

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(3)	17/01550/FULEXT Greenham	7 th September 2017. Extension of time agreed to 30 th April 2018.	Change of use of agricultural land to land for siting 40 additional holiday lodges, construction of access road, parking spaces and hard standing bases and associated landscape planting and infrastructure. Land South of Lower Farm, Hambridge Lane, Newbury. West Berkshire Council

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/01550/FULEXT>

Recommendation Summary: To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.1) and the completion of a planning obligation (Section 8.2) by 30th April 2018.

OR

If the planning obligation is not completed by 30th April 2018, **DELEGATE** to the Head of Planning and Countryside to **REFUSE PERMISSION**, given the failure of the application to mitigate the impact of the development on the local Infrastructure and services as set out in Section 8.3, where expedient.

Ward Member(s): Councillor Drummond
Councillor Bartlett

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

Committee Site Visit: 29th March 2018.

Contact Officer Details

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

1. RELEVANT PLANNING HISTORY

Application 13/01517/FULEXT - Erection of 25 holiday chalets, reception building, parking, landscaping and associated works. Application allowed at appeal 23/09/15.

Application 15/02832/FULEXT - Section 73: Variation of Condition (2) - Approved plans of Appeal ref: APP/W0340/A/14/2216837 - Erection of 25 holiday chalets, reception building, parking, landscaping and associated works (Application ref 13/01517/FULEXT). Application approved 21/01/2016.

Application 16/00701/COND2 - Application for approval of Conditions 6 - Habitat and Management Plan, 7 - Boundary treatments, 8 - External lighting, 9 - Materials.10 - Hard and soft landscaping and 11 - Landscape management plan of approved application 15/02832/FULEXT - Erection of 25 holiday chalets, reception building, parking, landscaping and associated works. Application approved 15/07/2016.

Application 16/00841/FULEXT - Section 73: Removal of Condition 5 - Footpath of approved application 15/02832/FULEXT: Section 73: Variation of Condition (2) - Approved plans of Appeal ref: APP/W0340/A/14/2216837 - Erection of 25 holiday chalets, reception building, parking, landscaping and associated works (Application ref 13/01517/FULEXT). Application approved 17/06/2016.

Application 16/01195/COND3 - Application for approval of details reserved by Condition (4) - Highways of planning permission 15/02832/FULEXT. Application approved 11/08/2016.

Application 16/03242/COND1 - Approval of details reserved by Condition 11: Fire Hydrant provision of planning permission 16/00841/FULEXT. Application approved 13/12/2016.

Application 17/00979/SCREEN – Environmental Impact Assessment (EIA) Screening Opinion for the erection of 40 holiday chalets with associated access and open space. EIA not required 05/05/2017.

2. PUBLICITY

Advertised in Newbury Weekly News on 15th June 2017. The site notice expired on 13th July 2017 and the neighbour notification letters expired on 27th February 2018.

2.1 EIA

In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the local planning authority (LPA) must adopt a screening opinion on any application for Schedule 2 development to determine whether the proposal constitutes EIA development, and therefore whether Environmental Impact Assessment (EIA) is required as part of the application.

A screening opinion was adopted under application 17/00979/SCREEN prior to the submission of this application, confirming that the proposal is not considered EIA development and that an Environmental Statement is not required.

3. CONSULTATIONS AND REPRESENTATIONS

3.1 Consultations

Greenham Parish Council	Objection. Loss of green space, loss of amenity.
Thames Water	1st Response: No objections, request condition to secure drainage strategy for foul and surface water to public sewer. 2nd Response (to amended plans): No objections, request condition to secure drainage strategy for foul and surface water to public sewer. 3rd Response (to amended FRA): No objections drainage strategy no longer required as foul and surface water will not be connected to public sewers.
Tree Officer	No objections, request condition to secure landscaping details.
Highways Officer	1st Response: Concern that a net gain in highway safety would be maintained with the addition of 40 lodges. Request contribution toward local bus improvements. 2nd response (to amended plans): Parking spaces require 6 metre depth forecourt. Request cycle shed for chalets. Consider development unlikely to bring a net gain in highway safety unless improvement measures along access road to control speeds and improve access safety are secured. Request contribution of £16,360 for local bus improvements. 3rd Response (to amended plans): No objections, recommend condition for provision of cycle sheds. Request contribution of £16,360 toward local bus improvements.
Access Officer	No response received.
Environment Agency	If infiltration drainage is proposed then it must be demonstrated that it will not pose a risk to groundwater quality. Consider any infiltration SuDS greater than 3m below ground level to be a deep system and generally not acceptable. All infiltration SuDS require a minimum of 1m clearance between the base and peak seasonal groundwater levels. All need to meet the criteria set out in our Groundwater Protection: Principles and Practice (GP3) document. In addition, they must not be constructed in ground affected by contamination. New development should be connected to the public mains (with the prior written approval of the statutory undertaker) where possible. Proliferation of individual treatment plants can cause deterioration in local water quality (ground and surface water). This would be contrary to the principles of the EU Water Framework Directive.
Police	No response received.
Environmental Health	No objections. The site will need to be licensed for it to be used which would require units to be within 50 metres from a road.

Royal Berkshire Fire and Rescue	Request provision of suitable fire hydrants.
SPOKES	No response received.
Archaeology	<p>1st Response: Request archaeological evaluation of western part of application site.</p> <p>2nd Response (to additional information submitted): No response received.</p>
Drainage Officer	No objections, request condition to secure details of SuDS.
Waste Services	Refuse and recycling from holiday accommodation is commercial waste. Waste Management have no comment on applications relating to commercial premises or the collection and storage of commercial waste. The Local Authority does not collect Commercial Waste.
BBOWT	<p>1st Response: Object. Net gain in biodiversity not demonstrated; Lack of information on potential impact on protected species (hazel dormouse); Lack of proposed mitigation for impact on designated sites, protected and priority habitats and species.</p> <p>2nd Response (to amended plans and additional information): Object. Request further information of planned biodiversity enhancement based on DEFRA's 2012 method and evidence of impact on nearby SSSIs. Require conditions securing Habitat Enhancement and Management Plan (HEMP), detailed lighting strategy and retile and amphibian mitigation strategy.</p> <p>3rd Response (to further amendments and additional information): Objections withdrawn – request conditions securing HEMP, details of planting proposed, habitat management and lighting. Request contribution to mitigate impact on nearby SSSIs.</p>
Public Rights of Way Officer	If there is sufficient room for pedestrians to pass these many vehicle movements safely, and with a retained amenity value in terms of enjoying the countryside, then the proposal might be acceptable. We have a long-outstanding request to consider upgrading this footpath to a bridleway, and so it would be helpful if any application could retain this possibility in terms of physical space. Request a comprehensive plan for access.
Economic Development Officer	The economic benefit to the local area was conservatively estimated at £770,000 p.a. through additional local spend from visitors when the site was granted its original planning consent. Therefore, by extending the facility, it is reasonable to assume that this figure will certainly be higher. The extended development may attract new

visitors to the area that may not have visited West Berkshire in the past. The site is also likely to provide additional jobs; however, these may only be seasonal depending on the opening dates of the development. In terms of our key economic objectives, outlined in the "West Berkshire Economic Development Strategy 2013-2018", this proposal will help to achieve the following: "Promoting West Berkshire as a desirable location for combining business, leisure, learning and life."

Natural England **1st Response:** Object - further information required to determine significance of impacts and scope for mitigation on the Kennet & Lambourn Floodplain SAC/SSSI, the River Kennet SSSI & Thatcham Reed Beds SSSI. Require foul water drainage strategy.
2nd Response (to amended plans and additional information): No objections subject to conditions securing mitigation measures.

Ecology No objections subject to conditions securing ecological mitigation measures proposed, external lighting details and construction methodology for the protection of Great Crested Newts.

Minerals and Waste Officer No objections.

Kennet and Avon Canal Trust No response received.

3.2 Representations – As of 22nd March 2018

Total: 45 Object: 45 Support: 0

Summary of Objections:

- Impact on ecology;
- Impact on local services and infrastructure;
- Development on agricultural land outside of settlement;
- Loss of agricultural land;
- Loss of rural character;
- Precedent for further development in surrounding fields, including residential development;
- Impact on historic assets;
- Impact on transport infrastructure;
- Safety of users of the public right of way;
- Lack of access for fire appliances;
- Noise pollution;
- Additional waste and litter will be generated;
- Inadequate landscaping proposed;
- Will not benefit local community;
- Development will be used for permanent residency;
- Does not address need for housing and resources to support housing;
- Predicted economic benefit unfounded;

- Evidence demonstrating units are being sold for permanent residency;
- Increase in traffic;
- Traffic calming measures will be required on the public right of way;
- Drainage study required;
- Access to site unsuitable;
- Light pollution;
- Impact on protected species and their habitat;
- Loss of privacy;
- Significant visual impact;
- Overdevelopment;
- Contrary to housing policies;
- Adverse effect on character and beauty of area;
- Impact on nearby SSSIs;
- Impact on setting of heritage assets;
- Lack of consultation with neighbours prior to application;
- Buildings out of keeping with area;
- Submitted highway report is inaccurate and misleading;
- Other developments in the area such as Newbury Racecourse will increase pedestrian and cycle movements on the public right of way;
- Highway safety from the end of the adopted road at Hambridge Lane to the railway bridge;
- Flooding;
- Security risks to nearby residents.

4. PLANNING POLICY

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for West Berkshire comprises:
- West Berkshire Core Strategy (2006-2026)
 - Housing Site Allocations DPD
 - West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
 - Replacement Minerals Local Plan for Berkshire (2001)
 - Waste Local Plan for Berkshire (1998)
- 4.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. The NPPF is supported by the Planning Practice Guidance (PPG).
- 4.3 According to paragraph 215 of the NPPF, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
- 4.4 The West Berkshire Core Strategy (2006-2026) (WBCS) is the first development plan document (DPD) within the new West Berkshire Local Plan.

It sets out a long term vision for West Berkshire to 2026 and translates this into spatial terms, setting out proposals for where development will go, and how this development will be built. The following policies from the Core Strategy are relevant to this development:

- NPPF Policy;
- ADPP1: Spatial Strategy;
- CS5: Infrastructure Requirements and Delivery;
- CS10: Rural Economy;
- CS13: Transport;
- CS14: Design Principles;
- CS16: Flooding;
- CS17: Biodiversity and Geodiversity;
- CS18: Green Infrastructure;
- CS19: Historic Environment and Landscape Character.

4.5 The Council's Housing Site Allocations Development Plan Document (HSA DPD) was adopted on the 9th May 2017. Whilst Policy C1 defines the settlement boundaries, replacing Policy HSG.1 of the Local Plan, this policy is not applicable to this application as this application does not seek permission for housing in the countryside.

4.6 A number of policies from the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP) remain part of the development plan following the publication of the Core Strategy. The following policies from the WBDLP are relevant to this development:

- OVS.5: Environmental Nuisance and Pollution Control;
- OVS.6: Noise Pollution;
- TRANS.1: Meeting the Transport Needs of New Development.

4.7 The following local policy documents adopted by the Council are material considerations relevant to the development:

- Quality Design SPD (2006);
- Planning Obligations SPD (2015);
- West Berkshire Local Transport Plan;
- Greenham Parish Plan, 2011.

5. DESCRIPTION OF DEVELOPMENT AND PROPOSAL

5.1 Full planning permission is sought for the change of use of agricultural land for the siting of 40 holiday lodges, construction of access road, parking spaces, hard standing bases and associated landscape planting and infrastructure.

5.2 The application site comprises an area of approximately 8.53 hectares (excluding the existing access route). This application site immediately adjoins, and incorporates in part, the permitted 25 holiday lodge scheme

currently being implemented that was granted planning permission at appeal (ref: 13/01517/FULEXT, APP/W0340/A/14/2216837).

- 5.3 The development would include a large area of open space comprising short and tall grassland and two drainage attenuation ponds. Access within the site would be from the previously permitted scheme. Access to the site would be via Hambridge Lane and, in part, the public right of way (GREE/6/3) as permitted for the previously approved 25 holiday lodge scheme.
- 5.4 To the east of the site are the unrestored gravel works and to the south is pastureland with woodland and a small cluster of residential housing beyond. To the west lies Newbury Racecourse and the proposed site of the relocated golf course. Much of the application site comprises restored grassland with some small scrubby vegetation and rushes colonising the previous minerals extraction site.
- 5.5 The proposed holiday lodges to be sited within the application site would be the same as those previously permitted and currently being implemented. The holiday lodges themselves technically comprise caravans for the purposes of the Caravan Sites and Control of Development Act 1960 (as amended). As such they will need to be licensed by the Council prior to occupation.

6. APPRAISAL

The main issues for consideration in the determination of this application are:

- The Principle of Development
- The Impact on the Character and Appearance of the Area
- The Impact on Heritage Assets
- The Impact on Neighbouring Amenity
- Highway and Public Right of Way Matters
- Flood Risk and Drainage
- Ecology
- Trees
- Community Infrastructure Levy
- Planning Balance and Sustainable Development

6.1 The Principle of Development

6.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.1.2 The application site lies outside the settlement of Newbury and is therefore in the countryside. The change of use proposed comprises tourist facilities. Policy ADDP1 of the Core Strategy seeks to restrict development within or adjacent to settlements with appropriate limited development in the countryside being allowed where it focusses on addressing identified needs and maintaining a strong rural economy. Policy CS10 of the Core Strategy

considers that proposals to diversify the rural economy will be encouraged, particularly where they are located in or adjacent to Rural Service Centres and Service Villages.

- 6.1.3 The Inspector in the previous appeal considered there to be no specific support in the development plan policies for the development of tourist facilities in the countryside. However, as confirmed by the Inspector, the lack of support within development plan policies do not represent a conflict with those policies.
- 6.1.4 The NPPF, in paragraph 28, gives support to all types of rural enterprise, including sustainable rural tourism and the provision of tourist facilities in appropriate locations. This is considered to allow for some developments located in the countryside of the type proposed in this application.
- 6.1.5 Therefore, the principle of the development is considered acceptable, subject to its compliance with other planning policies and material planning considerations.

6.2 The Impact on the Character and Appearance of the Area

- 6.2.1 The Government attaches great importance to the design of the built environment, and securing high quality design is one of the core planning principles of the NPPF. Core Strategy Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Policy CS19 of the WBCS seeks to ensure that the diversity and local distinctiveness of the landscape character of the district is conserved and enhanced.
- 6.2.2 The application site lies within the Lower Kennet valley. As opined by the Inspector, whilst the shallow valley landform is a recognisable element of the landscape, it is not a particularly dramatic or distinctive one. In policy terms the area has no special landscape designation. Whilst there are some pleasant outward views towards higher ground, they are seen from the context of a valley floor which contains extensive areas of existing and former gravel workings, industrial estates, an elevated railway line, the Racecourse, and other urban-fringe development. The implementation of the previous permission for 25 lodges granted at appeal also has an impact on the landscape sensitivity. The presence of these features is not in any way a justification for causing further harm, but realistically they must have some influence on any assessment of the landscape's existing quality and value. As such it is considered that the landscape's sensitivity to change is low.
- 6.2.3 The application site itself is not considered to have any particular landscape qualities or features of interest, other than its openness. It is acknowledged that this has been reduced somewhat as a result of the permission granted for 25 holiday lodges. The application site is well contained by extensive woodlands to the north and southeast and also to the south by steeply rising topography. Views into the site from public vantage points are limited to a short section of the public right of way. The site is largely isolated from any

other agricultural land, except for the various small paddocks around Pigeon's Farm. This further limits any impression that the site gives the area a rural character rather than being part of the urban fringe.

- 6.2.4 The proposal here provides for a large amount of open space within the development to remain in the form of short and long grassland. The proposed location of the chalets in the south-eastern and south-western corners of the application site would contribute toward maintaining a sense of openness, particularly from the short sections of the public right of way from which views into the site are possible.
- 6.2.5 Sufficient space is provided for new landscaping to screen and soften the development and the single storey design of the chalets, with low eaves and ridgeline would reduce the impact of the development proposed and limit it to the immediate area.
- 6.2.6 Therefore, whilst the development proposed would have some effect on the character and appearance of the landscape, the effect is considered, on balance, to be minor. As such, the application is considered to accord with Policies CS14 and CS19 of the Core Strategy and the NPPF.

6.3 The Impact on Heritage Assets

- 6.3.1 Two designated heritage assets (Grade II listed) are located to the south of the application site (Hall Barn House and a barn adjoining Pidgeon's Farm).
- 6.3.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard be paid to the desirability of preserving a listed building or its setting. Policy CS19 of the Core Strategy requires regard to be given to the conservation and enhancement of heritage assets and their settings. Paragraph 132 of the NPPF requires that, in considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In the case of non-designated assets, paragraph 135 states that the direct and indirect effects should be taken into account, and that a balanced judgement should be made, taking into account the asset's significance and the scale of any harm.
- 6.3.3 The Inspector for the previously permitted scheme of 25 holiday lodges considered the impact of the proposal on the setting of those Grade II listed barns at Pigeons Farm. He accepted that historically Pigeon Farm's buildings were related to the surrounding farmland and agreed that retaining a buffer of agricultural land around the farmstead was an important part of their setting. He concluded that the area of grazing land and paddocks that separated the development from Pigeon Farm was substantial enough to prevent the proposed built form from encroaching on Pigeon farm and its two listed buildings, thereby maintaining their agricultural setting.
- 6.3.4 The current application proposes an additional 40 lodges to the south of the appeal scheme, split between an eastern and western section. The western section of the proposed development would bring the proposed built form

much closer to Pigeon Farm allowing more immediate views of the proposed development from the listed barns and significantly reducing the agricultural buffer that currently exists. Views from Pidgeon's Farm to the eastern section of the proposed holiday chalets would be largely screened by the existing vegetation woodland (Barnclose Copse).

- 6.3.5 The heritage significance of the two listed barns, lies in their traditional appearance and historic construction, along with their contribution to the group value of the former farmstead. To the extent that both the visibility and historical context of the farm relies on its relationship with the surrounding fields, the loss of further agricultural land to the north of Pigeon Farm and the subsequent reduction in the size of the agricultural buffer, would have some detrimental effect on the setting of the listed buildings. This fact is recognised in the applicant's Heritage Statement (HS), which finds that the proposed development would result in the slight loss of significance of these heritage assets as a result of change within their setting. The HS concludes that this harm would be less than substantial in terms of paragraph 134 of the NPPF and your Officers concur with that assessment.
- 6.3.6 Paragraph 134 of the NPPF directs that less than substantial harm should be weighed against the public benefits of the proposal. It is considered in line with the applicant's HS that the degree of harm would be less than substantial in the context of paragraph 134. However, though less than substantial, the Conservation Officer considers that there would, nevertheless, be real and serious harm which requires clear and convincing justification for it to be overcome. As such, careful consideration will need to be given as to whether this harm is outweighed by any public benefits of the scheme. This is considered later in the Planning Balance section of this report.
- 6.3.7 In respect of archaeology, the Archaeological Officer requested further archaeological evaluation of the site which was undertaken and submitted. The survey concluded that no definite archaeological finds were revealed and therefore no further investigation is required.

6.4 The Impact on Neighbouring Amenity

- 6.4.1 The nearest neighbouring dwellings (Pigeon's Farm Cottages) are located some 80 metres to the south-west of the southern boundary of the application site. Pigeon's Farm and Hall Barn House are located approximately 110 metres from the southern boundary of the application site.
- 6.4.2 The proposed development, whilst affecting views from those properties, are not considered to introduce any significant detrimental impact on the amenities of those properties. No concerns regarding the impact on neighbouring amenity was raised by the Council or the Inspector in the consideration of the previous application for 25 holiday lodges.
- 6.4.3 Concern has been raised in representations received regarding the impact of light pollution from the proposed development. Whilst there would inevitably be some light spill from the holiday lodges themselves this would not be

harmful to the amenity of the neighbouring properties to the south of the application site. External lighting around the site is to be controlled by a condition. Your Officers would ensure that those details not only limit any light pollution in the area, but also that such light pollution would not adversely affect the local ecology.

6.4.4 Concern has also been raised regarding the impact on neighbouring amenities as a result of noise pollution from the holiday lodges. Again, this was not considered an issue by the Council or Inspector for the previously permitted scheme of 25 holiday lodges. The Environmental Health Officer raises no objections to the application. Whilst the resultant number of holiday lodges would increase to 65 should this permission be granted and implemented, matters of noise disturbance as a result of the proposed development would be controlled under Environmental Health legislation.

6.4.5 Therefore, the application is not considered to introduce any significant concerns in respect of the impact on the amenities of neighbouring properties.

6.5 Highway and Public Rights of Way Matters

6.5.1 Paragraph 32 of the NPPF states that "all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

6.5.2 The development would be accessed via Hambridge Lane and then a section of unadopted road that forms the public right of way (GREE/6/1 and GREE/6/3) which then passes underneath the railway. Approximately 50 metres after the railway underpass the track forks, with the public right of way (GREE/6/3) separating from an unmade track. Visitors to the application site would continue along the unmade track, separate from the public right of way path that passes the properties at Lower Farm, and re-join the public right of way approximately 200 metres south of the access to the application site.

6.5.3 The Highways Officer has reviewed the application and does not consider that the increase in traffic movements as a result of the development proposed would result in a severe impact on the local highway network.

- 6.5.4 The Highways Officer raises concern in respect of the impact on the safety of users of part of the public right of way from which the site is accessed (GREE/6/3). The Public Rights of Way Officer considers that if there is sufficient room for pedestrians to pass with a retained amenity value in terms of enjoying the countryside, then the proposal might be acceptable.
- 6.5.5 Many of the representations received raise concern regarding the number of vehicles using the public right of way for access, and, the safety of users of the public rights of way.
- 6.5.6 As part of the previous permission granted at appeal, various works to the access route were secured by condition. These included the provision of traffic lights at the railway underpass that also detect non-motorised users; a drainage pump at the railway underpass, improvements and repairs to the surface of the track and public right of way; and appropriate signage. Improvements to the cutting of vegetation and its maintenance along the public right of way were also secured to ensure sufficient room for vehicles to pass other users of the public right of way. A condition regarding the provision of a segregated footpath was also attached to the decision made by the previous Inspector; however, it was subsequently established that such a route could not be physically achieved. Therefore, the Local Planning Authority approved the removal of this condition under application 16/00841/FULEXT.
- 6.5.7 The Inspector at appeal considered that the above improvements secured by condition were sufficient to achieve a substantial net gain in highway safety for users of the public right of way. It is acknowledged that the loss of the proposed segregated footpath since the appeal decision reduces the net gain in highway safety considered to be achieved by the Inspector. However, the remainder of the improvements do still contribute toward safety of the users of the public right of way.
- 6.5.8 The Highways Officer and Public Rights of Way Officer consider that the 200 metre section of public right of way, from where it re-joins the vehicle access south of Lower Farm to the entrance of the site, would benefit from traffic calming measures to ensure that vehicle speeds are reduced. Such measures envisaged would be in the form of narrowing points creating a chicane effect along this relatively straight section of track, created by natural features such as large boulders or large trees protruding into the track. The applicant has agreed in principle to such measures and they are proposed to be secured by condition, as set out later in this report.
- 6.5.9 The additional traffic calming measure proposed, together with those secured under the previous permission granted at appeal (excluding the segregated footpath), are considered, on balance, to maintain a sufficient level of safety for all users of the public right of way.
- 6.5.10 In respect of parking, the proposed levels and arrangement of vehicle parking within the application site is considered acceptable. Details of sufficient cycle storage are to be secured by condition.

6.5.11 Similar to that secured via a planning obligation for the previously permitted scheme at appeal, the Highways Officer is seeking a contribution of £16,360 toward local bus improvements to mitigate the impact on the local bus network of this development proposed.

6.5.12 In conclusion, the development proposed is not considered to severely impact on the highway network. The combination of the improvements to the access secured by the previous appeal decision together with the additional traffic calming measure proposed in this report, are considered, on balance to maintain a sufficient level of safety for all users of the public right of way.

6.6 Flood Risk and Drainage Matters

6.6.1 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Core Strategy Policy CS16 strictly applies a sequential approach across the district. The application site is located in the Environment Agency's Flood Zone 1, which has the lowest probability of fluvial flood risk.

6.6.2 Core Strategy Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS).

6.6.3 The submitted Flood Risk Assessment (FRA) considers that the risk of surface water flooding to be low and the proposed lodges on site will be raised a minimum of 150 mm above surrounding ground levels by their inherent design, thereby preventing ingress of any overland flows from offsite sources into the buildings on the site.

6.6.4 The proposed holiday lodges would comprise sedum blanket green roofs which provide a variety of benefits including the reducing of surface water run-off, enhance building performance, ecological benefits and also visual benefits.

6.6.5 The submitted FRA considers that swales, detention basins and ponds are suitable SuDS measures that could be incorporated within the scheme, together with permeable hard standing. The submitted FRA concludes that the two proposed attenuation ponds within the site, with filter drains to convey surface water to those ponds, would be sufficient to ensure that surface water is dealt with appropriately. The precise details of the SuDS measures can be secured by condition.

6.6.6 In respect of foul water drainage, it is proposed that foul water is collected in cesspits which would then be transported off-site. Subject to conditions securing regular checks of the cesspits to ensure that they do not leak, as requested by Natural England and detailed later in this report, the proposed use of cesspits is considered acceptable.

6.7 Ecology

- 6.7.1 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by (amongst others) minimising impacts on biodiversity and providing net gains in biodiversity where possible.
- 6.7.2 Core Strategy Policy CS17 states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. In order to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity and geodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan.
- 6.7.3 The application site itself has no ecological or wildlife designation. Within 2 km of the application site are the Sites of Special Scientific Interest (SSSIs) of the River Kennet, River Lambourn, the Greenham to Crookham Commons, Bowdown and Chamberhouse Woods and the Thatcham Reed Beds. Two Special Areas of Conservation (SACs) are also located within 2km of the application site, comprising the Kennet and Lambourn Floodplain and the River Lambourn. Within 1 km of the application site are two designated Local Wildlife Sites (LWSs) comprising Reeve's Copse, Greyberry Copse and Wellmoor Copse and Young Copse. Further LWSs are located to the south of the red line comprising blocks of woodlands within the Greenham and Crookham Golf Course. One of these (Barnclose Copse) is located approximately 11 metres from the southern boundary of the application site.
- 6.7.4 The Ecologist has reviewed the application and considers the impact on ecology to be acceptable subject to the imposition of conditions. The conditions would secure the mitigation measures set out in the submitted Ecological Appraisal including detailed lighting plan, a Habitat Enhancement and Mitigation Plan (HEMP) and Construction Method Statement for the protection of Great Crested Newts and bats, amongst other protected species.
- 6.7.5 Natural England initially raised objections due to the potential impact on nearby SSSIs and SACs as a result of the originally proposed use of Package Treatment Plants (PTPs) for foul water. However, the application has been amended and it is now proposed to use sealed cesspits with sewage transported off-site. As such, Natural England have withdrawn their objection subject to the imposition of conditions securing the protection of SSSIs and SACs during construction as well as a monitoring and management scheme for the proposed cesspits. Natural England also request details of SuDS prior to the commencement of development as requested by the Drainage Officer.
- 6.7.6 BBOWT initially objected to the proposed development due to a lack of information on the impact of protected species and mitigation required. During the consideration of the application further information was submitted and BBOWT withdrew their objection subject to conditions securing details of lighting, landscaping, a HEMP including an appropriately detailed reptile and

amphibian mitigation strategy and enhancement plan, and a contribution toward mitigating the impact of increased visitors to nearby SSSIs.

6.7.7 Discussions regarding the precise contribution to be secured via a planning obligation are ongoing and Members will be updated at the committee meeting on the outcome of those discussions.

6.7.8 Subject to the imposition of the conditions requested by consultees and securing a contribution via a planning obligation toward mitigating the impact of increased visitors to the nearby Greenham to Crookham Commons SSSI, the application is considered to accord with the Development Plan in respect of biodiversity.

6.8 Trees

6.8.1 The site comprises predominantly open fields with hedgerow trees bordering the site. Barnclose Copse is located approximately 11 metres from the south-eastern boundary of the application site.

6.8.2 The development proposed is not considered to detrimentally impact on trees. Additional landscaping in the form of trees, woodland, short and long meadow, and hedgerow are proposed in the application documents submitted. The proposed landscaping, subject to the details being agreed and secured by condition, is considered acceptable.

6.9 Community Infrastructure Levy

6.9.1 The proposed development is not liable for CIL.

6.10 Planning Balance and Sustainable Development

6.10.1 The NPPF places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal.

6.10.2 Similar to the consideration by the Inspector at appeal for the previously permitted scheme, the proposed development would provide local tourist facilities in a suitable location for countryside leisure pursuits such as walking, riding and fishing. It would also be convenient for the nearby racecourse, golf course and other visitor attractions such as the well-known Highclere House. There would be the economic stimulus of the initial construction works, and the on-going permanent employment as a result of the development proposed as well as increased spending in the District. The Council's Economic Development Officer considers that the economic benefit to West Berkshire as a result of the development would be in excess of the previously conservative estimate of £770,000 p.a. for 25 holiday lodges and would attract additional visitors to the area that may not have visited West Berkshire in the past. The Economic Development Officer concludes that this development would help achieve the Council's key economic objectives outlined in the

West Berkshire Economic Development Strategy 2013-2018. The development is therefore considered to contribute to economic sustainability and the benefits identified are given significant weight.

- 6.10.3 The impact on the character and appearance of the area is considered to be minor and, subject to conditions and a planning obligation, the biodiversity of the site and nearby ecologically sensitive sites are considered to be conserved and enhanced. Suitable surface water measures and foul water drainage can also be secured. These are benefits of modest weight in favour of the application and contribute to the environmental sustainability objectives of the NPPF.
- 6.10.4 In respect of social sustainability, no significant impacts on the amenity of neighbouring properties have been identified. Concerns have been raised in respect of safety of users of the public right of way. However, it is considered that, subject to additional traffic calming measures being secured by condition, the safety of users of the right of way would be acceptable.
- 6.10.5 It is acknowledged that the development proposed would introduce less than significant harm to the setting of listed buildings to the south, in particular the location of the proposed holiday lodges in the south-western corner of the application site. There would remain a smaller amount of agricultural land within the setting of those listed buildings from that considered at the appeal. Additional landscaping is proposed that would soften the development, although this would be off-set by the reduced distance from the development to the listed buildings. The level of agricultural land forming the northern setting of the listed buildings would be reduced, however, some would remain together with a large section of open meadow within the application site.
- 6.10.6 Whilst the setting of the listed buildings would not be preserved, in accordance with paragraph 134 of the NPPF, the public benefits such as the provision of tourist facilities in semi-rural surroundings and the economic gains as a result, would contribute to the well being of society economically and socially. Therefore, whilst harm to the setting of listed buildings has been identified, it is less than substantial and is considered to be outweighed by the public benefits of the scheme proposed.
- 6.10.7 Taking the above into account together with the particular considerations of the proposal as set out in this report which have been found to be acceptable, the development is considered to constitute sustainable development in accordance with the NPPF. Whilst some harm to the setting of nearby listed buildings has been identified, this is considered to be outweighed by the public benefits of the scheme proposed.

7. Conclusion

- 7.1 Having taken account of all the relevant policy considerations and the other material considerations referred to above, it is considered that, although the considerations are finely balanced, the development proposed is considered to be acceptable subject to the conditions set out in section 8.1 below and the

completion of a planning obligation securing contributions set out in section 8.2.

8. Recommendation

To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.1) and the completion of a planning obligation by 30th April 2018 (Section 8.2).

OR

If the planning obligation is not completed by 30th April 2018, **DELEGATE** to the Head of Planning and Countryside to **REFUSE PERMISSION**, given the failure of the application to mitigate the impact of the development on the local Infrastructure and services as set out in Section 8.3, where expedient.

8.1 Recommended conditions

1 Time Limit

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

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

2 Plans

The development hereby approved shall be carried out in accordance with drawing title numbers:

- 8969-0006-01 received on 18th May 2017;
- 8969-0007-01 received on 18th May 2017;
- 8969-0008-01 received on 18th May 2017;
- 8969-0021-01 received on 2nd June 2017 (in respect of site sections only);
- 8969-0012-06 received on 25th August 2017;
- 8969-0011-09 received on 30th January 2018.

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

3 Occupation of Chalets

The proposed chalets shall be occupied only for the purposes of holiday accommodation, and no part of the development shall be occupied at any time as any person's permanent or main residence. A lettings register shall be kept, containing details of the names and addresses of all occupiers, and the dates of their occupation, and this register shall be made available for inspection by the local planning authority, on request. All such details shall remain on the register for a period of not less than 5 years.

Reason: The development is only considered to be acceptable if the units are restricted to holiday accommodation and not occupied on a permanent basis by a single person or group. The site is outside any established settlement and the

policy of the Local Planning Authority is not to allow new dwellings for permanent residence in such locations. This is in accordance with the National Planning Policy Framework (March 2012), Policy ADPP1, ADPP2 and CS1 of the Core Strategy 2002-2026 and Policy C1 of the HSA DPD (2017).

4 Traffic Calming Measures on PROW

No development shall commence until a detailed scheme has been submitted and approved by the Local Planning Authority in writing, for the provision of traffic calming measures along the straight section of the public right of way (GRRE/6/3) to the north of the entrance to the application site.

No part of the development hereby approved shall be brought into use until the traffic calming measures have been implemented in full in accordance with the approved details. Thereafter the traffic calming measures shall be retained and maintained in accordance with the approved details.

Reason: Traffic calming measures are required along the public right of way to ensure the safety of all users of the public right of way. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

5 Habitat Enhancement and Management Plan (HEMP)

No development shall take place until a Habitat Enhancement and Management Plan (HEMP) has been submitted to the Local Planning Authority and approved in writing.

The HEMP shall contain proposals for the ecological enhancement and management of existing and proposed wildlife habitats, including an appropriately detailed reptile and amphibian mitigation strategy and enhancement plan. The HEMP shall also contain details of an Ecological Clerk of Works (ECoW) and a timetable for the implementation of the proposed ecological works, the monitoring of habitats and submission of annual reports and their on-going management.

The HEMP shall thereafter be implemented and the ecological measures managed and maintained in accordance with the details thus approved.

Reason: To ensure the protection and enhancement of species and their habitats, which are subject to statutory protection under European Legislation. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

6 Boundary Treatments

No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the use hereby permitted is commenced. The approved boundary treatments shall thereafter be retained.

Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

7 External Lighting

No development shall commence until details of the external lighting to be used in the areas around the chalets and attached to the chalets themselves have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall account for the biodiversity in the area and utilise low level warm LEDs and directional downlights where appropriate. The external lighting shall be installed in accordance with the approved scheme before the use hereby permitted is commenced. No external lighting shall be installed except for that expressly authorised by the approval of details as part of this condition. The approved external lighting shall thereafter be retained.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development, to protect the amenities of adjoining land users and biodiversity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026).

8 Construction Environmental Method Statement

No development shall commence until a detailed Construction Environmental Method Statement (CEMS) has been submitted to and approved in writing by the Local Planning Authority. The statement shall ensure that measures are in place to avoid any impacts on the nearby SAC/SSSIs, specifically with regards to water quality. In addition the CEMS shall detail adequate avoidance measures for reptiles and amphibians. Furthermore the CEMS shall provide for:

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

All works must be undertaken in accordance with the approved Construction Environmental Method Statement.

Reason: To ensure the protection of nearby SACs and SSSIs and species which are subject to statutory protection under European Legislation. In addition, safeguard the amenity of adjoining land uses and occupiers and in the interests of

highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS5, CS13 and CS17 of the West Berkshire Core Strategy (2006-2026).

9 Cesspit Monitoring and Management

No development shall commence until a monitoring and management schedule associated with the proposed cesspit(s) has been submitted to and approved by the Local Planning Authority. The schedule shall include regular checks to ensure that the cesspit is not leaking and leeching contaminants into the aquifer. Thereafter the monitoring and management of cesspits must be undertaken in accordance with the approved details.

Reason: To ensure the protection of nearby SACs and SSSIs which are subject to statutory protection under European Legislation. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

10 Sustainable Drainage Systems (SuDS)

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

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with best practice and the proposed national standards;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include a drainage strategy for surface water run-off from the site that ensures that no discharge of surface water from the site will be directed into the public system;
- d) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than Greenfield run-off rates;
- e) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- f) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +30% for climate change;
- g) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- h) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines;
- i) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
- j) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
- k) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an

appropriate public body or statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

Reason: To ensure that surface water will be managed in a sustainable manner. To prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design – Part 4 Sustainable Design Techniques (June 2006).

11 Hard and Soft Landscaping Scheme Condition

No development shall take place until details of a scheme of hard and soft landscaping and accompanying Landscape Management Plan has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include full details of all trees and hedges to be retained, all proposed planting, seeding and hard surfacing, and any proposed mounding or changes to ground levels. The scheme shall also include an implementation programme, management responsibilities and maintenance schedules for a minimum period of 5 years following the completion of the planting. The scheme shall also ensure that any trees, shrubs or plants that die, become seriously damaged or diseased within five years of this development shall be replaced in the following year by plants of the same size and species.

The Landscaping Scheme and Landscape Management Plan shall be implemented in full in accordance with the approved details and timescales.

Reason: To ensure the implementation of a satisfactory scheme of landscaping. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14, CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

12 Samples of Materials

No development shall take place until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the proposed buildings 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 materials.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning

Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

13 Cycle Parking

No development shall take place until details of the cycle parking and storage spaces have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), 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).

14 Vehicle Parking

The use hereby approved shall not commence until the vehicle parking and turning spaces have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning spaces shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

15 Protection of Nearby SAC/SSSIs

No materials, machinery or work should encroach onto the nearby SAC/SSSIs either before, during or after the proposed works or ongoing use.

Reason: To ensure the protection of nearby SACs and SSSIs which are subject to statutory protection under European Legislation. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

Informatives:

Legal Agreement

This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the (date to be inserted once agreement is completed). You are advised to ensure that you have all the necessary documents before development starts on site.

Summary of decision

The decision to grant planning permission has been taken because the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area, historic assets,

amenities of neighbouring properties, ecology and biodiversity and flooding. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.

Bats

All bats are protected by The Wildlife and Countryside Act 1981 (WCA) (as amended) & The Conservation of Habitats and Species Regulations 2010. Should you find bats during development, all work must stop until advice has been sought from Natural England. Their local contact number is 0300 060 3886.

8.2 Requested Contributions to be secured by a Planning Obligation

8.2.1 A contribution of £16,360 toward local bus improvements.

8.2.2 A contribution (amount to be provided on update sheet at the Committee meeting) toward mitigating the impact of additional visitors to the nearby SSSIs.

OR

8.3 Reason for Refusal

The development fails to provide an appropriate scheme of works or off site mitigation measures to accommodate the impact of development on local infrastructure, services or amenities or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to the National Planning Policy Framework and Policies CS5, CS13 and CS17 of the West Berkshire Core Strategy (2006-2026) as well as West Berkshire District Council's adopted Supplementary Planning Document – Planning Obligations (2014).

DC