

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(3)	17/03223/FUL Newbury Town Council	8 th June 2018	Newbury Manor Hotel, London Road, Newbury, West Berkshire Erection of plant room and substation. SCP Newbury Manor Ltd

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/03223/FUL>

Ward Member(s): Councillor J Beck

Councillor D Goff

Reason for Committee determination: Councillor Beck has called the application to Committee should the application be approved.

Committee Site Visit: 31st May 2018.

Recommendation. **The Head of Development and Planning be authorised to GRANT planning permission.**

Contact Officer Details

Name: Mr. Matthew Shepherd
Job Title: Planning Officer
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1. Relevant Site History

- 1.1. 01/2511/FUL. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Withdrawn 17.06.2002
- 1.2. 01/02514/LBC. Proposed bedroom extension and function room. Withdrawn 24.06.2002
- 1.3. 02/02208/FULMAJ. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Plus change of use of additional land to car park. Withdrawn 20.01.2003.
- 1.4. 02/02222/LBC. Proposed extension and alterations to existing hotel to provide additional land to car parking. Withdrawn 20.01.2003
- 1.5. 03/00062/FULLMAJ. Proposed extension and alterations to existing Hotel to provide additional bedrooms and function room and ancillary parking. Approved 05.08.2004
- 1.6. 03/00075/LBC. Proposed bedroom extension and function room. Approved 23.04.2003.
- 1.7. 06/02011/FUL. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.8. 06/02012/LBC2. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.9. 06/02812/FUL. New timber deck and balustrade to riverside bar. Approved 15.02.2007
- 1.10. 06/02813/LBC2. New timber deck and balustrade. Approved 15.02.2007
- 1.11. 10/02937/FUL. Retrospective- Single storey extension to existing function room. Approved 12.04.2011
- 1.12. 10/02938/LBC. Single storey extension to existing function room. Approved 12.04.201
- 1.13. 15/00991/FUL. Removal of single storey 70's flat roofed building attached to the original watermill and blacksmiths. Withdrawn 02.07.2015.
- 1.14. 15/00991FUL. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.15. 15/00992/LBC. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.16. 16/01171/FUL. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016
- 1.17. 16/01172/LBC2. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016.

- 1.18. 16/002902/FUL. Extension of hotel cottage to create hotel restaurant with outdoor seating terrace. Withdrawn 07.03.2017.
- 1.19. 16/002903/LBC2. Extension of hotel cottage to create hotel restaurant with outdoor seating terrace. Withdrawn 07.03.2017.
- 1.20. 17/00865/COND. Approval of details reserved by condition 3: Removal of spoil, 4: Construction Method Statement, 8: Landscape Management plan, 9: Arboricultural watching brief, of planning permission 16/01171/FUL - Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Spilt decision 23.06.2017.
- 1.21. 17/00866/COND. Approval of details reserved by Conditions 3: Schedule of materials and 6: Windows/doors, of planning permission 16/01172/LBC - Two storey rear extension to hotel following removal of conservatory and outbuildings (12 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 30.08.2017
- 1.22. Full planning history available on file.

2. Publicity of Application

- 2.1. This application was advertised by way of neighbour notification letters which required responses by the 9th January 2018 and by way of Site Notice which expired on 10th January 2018.
- 2.2. A Noise Impact assessment was submitted during the course of the application to which objectors were re-consulted upon which required response by 16th February 2018.

3. Consultations and Representations

Consultations

Newbury Town Council	<p>Objection. These five applications refer to three cases, for conversion of Mill Waters Cottages to a restaurant, for the modification of a previously approved extension to the hotel to provide 15 additional rooms, and for a plant room and substation for the hotel. We consider that the three cases together raise many issues which should be considered for hotel and restaurant as a whole, and have not been adequately addressed in the five applications:-</p> <ol style="list-style-type: none"> 1) access and egress from the site for the expected traffic volume; 2) combined parking capacity on the site for the hotel and restaurant; 3) the effects of cooking odours, noise from diners, and light pollution from the proposed restaurant on the residents of the closely adjoining Two Rivers Way; 4) the effect on wildlife in the River Lambourn and Kennet & Avon Canal, which should be assessed at the appropriate time of year; 5) flooding risk arising from the building extensions and tarmacking of the proposed new parking space; 6) the noise from deliveries to the proposed restaurant; 7) the proposed landscaping, tree removal, and arboricultural measures. We therefore recommend that all the five applications should be called in and considered as a single whole by the Western Area Planning Committee.
Highways	No objections
Conservation	The proposed plant room is to be located on the site of the existing storage buildings (but on a north/south orientation – gable end facing

	<p>south) to the north of the site.</p> <p>The existing buildings are constructed of timber with shallow metal corrugated roofs. They are of no historic or architectural interest. The proposed building will cover a similar area but will have a steeper pitched roof, resulting in a higher eaves and ridge height.</p> <p>The proposed structure will comprise a block work construction clad in oak feather edge boarding, with clay roof tiles to match the main building. Whilst the structure is taller than the existing building, its traditional form and materials offers a visual improvement over the existing. The building will be tucked away to the north of the site, and whilst it will be visible from the main approach to the hotel, views of it will be broken by the existing mature trees that cover the front lawn.</p> <p>For the reasons given above I do not feel that the proposal would harm the setting of this Grade II listed building.</p>
Archaeology	<p>These structures are not large but can you give me more information on the subterranean utilities running to / from them. There is archaeological potential in this area if the land is undisturbed.</p> <p>Elements of subterranean utilities plan was submitted to the Archaeology Officer whose response is as follows:-</p> <p>I have reviewed the application using the approach set down in the National Planning Policy Framework and have checked the proposed development against the information we currently hold regarding the heritage assets and historic land uses in this area. Evidence suggests that previous construction will have disturbed any features of archaeological significance.</p> <p>I do not, therefore, believe that any archaeological assessment or programme of investigation and recording will be necessary in relation to the current proposal.</p>
Environmental Health	<p>Whilst back ground noise in the area (close to the A4) is likely to be relatively high I think it would be helpful if the applicant could supply information to demonstrate noise from the substation and plant room will not cause excessive noise to neighbours nearby, the nearest dwelling is approximately 50m from the substation and 60m from the plant room.</p> <p>A Noise Impact Assessment was submitted in response to the initial Environmental Health Consultation response. Environmental Health's response is as follows for this.</p> <p>I have reviewed the noise assessment and am satisfied that noise from the substation and plant room will not cause a detriment to the amenity of neighbouring residents. I would recommend the following should planning permission be granted.</p>
Natural England	No comment
Canal and Rivers Trust	The Canal & River Trust is a statutory consultee under the Town and Country Planning (Development Management Procedure) (England) Order 2015. The current notified area applicable to consultations with us, in our capacity as a Statutory Consultee was issued to Local

	<p>Planning Authorities in 2011 under the organisations former name, British Waterways. The 2011 issue introduced a notified area for household and minor scale development and a notified area for EIA and major scale development.</p> <p>This application falls outside the notified area for its application scale. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.</p>
Southern Electric PLC	<p>We have sent you the plans of our Network Records within the area requested. You will shortly receive separate emails for each of the following: any High Voltage Mains cables, Low Voltage Mains cables and any Gas if applicable.</p> <p>This response was given to the agents of the application to deal with in regards to providing utilities to the site. No objections were raised by SSE within the consultation.</p>
Tree Officer	<p>There are significant trees protected by the Conservation Area that may be adversely affected by the proposals. Insufficient information has been submitted for the purpose of determining this application and the potential impact on trees. Before I am able to fully support an application on this site, I will need to see information showing how these trees will be affected by the proposals and the methods that will be used to ensure that any retained trees are protected.</p> <p>A tree survey is required to identify all the trees onsite and those on adjacent land that may be affected. In addition to this, an Arboricultural Impact Assessment and Method Statement will be required which should discuss the viability of the scheme in relation to trees, and demonstrate sufficient protection during any development and post occupancy.</p> <p>It is expected that these documents are in accordance with BS5837:2012 Trees in relation to design, demolition and construction or any subsequent revisions and incorporate the requirements</p> <p>I have no objections in principle subject to the following conditions being attached to any planning consent.</p>
<ul style="list-style-type: none"> - Sustainable Drainage Team Newbury Society - Ecology, - Kennet and Avon Canal Trust 	<p>No response received as of 21st May 2018.</p>

4. Representations

4.1 A total of one representation has been received, comprising one letter of objection. No letters of support have been received.

The letter of objection indicate (summarised by officers):

- The generation of noise pollution from Plant room

- The building will look out of character in a historically significant Conservation Area
- The building will be visible from the A4
- The need for the building is not explained
- The need for a greater level of security of this building due to its important contents and close proximity to surrounding uses.

It is noted the letter of objection objected to several of the sites application. It is clear in the letter that the points raised in Objection 7 and some in the Conclusion relate to this specific application. This points have been considered in relation to this application for a Plant room and substation.

5. Planning Policy Considerations

5.1. The statutory development plan 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)

5.2. The following policies from the West Berkshire Core Strategy are relevant to this application:

- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 2: Newbury
- CS 5: Infrastructure requirements and delivery
- CS 11: Hierarchy of Centres
- CS 13: Transport
- CS 14: Design Principles
- CS 16: Flooding
- CS 17: Biodiversity and Geodiversity
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

5.3. The West Berkshire Core Strategy replaced a number of Planning Policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following Policies remain in place until they are replaced by development plan documents and should be given due weight according to their degree of consistency with the National Planning Policy Framework:

- TRANS1: Meeting the Transport Needs of New development.
- OVS5: Environmental Nuisance and Pollution Control.
- OVS.6: Noise Pollution

5.4. The following Housing Site Allocations Development Plan document policies carry full weight and are relevant to this application:

- C1: Location of New Housing in the Countryside
- P1: Residential Parking for New Development

5.5. Other material considerations for this application include:

- The National Planning Policy Framework (March 2012) (NPPF)
- Planning Practice Guidance (PPG)
- Quality Design Supplementary Planning Document (SPD)

6. Proposal

- 6.1. The application seeks full planning permission for the development of a plant room and substation. The development is located within the grounds of Newbury Manor Hotel which is a grade II listed building. The substation is located adjacent to the boundary of the hotel to the north of the site close to the A4. It measures 2.8 metres wide by 2,8 metres long and 1.9 metres approx. tall. The plant room is located adjacent to the hotel further into the site and will measure 5.9 metres in width, 7.9 metres in length and 5.5 metres in height (all measurements approx.).

7. Determining issues:

- The Principle of Development;
- The Impact on the Character and Appearance of the Area;
- The Impact on Neighbouring Amenity;
- The Impact on Highway safety;
- Drainage and flooding;
- Ecology;
- The Assessment of Sustainable Development;
- Community Infrastructure Levy; and

8. The Principle of Development

- 8.1. The National Planning Policy Framework (NPPF) makes clear that the starting point for all decision making is the development plan, and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan for West Berkshire comprises the West Berkshire Core Strategy, the Saved Policies of the West Berkshire District Local Plan and the West Berkshire Housing Site Allocations Development Plan Document.
- 8.2. The NPPF is a material consideration in the planning process. It places sustainable development at the heart of the planning system and strongly emphasises the need to support sustainable economic growth. The first core planning principle set out in the NPPF is that planning should be genuinely plan led, providing a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.
- 8.3. The Core Strategy was adopted after the introduction of the NPPF and provides an up to date framework for development planning in West Berkshire which is being consolidated by the preparation of the Housing Site Allocations DPD.
- 8.4. The proposed development at Newbury Manor Hotel, London Road, Newbury, is within the settlement boundary of Newbury, as defined within The West Berkshire Core Strategy (2006-2026) and the West Berkshire Housing Site Allocations DPD (November 2015).
- 8.5. Being within the settlement boundary and within an established commercial Hotel site the principle of the proposed development is acceptable. It is considered that such a use is required to facilitate the commercial use of the site and is an expected feature. Although the principle of development is acceptable the permission can only be subject to the proposal otherwise being in accordance with development plan policies on design, impact on the character of the area, and impact on the amenity of neighbouring land uses.

9. The Impact on the Character and Appearance of the Area

- 9.1. Planning Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant to this application. Policy CS14 states that 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. It further states that 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. Proposals are expected to make efficient use of land whilst respecting the density, and character of the area.
- 9.2. Policy CS19 seeks to conserve and enhance the diversity and local distinctiveness of the landscape character of the District by considering the natural, cultural and functional components of its character as a whole. Particular regard will be given to the sensitivity of the area to change and to ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 9.3. The proposed plant room is to be located on the site of the existing storage buildings (but on a north/south orientation – gable end facing south) to the north of the site.
- 9.4. The existing buildings are constructed of timber with shallow metal corrugated roofs and they are of no historic or architectural interest according to the Conservation Officer. The case officer agrees with this assessment from his site visit on the 20th December 2017. The proposed building will cover a similar area but will have a steeper pitched roof, resulting in a higher eaves and ridge height.
- 9.5. The proposed structure will comprise a block work construction clad in oak feather edge boarding, with clay roof tiles to match the main building. Whilst the structure is taller than the existing building, its traditional form and materials offers a visual improvement over the existing. The building will be tucked away to the north of the site, and whilst it will be visible from the main approach to the hotel, views of it will be broken by the existing mature trees that cover the front lawn.
- 9.6. The proposed substation is located to the north of the site and is of utilitarian design. The case officer raises no objection to the design of this piece of infrastructure
- 9.7. Therefore the case officer does not feel that the proposal would harm the setting of this Grade II listed building, the Conservation Officer is in agreement with this assessment. Conditions have been recommended should approval be given.
- 9.8. It is considered, subject to conditions, that the proposed development would not adversely affect the character and appearance of the area in accordance with the provisions of Core Strategy policies ADPP1, ADPP2, CS14, CS19 and the NPPF.

10. The impact on neighbouring amenity

- 10.1. Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. SPD Quality Design - West Berkshire outlines considerations to be taken into account with regard to residential amenity, and Policy OVS.6 of the West Berkshire District Local Plan Saved Policies considers the potential noise impact of development.
- 10.2. The proposed dwelling would be located at least 65 metres from the closest neighbouring dwelling. The Environmental Health team have reviewed the submitted noise impact assessment and agree with the assessment given within this document. Subject to a

suitable worded condition limiting the noise levels 3m (4.1.2 of the report) will not cause a detrimental impact to the amenity of neighbouring residents.

- 10.3. For these reasons, the proposal subject to conditions, in so far as it relates to protecting residential amenity and creating a high quality living environment, would be in accordance with development plan policies CS14 and OVS.6, as well as guidance in SPD Quality Design and the NPPF.

11. Highway safety

- 11.1. The NPPF states that decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policies CS 13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan, set out highway requirements. Policy P1 of the Housing Site Allocations Development Plan Document sets out the residential car parking levels for the district.
- 11.2. The Local Authorities Highways team raised no objections to the application. There is not considered to be a unacceptable increase in traffic movements caused by the Plant room and substation.
- 11.3. Therefore the proposal is considered to be acceptable and in accordance with CS13 of the West Berkshire Core Strategy (2006-2026), Saved Local Plan policy Trans1 and the NPPF.

12. Drainage and Flooding

- 12.1. 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 CS 16 addresses issues regarding flood risk. Although some of the site falls within established flood zones the substation and plant room do not and therefore do not need to accompany by a flood risk assessment.
- 12.2. For these reasons, the proposal would be in accordance with policy CS16 of the Core Strategy and advice contained within the NPPF.

13. Ecology

- 13.1. Policy CS 17 of the Core Strategy states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. The NPPF supports the overall aims and objectives of this policy.
- 13.2. The application site is located adjacent to a SAC and SSSI of the River Lambourn. However the substation and plant room is located approx. 80 metres away from these areas of Ecological value. It is not considered these small developments will have an impact on the Ecology of the site.
- 13.3. For these reasons, the proposal would be in accordance with the provisions of Core Strategy CS17 and advice within the NPPF.

14. The Assessment of Sustainable Development

- 14.1. The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.
- 14.2. Being a proposed substation and plant room the scheme has economic considerations by enabling the extension and efficient utilities supplies to the hotel on site in addition to the

immediate construction period benefits. The Environmental considerations have been assessed in terms of design, amenity and impact on the area. Social considerations overlap those of the environmental in terms of amenity. Having assessed the application in terms of design, impact on the area and impact on neighbouring amenity the development is considered sustainable development

15. Community Infrastructure Levy (CIL)

15.1. Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations the proposal for the substation is considered Sui Generis in use and is likely to not incur a CIL fee. The Plant room may be considered a C1 use as it serves the Hotel on site. However given the size of the development it does not meet the 100 sqm threshold of development and therefore could not be CIL liable. The above information is given subject to review by the CIL Local charging body

16. Conclusion

16.1. The application site is an established hotel site which is subject to previous extant permissions and other pending permissions. The substation and plant room are considered in accordance with the character of the site in use and design. They also do not have a detrimental impact on the neighbouring amenity subject to conditions. The developments are considered far enough away from, and smaller enough not to have a detrimental impact on the ecology of the adjoining SAC and SSSI site.

16.2. The proposal considered within this application for the erection of a Plant Room and Substation at Newbury Manor Hotel are considered in accordance with National Planning Policy Framework (March 2012) and policies ADPP1, ADPP2, CS11, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), OVS.5 and OVS.6 of the West Berkshire Local Plan Policies 1991-2006 (Saved 2007). In addition to these the proposal is in line with supplementary planning guidance Quality Design (June 2006).

17. Recommendation

The Head of Development and Planning be authorised to GRANT Planning Permission subject to the following conditions:

1. Full planning permission 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. Standard approved plans

The development hereby permitted shall be carried out in accordance with the approved drawings

- Drawing title "Proposed Plant Room+ Sub-Station Block Plan.". Drawing number PB.01 A. Date stamped 11th December 2017.
- Drawing title "Proposed Plant Room+ Sub-Station Site Plan". Drawing number PP.01 A. Date stamped 11th December 2017.
- Drawing title "Proposed Plant Room+ Sub- Station Location Plan". Drawing number PL.01 B. Date stamped 11th December 2017.

- Drawing title "Plant Room- Plans Elevations & Sections". Drawing number PP.01 -. Date stamped 11th December 2017.
- Drawing title Substation Technical Storage (No drawing title present). Drawing number ESM.0000.A3.0055.DWG Rev A. Date stamped 11th December 2017.

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

3. Materials to be submitted

No development shall take place until a schedule of all materials and finishes visible to the external of the building have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. 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).

4. Tree protection scheme

No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. All such fencing shall be erected prior to any development works taking place and at least 2 working day's notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework (March 2012) and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

5. Arboricultural Method Statement

No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.

Reason; to ensure the protection of trees identified for retention at the site in accordance with the objectives of the National Planning Policy (March 2012) and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

6. BS4142 Requirement Noise Restriction

Noise resulting from the use of this plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality)

when measured according to British Standard BS4142, at a point one metre external to the nearest noise sensitive premises.

Reason: In the interests of the amenities of people living in the area in accordance with the objectives of the National Planning Policy (March 2012) and Policies CS14 of the West Berkshire Core Strategy 2006-2026 and OVS.5 and OVS.6 of the West Berkshire Local Plan (1991-2006) (Saved 2007).

DC