 of the Core Strategy. The Core Strategy includes a Spatial Strategy (ADPP1 and ADPP6) that provides a broad indication of the overall scale of development in the district, applying the principles of sustainable development, and based on defined spatial areas and a settlement hierarchy. Policy CS9 relates specifically to employment and the economy.
- 6.4 According to Policy ADPP1, most development will be within or adjacent to the settlements in the hierarchy, and related to their transport accessibility and level of services. The urban areas will be the focus for most development. The scale and density of development will be related to the site's accessibility, character and surroundings.
- 6.5 Thatcham is classified as an "urban area" in the District Settlement Hierarchy of Policy ADPP1, which is a first tier settlement with a wide range of services and is the focus for the majority of development. Only appropriate limited development in the countryside (outside of the defined settlement boundaries) will be allowed, focused on addressing identified needs and maintaining a strong rural economy.
- 6.6 The application site is located within the East Kennet Valley spatial area, the name given to the rural south-east of the district that lies east of Thatcham and outside of the AONB. The site is on the western boundary of this spatial area, adjacent to the spatial area for Thatcham. Distinct features of this area are the Kennet and Avon Canal and River Kennet which both run from west to east across the breadth of this area, parallel to the Newbury – Reading train line and the A4. The East Kennet Valley is also characterised by a number of villages along the route of the canal/river and others dispersed across farmland and some woodland.
- 6.7 Policy ADPP6 is the spatial strategy for the East Kennet Valley. According to the policy, the character of all the settlements in this area will be conserved and enhanced by ensuring that any development responds positively to the local context. Development in the open countryside will be strictly controlled. In terms of employment, the policy states that existing Protected Employment Areas, such as Young's Industrial Estate and Calleva Park near Aldermaston, Beenham Industrial Area and Theale Lakes Business Park at Sheffield Bottom will continue to play a vital role in the local economy.
- 6.8 Given its immediate adjacency, due regard should also be given to Policy ADPP3 (Thatcham). In terms of employment the policy states that Thatcham will continue to support local employment through the designated Protected Employment Areas at Colthrop and Green Lane, which will continue to sustain a strong employment base. At the time publication the Core Strategy envisioned that the role, function and boundaries of these sites would be reviewed through the Site Allocations and Delivery DPD; but subsequently the subsequent Housing Site Allocations DPD was focused on residential development.

- 6.9 According to Policy CS9, the Council seeks to facilitate and promote the growth and forecasted change of business development in the plan period in order to manage the growth of B1 floorspace to meet future requirements; manage the reduction of land for B2 uses, whilst maintaining a sufficient portfolio of sites suitable for such uses; and retain a portfolio of sites for B8 uses in suitable locations.
- 6.10 Proposals for industry, distribution and storage uses will be directed to the District's defined Protected Employment Areas, and existing suitably located employment sites and premises. Protected Employment Areas are parcels of land throughout the District designated for B uses. Any proposals for such uses outside these areas/locations will be assessed by the Council against the following:
- (a) compatibility with uses in the area surrounding the proposals and potential impacts on those uses; and
 - (b) capacity and impact on the road network and access by sustainable modes of transport.
- 6.11 The application site lies in the open countryside in policy terms on a greenfield site outside of any defined settlement boundary. In addition it forms no part of an existing employment allocation (e.g. Protected Employment Areas) in the current Local Plan. However, it does lie adjacent to the designated Colthrop Protected Employment Area. In addition, it does not lie in any area of special landscape designation such as the AONB.
- 6.12 Policy ADDP1 allows for some limited development in the countryside focussing on identified needs, and Policy CS9 also gives two criteria for assessing employment sites outside of Protected Employment Areas as noted above.
- 6.13 The proposed development is considered compatible with the similar existing industrial uses within the adjacent Colthrop Industrial Estate. It is a greenfield site that if developed would sit adjacent to open countryside, similar to the interface between the existing estate and countryside. Landscape and visual impacts have been considered and are addressed later in this report, but on balance it is considered that the development can be accommodated within the landscape. Whilst there is sporadic residential development within the nearby countryside, there are no dwellings in the immediate vicinity of the application site that would preclude the scheme on amenity grounds. Overall, it is considered that the proposal would comply with the first criterion of Policy CS9.
- 6.14 As elaborated below, the Highways Officer has not objected to the proposal on any highways, transport or accessibility grounds. It is considered that the location of the site is advantageous in terms of efficient and sustainable modes of transport, because it is within proximity of Thatcham train station with close access to the A4 and M4. There is also a regular existing bus route along the A4 passing the site. It is therefore within a relatively sustainable location for this scale and intensity of development. Overall it is considered that the proposal would comply with the second criterion of Policy CS9.
- 6.15 For the above reasons the proposed development is considered to comply with Policy CS9 and, having regard to the latest employment need information discussed below, to be appropriate limited development in the countryside in accordance with Policy ADPP1 and the area delivery plan policies ADPP3 and ADPP6. Overall, the principle of development is considered to be in accordance with the development plan.

National Planning Policy

- 6.16 In terms of managing the scale, type and intensification of business development, Policy CS9 states that a range of types and sizes of employment sites and premises will be

encouraged throughout the District to meet the needs of the local economy. Proposals for business development should be in keeping with the surrounding environment, not conflict with existing uses, and promote sustainable transport.

- 6.17 According to paragraph 81 of the NPPF, planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 6.18 The proposed development does include any Main Town Centre Uses as defined by the NPPF (e.g. retail/offices), and therefore the associated sequential test does not apply.

Emerging Policy: Local Plan Review up to 2037

- 6.19 According to paragraph 48 of the NPPF, local planning authorities may give weight to relevant policies in emerging plans according to:
- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 6.20 The development plan currently sets out planning policies for West Berkshire up to 2026. The Council has now begun a review of the Local Plan to cover the period up to 2037. The Local Plan Review (LPR) is in an early stage of development, having undergone public consultation (Regulation 18) between December 2020 and February 2021. This identifies the development that is required to meet the district's local needs, sets out the Council's strategy for distributing development within the district, as well as outlines the policies for conserving and enhancing the natural and built environment.
- 6.21 Draft Policy SP20 seeks to rename Protected Employment Areas to Designated Employment Areas (DEAs), and to safeguard and propose new DEAs.
- 6.22 This site was promoted through the call-for-sites and assessed as part of the Housing and Economic Land Availability Assessment (HELAA), reference MID5 (<https://info.westberks.gov.uk/helaa>) in December 2020. The site was assessed as 'potentially developable'. In assessing the deliverability of the site the HELAA concluded that the site was available and achievable, but suitability was unknown. In terms of the suitability of the site the HELAA assessment concluded that 'the site is adjacent to an existing Protected Employment Area and so allocation would be dependent on a review of the District's Protected Employment Areas through the Local Plan Review. Further information required on a number of matters, including landscape, highways and ecology, before a robust decision can be made'.
- 6.23 Draft Policy SP21 allocates some 20,400 square metres of employment floorspace (B2/B8 use) to the site at Colthrop (as well as allocating B2/B8 floorspace at other sites close to existing and proposed DEAs across the District). The policy also outlines that:

'Planning applications for employment uses on these sites will be supported provided that detailed proposals:

- a) Are broadly consistent with the indicative provision for floorspace; and*

b) Are complementary to the existing uses in that location; and

c) Are consistent with the integrity and function of the location for employment uses.

Planning permission for other commercial and services (Class E) uses will be granted provided that criteria b) and c) are met, and the proposals do not prejudice the future development potential of the extended area.'

- 6.24 The policy also states that planning permission for employment uses will be granted where they are consistent with Policy DC31 of the Plan.
- 6.25 This policy notes that proposals for employment uses will continue to be focussed on the existing designated employment areas, but in addition if outside those designated areas can also be acceptable. In this instance the application site lies within the designated employment area in the LPR, so the relevant criteria to be applied relate to whether the uses are consistent with the integrity and function of the adjacent employment uses. In this instance the case officer considers the nature of the proposed uses are indeed consistent with those already lying to the west.
- 6.26 In essence the draft plan proposes to incorporate the existing Colthrop PEA and the application site into a new single DEA.
- 6.27 The application proposes 19,536m² of B2 and B8 space so criterion (a) of Draft Policy SP21 is met. As concluded in relation to Policy CS9, it is considered that the uses will generally be compatible with the surrounding context in accordance with criterion (b). With respect to criterion (c) the details of the application in physical terms, insofar as this can be controlled at the outline stage, are taken to be consistent with the nature and scale of buildings at Colthrop to the west, and as can be controlled by conditions for the reserved matters stage.
- 6.28 Given the relatively early stage of preparation, limited weight can be given to the compliance with the emerging LPR at this time. It is considered that the proposed designated of the application site gives some limited additional weight in favour of granting planning permission.
- 6.29 Consideration has been given to whether the granting of planning permission now would be premature to the adoption of the Local Plan Review. The NPPF provides Government policy on this issue of prematurity in paragraph 50. It states:

“Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.”

- 6.30 As the LPR has not been submitted for examination, national policy is clear that planning permission cannot be refused on grounds of prematurity in this case.

Employment Evidence Base

- 6.31 The Employment Land Review (ELR) (2020) is an important document in the evidence base for the Local Plan Review, and is a material consideration in respect of this planning application. The ELR assesses the future demand for and supply of employment land across the District, and identifies a floorspace requirement to address any unmet need. It is acknowledged that this document was undertaken prior to the

COVID 19 pandemic, and therefore reflects the baseline prior to the economic consequences of the pandemic, the impact of which will not be fully apparent for some time. The report outlines that West Berkshire is a strong economic performer within Berkshire, with low unemployment and high economic activity rates.

- 6.32 The property market assessment shows both office and industrial markets are currently performing well. It does highlight an east west divide in the market for offices, with a lack of modern purpose built stock particularly in the Newbury area. In terms of industrial demand, this tends to be in close proximity to the M4 motorway junctions particularly close to Reading. Overall, the ELR identifies a need for 62,000sqm industrial space over the plan period of the Local Plan Review up to 2037.
- 6.33 In setting out the industrial offering in Thatcham, the ELR outlines, at paragraph 4.83, that the main industrial site is at Colthrop Estate. There is a mixture of age and types, with some major occupiers (e.g. Harrods). The ELR notes, at paragraph 4.133, that there is very high occupancy in the industrial and warehousing stock at Colthrop. At paragraph 4.95 it is noted that demand for industrial space in Thatcham is from a mix of local and larger companies, as well as national occupiers, mostly in Colthrop. There are warehousing schemes in the pipeline, at the Mill site at Colthrop (at the time of the drafting of the ELR).
- 6.34 In assessing potential land to meet the identified need, the ELR considers sites promoted to the Council and assessed in the HELAA as part of the plan making process. The ELR does not recommend sites to allocate, though considers whether the land is likely to be attractive to potential developers and future occupiers. The ELR does consider that the existing PEA should be safeguarded for employment use, and to extend the boundary at Colthrop to include the promoted site for employment uses. The ELR considers there is high market attraction for the site. It is recognised that there is good access to the strategic road network, and the A4 is part of the District's freight route. There is a low risk of incompatibility issues as there is industrial land to the west and south, and farm land on other sides.
- 6.35 The ELR is up-to-date evidence, and calls for the identification of more land for B2 and B8 uses. This is therefore an important material consideration in identifying the current demand for such uses, particularly when noting that Core Strategy Policy CS9 identified a sufficient supply of employment land to meet demand.
- 6.36 The Berkshire Functional Economic Market Area Study (2016) recognises, at paragraph 2.29, that there are some local clusters of economic activity which are likely to create higher demand for certain skills in some areas. This includes the logistics sector being particularly prevalent in Thatcham. Paragraph 5.13 highlights that Thatcham (along with Slough and Reading) accommodates a significant proportion of Berkshire's warehousing space, with the A4 playing a key role in supporting West Berkshire's distribution market.
- 6.37 Recognising that the West Berkshire Employment Land Review 2020 identifies a requirement for an additional 62,000 sqm of industrial floor space, by creating 19,536 square metres of additional B2 and/or B8 floor space this proposal will make a very significant contribution to ensuring that demand is met.
- 6.38 The Council's Economic Development Officer advises that meeting this demand is essential for facilitating the economic growth of the district for a number of reasons that include attracting inward investment, allowing local businesses to expand, supporting the industrial and logistics industry and creating employment.
- 6.39 The Economic Development Officer further comments that, as identified by the industrial and logistics needs assessment submitted by the applicant, West Berkshire has a low availability of industrial space a direct result of supply not keeping pace with demand. If

availability does not improve then it will stifle the growth of local businesses and investment will be lost from the district along with the associated employment.

- 6.40 In addition, by 2025, across the UK, it is expected that up to 35% of all retail expenditure will be online, which will entail a necessary rise in B8 space of apparently circa 5.9 million square metres. Whilst it is appreciated that the warehousing sector is not a high density employer it does have a relatively high level of unskilled jobs which are the type the Council is keen to encourage. The source of this is the Savills UK Logistics analysis presented on the case file, in support of the application.
- 6.41 Whilst the inclusion of this site within the proposed Designated Employment Area can only be given limited weight at this stage (in accordance with paragraph 48 of the NPPF), it is considered that the identified need set out above should carry significant weight in the determination of this application given the size and strategic importance of this site for meeting the demand for industrial floorspace in an appropriate location that also complies with existing Policy CS9.

Conclusion

- 6.42 For the above reasons it is concluded that the proposed development complies with current Development Plan Policy CS9, and would make a significant contribution to meeting the needs for additional B2 and B8 floor space within the district, as identified in the recent 2020 Employment Land Review. By meeting an identified employment need adjacent to Thatcham and an established employment area, it is considered that the proposal is appropriate limited development in the countryside, consistent with Policy ADPP1. The proposed development is therefore considered to be in accordance with the statutory development plan when read as a whole. The proposals compliance with the draft policies of the LPR provide some limited additional weight in favour of granting planning permission. Overall, the principle of development is considered acceptable.

Transport and highway implications

- 6.43 Policy CS13 in the Core Strategy sets out how the Council needs to examine new development proposals in terms of overall sustainability and highways impacts terms. This notes the following (inter alia): development which generates a transport impact will be required to reduce the need to travel, improve and promote healthy and safe opportunities for travel, improve travel choice, show good access to key services and facilities, tackle climate change, mitigate the impact on the local transport network and prepare transport assessments.
- 6.44 The above criteria will now be considered in turn. The application site lies adjacent to a significant employment area on the edge of the second largest settlement in the district when, respectively, Newbury and Greenham Business Park are taken into account. It also lies immediately adjacent to the A4 which apart from the major trunk roads of the A34 and the M4 is one of the most significant routes across the district. In addition a good bus service operates in east/west directions along the A4 with bus stops close to the application site.
- 6.45 In terms of the overall highway impacts the applicant has submitted a comprehensive Transport Assessment for the proposal. This has projected future maximum traffic flows to and from the site in 2027, allowing for an all B8 scheme (the maximum generator) allowing for both national traffic growth and agreed commitments (i.e. existing planning permissions) in the locality. This has shown an AM peak (weekday) of 57 movements in and out of the site per hour, and a PM peak of 47 equivalent per hour. This equates to a total of 980 movements per weekday.

- 6.46 In the overall context of daily traffic flows on the A4 it still remains within overall capacity. Careful consideration must be given to paragraph 111 of the NPPF which states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impact on the road network would be severe”. In this case the Council Highway Officer considers the traffic movements generated by the development are acceptable.
- 6.47 In relation to any potential adverse impact on local highways safety, the proposed single vehicle access onto the A4 has been examined. This will be left in, left out access, plus a new right turning lane introduced into the highway. This will involve local carriageway widening, all within either the ownership of the applicant and the Highway Authority. The new junction will be constructed at the applicant’s expense and will be controlled via a s278 agreement and planning condition. The applicant by way of amended plans has indicated that not only will the junction layout be satisfactory in terms of tracking layout for the largest HGVS but will also be acceptable in terms of forward visibility in both directions along the A4 carriageway. This will entail a shortening of the existing layby to the east, but Highway Officers have accepted this. In this respect the applications complies with the safety component of paragraph 111 of the NPPF.
- 6.48 Whilst the application is in outline, and so the detailed layout of the development is not to be agreed at this stage, the applicants have submitted a possible internal layout of the scheme indicating how the amount of floor space proposed can be accommodated on the site along with appropriate internal parking and turning area layout. The applicants have had regard to the relevant parking standards as set out in Appendix 5 of the Saved Local Plan 1991 to 2006. This identifies for B8 space 1 parking space per 200m² and for B2 at 1 per 50m². It is not necessary at this juncture to condition the number of spaces since the final mix of B2 and B8 space has not been finalised. The application form, however, notes that up to 135 car parking spaces along with 31 lorry bays can be accommodated along with a notional 41 cycle spaces, although the latter may rise/fall via condition. Accordingly there is no substantive evidence to indicate that the proposed development would result in off-site parking pressures which could be detrimental to highway safety and amenity. With this in mind the Highway Officer has accepted that the indicative internal layout demonstrates that the final design is capable of complying with the necessary requirements.
- 6.49 In terms of overall sustainability and climate change, it is clear that the introduction of a new large distribution facility such as this will negatively impact on carbon production. A number of the objectors have alluded to this point. However, in the Council’s Local Transport Plan (2011 to 2026) it is noted that economic development and prosperity remains an important focus for the Council into the future, notwithstanding the above concerns. Given this, and the lack of objection from the Council’s Environmental Health Officer in respect of air quality concerns from the increased HGV movements, the application is considered acceptable in this respect.
- 6.50 Finally, in seeking to promote travel choice the applicants have submitted a Travel Plan, which will be conditioned should planning permission be granted. The occupants will be required to appoint an overall Travel Plan coordinator, who will encourage for employees car sharing, walking and cycling to work and/or by public transport.
- 6.51 In conclusion, whilst it is of course inevitable that the scheme if implemented will have a degree of impact on the local transport network, it is anticipated that this will be acceptable, having regard to the aforementioned policies. The proposed development is considered acceptable on highway grounds.

Minerals sterilisation

- 6.52 Chapter 17 of the NPPF sets out National planning policies on how local planning authorities should, where technically and economically possible, conserve and extract minerals resources which include sand and gravel. Policies should be prepared which encourage the pre extraction of a mineral resource prior to any development coming forward. In this way such a resource will not be sterilised for future generations. This is of course important since such resources are effectively finite, and are an important component of the construction industry.
- 6.53 This particular application site, whilst not specifically safeguarded via the Berkshire Replacement Minerals and Waste Local Plan, nor the Council's emerging Minerals Plan, does have a potentially valuable sand and gravel underlying resource across a workable area of approximately 4ha of circa 280,000 tonnes. The resulting overall revenue from this would be around £5 million to any operator. In addition this equates to an approximate 1.5 year land supply for the District for this mineral. The emerging Minerals and Waste Local Plan looks to 2037 which sets out a land bank of 13.5 years equivalent to 2.57 million tonnes of mineral resource. So whilst a relatively small site in terms of sand and gravel extraction the application site enjoys a number of advantages for extraction, namely no immediate impact upon surrounding amenity, and the close proximity of Colthrop processing facility about 170m distant as the "crow flies."
- 6.54 On this basis the case officer and Minerals and Waste Planning team formally requested the applicant to undertake a more in depth study of the actual resource on site, and to prepare a technical viability study for extraction. This was duly done and the reports are on the public file. This report concluded that given the time required to pursue a planning application for the extraction accompanied by an EIA (possibly one year, with a two year extraction period), and the fact that the site, once extracted, would need to be fully restored to allow for the new development to proceed, the associated costs of all this (aside from the time delay) would be about £8.5 million. This would mean an overall net loss of circa £3.5 million for the extraction which the LPA could not reasonably expect an operator to achieve in respect of the final development option.
- 6.55 The report goes onto note that if the Council had few other options for sand and gravel extraction over the Plan period to 2037, then it would be necessary to safeguard this resource. However in the emerging plan a site at Tidney March at Ufton Nervet has been identified which can produce up to 1 million tonnes of resource, a factor of 5 in relation to the present application site. The Council therefore has sufficient reserves over the plan period.
- 6.56 Given all of the above the Minerals and Waste Planning team has not raised any formal objection to the proposal, without prior extraction. However, they are recommending a condition which will ensure that any incidental prior extraction, which whilst not requiring any specific planning application in itself, will help to ensure that no resource is lost unnecessarily. This will comply with policy 9 in the Emerging Minerals Local Plan. To conclude, whilst it is regrettable that any resource is sterilised, in this case, given the viability case and the fact that the site is not safeguarded but identified in the Local Plan Review, balanced against the employment benefits which will accrue, it is concluded that the condition noted will be adequate.

Landscape and visual impacts

- 6.57 According to Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Good design relates not only to the appearance of a development, but the way in which it functions. Considerations of design and layout must be informed by the wider context,

having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place.

- 6.58 Policy CS19 states that particular regard will be given to (a) the sensitivity of the area to change, (b) ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character, and (c) the conservation and, where appropriate, enhancement of heritage assets and their settings.
- 6.59 Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural environment by (amongst others) protecting and enhancing valued landscapes (in a manner commensurate with their statutory status or identified quality in the development plan); and recognising the intrinsic character and beauty of the countryside. It is noted in this context that should the development proceed, an area of agricultural land will be permanently taken out of production. Whilst this is regrettable, this is balanced against the benefits of the development.
- 6.60 The application is in outline form so the precise detail of the buildings is not to be agreed at this stage, but a detailed design would follow as a reserved matters approval if outline permission is granted. However the applicant has submitted a number of development parameter plans in order to satisfy the Council of the precise merits of the application in regards to overall landscape and visual effects.
- 6.61 The details provided at this stage show four units. Units 3 and 4 to the north will have a finished floor level (FFL) of 67.25m AOD, and be 10.5m to ridge, Unit 2 in the centre of the site will have an FFL of 65.6m AOD and be 15m to ridge, whilst Unit 1 in the south will have an FFL of 64.15m AOD and be also 15m to ridge height. A landscaped buffer no less than 10m in width and in some places rising much more will surround all the application site, as designated on the plan. If the application is approved, a condition will correspond to this plan.
- 6.62 Landscape and visual impacts have been considered as part of the LPR process and during pre-application discussions. Whilst any built form on the open agricultural site will inevitably incur a wider visual and landscape impact, it is considered that this will be acceptable in the planning balance, in terms of overall harm, when viewed against the economic benefits of the development.
- 6.63 The application site lies in the Lower Kennet Valley Floor which is designation LV1 in the 2019 Landscape Character Assessment for the district. In addition it lies in National Character Area 129 which relates to the Thames Basin Heaths. It also lies some 1.4km south of the designated AONB boundary. There is little if any direct visual inter-visibility between the AONB and the application site.
- 6.64 In this particular application a full Landscape and Visual Impact Assessment (LVIA) has been submitted in regards to the potential future impacts. This report sets out 17 different viewpoints from which the site will be seen. The most significant adverse impacts will be seen immediately from the east of the site in the Midgham Marsh area. Glimpsed views will of course be available from those travelling along the A4 to the north, whilst from the west the site will almost be wholly obscured by the existing commercial development at Colthrop. From the south, views from the canal towpath will be largely obscured by existing industrial buildings, whilst other longer distance views will be available from the rising valley floor to the north.
- 6.65 The Council has employed a specialist Landscape Consultant to independently review the submitted LVIA and the proposed development. A full report has been prepared. This is appended as Appendix 1 in this report. After a number of negotiations and re-iterations of the submitted parameter plan, a final compromise has been agreed.

- 6.66 The relatively high ridge lines at 15m of the two more southerly units should be noted, whilst the northern one adjacent the A4 is set back and 10.5m to ridge. The final recommendation from the Landscape Consultant is, in summary, as follows.
- 6.67 The treatment and colours of the buildings will be crucial for mitigating the impact on longer distance views. The shape of the buildings and roofline will also be important, as will the treatment of the Bath Road interface, which is the gateway to Thatcham. The robustness of the eastern buffer will be significant in reducing impact from the Midgham marshes and the nature and extent of internal landscaping will need to be carefully considered to offset the impact of car parking. All these matters will need to be carefully looked at in the reserved matters design stage and conditioned appropriately, but there is no reason to conclude that an acceptable scheme cannot be secured.
- 6.68 Regard has been given to the relevant policies, landscape character assessments, the submitted LVIA, and the independent professional views of the Council's employed Landscape Consultant. It is concluded that there would be a degree of harmful impacts arising from the large scale buildings proposed in this valley floor, but that such effects can be significantly mitigated by careful design and landscaping, plus the use of an appropriate colour scheme. Accordingly, it is concluded that the proposal complies with the aforementioned policies.

Historic environment

- 6.69 The applicant is required to meet the tests set out in policy CS19 relating (in part) to the conservation of historic assets, including assets of archaeological interest. A full field evaluation report was undertaken and a report published in December last year. The findings were insignificant and the Council Archaeologist has accordingly not objected to the future development of the application site. No conditions need be applied.
- 6.70 There are no designated heritage assets within the immediate vicinity of the application site. The closest are Orchard Cottage (a grade II listed building 535m to the east), The Barn at Colthrop Manor (a grade II listed building 670m to the north-west), and The Old Mill, Brimpton (a grade II listed building to the south-east). Given the associated separation distances and intervening landscape features, it is considered that the proposed development would not materially affect the setting of any of these listed buildings.

Flood risk and drainage

- 6.71 The site is located within Flood Zone 1, which indicates a low risk of fluvial (river) flooding. It is also not within any critical drainage area identified by the Strategic Flood Risk Assessment for the district. As such the flood risk sequential test does not need to be applied. However, as a major development, a Flood Risk Assessment (FRA) is nevertheless required by Policy CS16, and one has been submitted in support of the application.
- 6.72 Policy CS16 also states that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS) in accordance with best practice and the proposed national standards and to provide attenuation to greenfield run-off rates and volumes, for all new development and re-development and provide other benefits where possible such as water quality, biodiversity and amenity. The Council has adopted a Sustainable Drainage SPD which supports this policy, and provides examples of measures that can be incorporated into developments.

- 6.73 The application site is low lying and the south section of the site is prone to a degree of winter flooding. The submitted FRA concluded that since the site is in Flood Zone 1 neither the sequential test nor the exception tests as required by the NPPF in paragraph 161 are needed, but it is still necessary of course to ensure the scheme does not exacerbate any flooding on site or indeed impede flood flows off site. In this respect four attenuation basins are identified on the layout plan with areas of permeable paving for the car parks and geo-cellular storage crate to the north.
- 6.74 The Council's Land Drainage Engineers have carefully examined the scheme and, in accordance with policy CS16, directed that any scheme must have greenfield run off rates. This has been agreed by the developer after a degree of negotiation and will accordingly be conditioned. In accordance with best practice it was requested that green roofs be also incorporated into the scheme, although this is a detailed issue for the reserved matters stage. A condition to this effect is not recommended because the expanse of roof on these large buildings would make green roofs extremely high loading and so very costly and impractical to build. It will be clear though that any colouration of roofs must be green/dark browns. Accordingly the Land Drainage Engineer is recommending conditional approval. No comments have been received from the Environment Agency.

Ecology and trees

- 6.75 Policy CS17 in the Core Strategy sets out how the Council should carefully consider the ecological implications of new development. Development should not harm sites of special ecological importance, nor species and/or habitats of principal importance, nor the integrity and continuity of landscape features of major significance. The key local site of any importance is the River Kennet SSSI which runs 450m to the south of the application red line. The applicants have submitted a full ecological appraisal of the application site, which notes a few veteran trees around the site edges which will be suitable for bats, and a habitat for ground nesting birds. Otherwise the ecological value is generally low. If the application is approved and implemented, there will be a biodiversity net gain achieved on the site, particularly in regards to new hedgerows in the proposed enhanced buffer strips and general on site planting. In this respect both the Council's Ecologist and Tree Officers have recommended conditional permission to the proposal.

Sustainable construction and energy efficiency

- 6.76 According to Core Strategy Policy CS15, new non-residential development will meet a minimum standard of construction of BREEAM Excellent. The applicants have submitted a report which notes that the proposed scheme is only likely to achieve BREEAM Very Good, but best efforts will be made to achieve BREEAM Excellent.
- 6.77 Policy CS15 further stipulates that major development shall achieve the following minimum reductions in total CO2 emissions from renewable energy or low/zero carbon energy generation on site, unless it can be demonstrated that such provision is not technically or economically viable. The percentage reductions in CO2 emissions should be based on the estimated CO2 emissions of the development after the installation of energy efficiency measures related to BREEAM has been applied. From 2019 the policy seeks zero carbon.
- 6.78 The application is accompanied by a Sustainability Statement and Energy Strategy. In summary it details:
- a) The Proposed Development is targeting a minimum BREEAM 'Very Good' rating under BREEAM 2018 scheme with an aspiration to achieve 'Excellent'.

- b) Thermal comfort will be assessed using present and future weather scenarios in line with current best practice guidance.
- c) The Proposed Development will include measures to minimise the use and wastage of potable water, including water efficient fittings, monitoring and leak detection equipment and automatic shut-off of unoccupied sanitary areas. The development will include low flow fittings with all sanitary ware.
- d) The Proposed Development will aim to include electric vehicle charging points, prioritise spaces for low emission vehicles and provide adequate cycle storage for users.
- e) The development team will adopt best practise for designing out waste, embodied carbon reduction, zero waste to landfill during construction, and onsite renewable energy generation.
- f) The development design will optimise passive design and system energy efficiencies. The Proposed Development will aim to achieve 27% Carbon Dioxide emissions onsite reduction relative to the current Building Regulations Part L2A Baseline in line with the Draft Future Buildings Standard ambition. Of this, the development will aim for a 20% of energy consumption to be achieved via on site Renewable Energy Sources in line with the emerging Local Plan ambitions.
- g) Proposed Development at Land East of Colthrop Industrial Estate will be a zero carbon-enabled development adopting the UK Green Building Council (UKGBC) definition (April 2019) with no reliance on onsite fossil fuel combustion in response to the West Berkshire declaration of Climate Emergency.
- h) The Proposed Development servicing strategy applies heat pump technology and photovoltaic panels to reduce reliance on fossil fuel and to contribute to the reduction of Carbon Dioxide emissions.

6.79 The recommendations are limited by this being an outline application with detailed design reserved for later consideration. Whilst a range of measures are provided it is noted that the current proposals do not fully comply with Policy CS15. A suitable condition will be recommended to secure an appropriate detailed energy strategy.

External lighting

6.80 The issue of external lighting increase caused by the scheme needs to be considered. At this outline stage it is difficult to properly assess the scheme since the final design, massing scale and layouts have not been agreed although the notional scheme is likely to be submitted. The advice on lighting in paragraph 185(c) of the NPPF is required to be adhered to, which notes that lighting impacts in new development should be limited on local amenity and intrinsically dark landscapes. At the application site location, the skies are not especially dark, since Colthrop estate lies to the east and Thatcham. There is also the street lighting along the A4. However the sensitive receptors of some dwellings to the north and east need to be carefully considered at the reserved matters stage. A suitable condition at this outline stage will ensure that any lighting concerns are controlled and minimised at the next stage in the planning process. Accordingly the advice in saved Local Plan policy OVS5 is met.

7. Planning Balance and Conclusion

- 7.1 It is considered that the proposed development complies with current Development Plan Policy CS9, and would make a significant contribution to meeting the needs for additional B2 and B8 floor space within the district, as identified in the recent 2020 Employment Land Review. By meeting an identified employment need adjacent to Thatcham and an established employment area, it is considered that the proposal is appropriate limited development in the countryside, consistent with Policy ADPP1. The proposed development is therefore considered to be in accordance with the statutory development plan when read as a whole. The proposals compliance with the draft policies of the LPR provide some limited additional weight in favour of granting planning permission. Overall, the principle of development is considered acceptable.
- 7.2 All the technical planning issues have been satisfactorily addressed, including the highway impacts, and various environmental and amenity considerations. The proposed development would inevitably have landscape and visual impacts due to its nature and scale, but it is considered to be a location which can accommodate the development with appropriate mitigation. Balanced against this is the clear employment need for the additional B2 and B8 space, with the economic benefits and employment opportunities which will ensue. That is, the significant economic and social benefits would outweigh the identified environmental impacts in the planning balance. Accordingly the application is recommended for approval.

8. Full Recommendation

- 8.1 To delegate to the Service Director of Development and Regulation to GRANT OUTLINE PLANNING PERMISSION subject to the conditions listed below.

Conditions

1. **Approval of reserved matters**

Details of the appearance, landscaping, layout 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.

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

2. **Time limit for reserved matters**

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.

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

3. **Commencement of development (outline)**

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.

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).

4. **Approved plans**

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

668-004-PLO7 (Parameter Plan);
1909-11-PLO3-A (Junction access scheme);
5150-104-P1 (Drainage);
668-005-PL00 (Parking);
668-001-PLO2 (Location Plan).

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

5. **Water supply**

No development shall be occupied until confirmation has been provided that either:

- (a) All water network upgrades required to accommodate the additional flows to serve the development have been completed; or
- (b) A development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. In accordance with policy CS5 of the West Berkshire Core Strategy 2006-2026.

6. **Network Rail**

No development approved by this permission shall take place until details of the outlet and inlet control for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority (in consultation with Network Rails Senior Drainage Engineer). Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not affect the safety and continued running of the neighbouring railway. In accordance with policy CS5 of the West Berkshire Core Strategy 2006-2026.

7. **Minerals**

No development shall take place until a phased layout scheme for maximising the potential for incidental extraction where practicable has been submitted to and approved in writing by the Local Planning Authority. In addition, no development within a development phase shall commence until the following has been submitted to and approved in writing by the Local Planning Authority:

- (a) A method for ensuring that minerals that can be viably recovered during the development are recovered and put to beneficial use;
- (b) A method to record the quantity of recovered mineral (for re-use on site or off-site) and the reporting of this quantity to the Local Planning Authority.

Thereafter all works for each phase shall be carried out in accordance with the methods agreed throughout the construction period.

Reason: To ensure the minimum amount of mineral sterilisation occurs and in accordance with Replacement Minerals Local Plan for Berkshire Policies 2 & 2A, and Minerals and Waste Local Plan Policy 9. A pre-commencement condition is necessary, as once the development is built there will be no opportunity to design the scheme so as to maximise the potential for mineral extraction.

8. **CMS**

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

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

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

9. **Working hours**

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

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

8:30am to 1:00pm Saturdays;

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

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

10. **Lighting design**

Prior to occupation of any unit a lighting design strategy for biodiversity for all the buildings on site and the car parking areas shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- (a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- (b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: Bats are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

11. **CEMP**

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

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

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

Reason: There are some protected species in the vicinity of the application site. This condition is applied in accordance with policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the CEMP must be adhered to throughout construction.

12. **Drainage**

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

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and the WBC SuDS Supplementary Planning Document December 2018 with particular emphasis on Green SuDS and water re-use;
- b) Demonstrate that the existing ground water level will not be temporarily or permanently lowered by the development;
- c) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse or piped system at no greater than 1 in 1 year Greenfield run-off rates;
- d) Include run-off calculations based on current rainfall data models, discharge rates (based on 1 in 1 year greenfield run-off rates), and infiltration and

- storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- e) Include within any design calculations an allowance for an additional 10% increase of paved areas (Urban Creep) over the lifetime of the development;
 - f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
 - g) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil, groundwater, watercourse or drain;
 - h) Ensure permeable paved areas are designed and constructed in accordance with manufacturers guidelines if using a proprietary porous paved block system; otherwise ensure any permeable areas are constructed on a permeable sub-base material, such as MoT/DoT Type 3;
 - i) Show that attenuation storage measures have a 300mm freeboard above maximum design water level. Surface conveyance features must have a 150mm freeboard above maximum design water level;
 - j) Include a management and maintenance plan showing how the SuDS measures will be maintained and managed after completion for the lifetime of the development. The use of glyphosate as a weed control measure is not permitted. The management and maintenance plan shall incorporate arrangements for adoption by the Maintenance or Management Company (private company or Trust) or individual property owners, or any other arrangements, including maintenance responsibilities resting with individual property owners, to secure the operation of the sustainable drainage scheme throughout its lifetime. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
 - 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) Include an Application for an Ordinary Watercourse Consent in case of surface water discharge into, the re-alignment of, or culverting of a watercourse (i.e stream, ditch etc).;
 - n) 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 thereof), to be submitted immediately following construction to be approved by the Local Planning Authority. This Report shall include plans and details of all 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.

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

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

13. Ground levels and finished floor levels

No development shall take place until details of existing and proposed ground levels, and finished floor levels of the development, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. These details are required before development commenced because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the NPPF, Policies ADPP6, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (June 2006).

14. Electric vehicle charging points (prior approval)

No construction shall commence on any unit until details of electric vehicle charging points have been provided for that unit have been submitted to and approved in writing by the Local Planning Authority. No unit shall be first occupied until the charging points associated with that unit have been provided in accordance with the approved details. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.

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

15. Layout

The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

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

16. Gates onto highway

Any gates to be provided at the access where vehicles will enter or leave the site, shall open away from the adjoining highway and be set back a distance of at least 20 metres from the edge of the highway, or from the limit of any potential adoption under Section 38 of the Highways Act 1980, whichever is the greater.

Reason: In the interest of road safety and to ensure that vehicles can be driven off the highway before the gates are opened. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

17. Visibility splays

No development shall take place until visibility splays of 2.4 metres by 160 metres have been provided at the access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

18. Parking

The detailed layout provided at reserved matters stage shall include details of the vehicle parking and turning spaces/areas within the development. The car parking should enable the site to adapt to a combination of B2 and B8 uses. Such details shall show how the parking spaces are to be surfaced and marked out. No unit shall be first occupied until the vehicle parking and turning spaces for that unit have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). The parking and turning spaces shall thereafter be kept available for parking and manoeuvring of vehicles at all times.

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

19. Access

No development shall take place until details of the proposed accesses into the site have been submitted to and approved in writing by the Local Planning Authority. The accesses shall thereafter be carried out in accordance with the approved details. The construction of the site access shall be the first development operation, and no other development operation shall take place until the site access has been completed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site access is constructed before the approved buildings in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

20. Highways works

No development shall take place until engineering details of the proposed off site highway works have been submitted to and approved in writing by the Local Planning Authority. These works shall include:

- (a) Formation of new vehicular and pedestrian access with splitter island that prohibits right turn movements from the access.
- (b) Provision of turn right lane within the A4 Bath Road including a central island that prohibits right turn movements from the access.
- (c) The application and provision of a Traffic Regulation Order prohibiting right turn movements from the access. It must be noted that a section of the access road will need to be adopted under Section 38 of the Highways Act 1980 to enable any enforcement of the TRO.
- (d) The realignment of the main A4 Bath Road carriageway and associated footways / cycleways northwards to enable the provision of the required sight lines onto the A4 Bath Road.
- (e) Shortening of the westbound layby to the east, to enable the provision of the required sight lines onto the A4 Bath Road.
- (f) Alterations to the A4 Bath Road / Cox's Lane junction.
- (g) Alterations to the eastbound bus stop layby.
- (h) Alterations to surface water drainage.
- (i) Any other associated works including, but not limited to resurfacing when required, alterations and potential replacement of signage and street lighting, etc.

As a first development operation, the above engineering operations shall be constructed in accordance with the approved drawing(s).

Reason: To ensure that the access into the site are constructed before the approved buildings in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

21. **Cycle parking/storage**

No construction shall commence on any unit until details of cycle parking/storage have been provided for that unit have been submitted to and approved in writing by the Local Planning Authority. No unit shall be first occupied until the cycle parking/storage facilities associated with that unit have been provided in accordance with the approved details. Thereafter the facilities shall be maintained and kept available for that purpose at all times.

Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD 2006-2026, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

22. **Travel Plan**

No development shall take place until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented from the development first being brought into use. It shall be reviewed, and updated as appropriate, within 6 months of first implementation, in agreement with the Local Planning Authority. After that the Travel Plan shall be annually reviewed and updated as appropriate and all reasonable practicable steps made to achieve the agreed targets and measures within the timescales set out in the plan and any subsequent revisions.

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

Informatives

1. **Incidental works affecting the highway**

Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 503233, before any development is commenced.

2. **Temp Signing Requires Written Consent**

Any temporary signing affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 503233, before any development is commenced.

3. **Official Postal Address**

Please complete and 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.

4. **Surface water drainage**

Approval of the off-site works within the A4 must be subject to approval of an Ordinary Watercourse Consent application by the Land Drainage Authority outside of the Planning System. The Applicant should be advised that the culverting of the existing open ditch to the north of the A4 will not be acceptable to the LDA. We do however accept that culverting of the existing ditch on the south side of the A4 where the proposed access road crosses this watercourse into the site is unavoidable, although this will be subject to a separate OWC application.

5. **Proactive statement**

[Appropriate statement to be added depending on committee resolution]