

Item No.	Application No. and Parish	8/13 Week Date	Proposal, Location and Applicant
(4)	17/03237/COMIND Newbury Town Council	8 th June 2018	Mill Waters Cottage at Newbury Manor Hotel London Road Newbury Berkshire RG14 2BY Extension and alteration of existing cottage to create hotel restaurant with outdoor seating terrace, wall-mounted condenser unit and roof-mounted extract. 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=17/03237/COMIND>

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 recommended for 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
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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 Withdrawn 17.06.2002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 Withdrawn 24.06.2002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 Withdrawn 20.01.2003.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 Withdrawn 20.01.2003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 28th December 2017 and by way of Site Notice which expired on 10th January 2018.

2.2. Notifications were sent to neighbours on the 2nd February 2018 and 3rd May 2018 on amended documents.

3. Consultations and Representations

Consultations

<p>Newbury Town Council</p>	<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> <p>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.</p>
<p>Highways</p>	<p>1. Proposal</p>

According to the information submitted, the following is proposed.

- 141 sqm C1 (hotel) use removed
- 487 sqm A3 use proposed (restaurant and café)
- Total floor area of the restaurant to be 518.3 sqm
- 10 full time and 15 part time staff are proposed
- Maximum of 20 restaurant staff at busiest period – Saturday evening
- Previously the restaurant employed 15 staff
- Increase in car parking from 50 originally, or 75 with previous consents, to 129 spaces
- Includes 4 disabled parking spaces
- 4 motorcycle spaces
- 10 new cycle stands
- 34 bedrooms within the existing hotel
- Additional 15 bedrooms (subject of planning applications)
- Census data 2011 for this area identifies that 65% of staff travel is by private vehicle

This application follows planning application 16/02902/FUL on which highways raised concerns regarding the level of car parking – 87 spaces were proposed. This new application proposes an increase in car parking to 129 formal car parking spaces. Is all this land within the ownership of the applicant? Paragraph 5.7.23 of the Transport Statement refers to “..a lease of land to the north east of the site boundary”.

It is proposed that the existing access onto the A4 will be utilised which is acceptable.

This site was previously provided with 50 car parking spaces. Planning application 16/01171/FUL for an extension to the hotel increased this to 75. This current application now proposes 129 car parking spaces. This is an increase of 54 car parking spaces.

The hotel and events are already provided/permitted. There is also a small bar area within the hotel. This proposal is for the proposed restaurant and additional car parking.

According to the floor plans the following number of diners could be accommodated:

- 110 covers internally;
- 40 covers externally;
- There is also a private dining area seating 12.

For a total of 162 covers (internal and external) and 54 new car parking spaces, this would equate to 3 covers per vehicle if all diners travelled by private vehicle, which is unlikely to be the case. In reality the spaces would be shared across the site.

A maximum of 49 car parking spaces could be required for hotel guests at 100% occupancy and if all guests travelled by car. This is likely to be a rare occurrence if at all.

There could be up to 20 restaurant staff at peak times – Saturday evenings. It was established on the 2016 application that at this time

there could be around 5 hotel staff. Assuming 65% of staff would travel by private car, as per the 2011 Census data, this could create a demand for around 16 staff vehicles.

Therefore with 49 spaces for hotel guests, 16 vehicles for staff, this would leave around 67 spaces for diners at the restaurant or for (existing) events. This is an additional 42 spaces on the previous application which saw 25 spaces remaining.

The Transport Statement includes data gathered from TRICS and surveys undertaken within Newbury.

According to the data obtained from TRICS, Table 5.4 and paragraph 5.7.15 identify that the restaurant would require 23 car parking spaces on weekdays at busiest periods, and 28 car parking spaces at weekend peak times (Table 5.6 and paragraph 5.7.20).

It is noted at paragraph 5.7.21 that the TRICS data is derived from restaurant only sites rather than hotel and restaurants where parking could be shared between the two.

Table 7.2 on page 20 suggests that 52 spaces are required for the hotel on non-event days at weekends, with 75 required for event days at weekends, this would leave 54 spaces for the restaurant.

This current application includes a survey of parking spaces at other hotels within Newbury that also contain a restaurant. It was established that the average number of parking spaces per bedroom across the 5 surveyed hotels is 1.58 (Table 5.9 on page 17 of the Transport Statement – TS) with the average number of parking spaces per bedroom at the Newbury Manor Hotel being 2.8.

On the previous application (16/02902/FUL) Highways requested such sites were surveyed at peak times e.g. Saturday evenings, to establish whether the car parks were operating at or near capacity. This does not appear to have been undertaken.

Summary of car parking

The hotel is already operating from this site. Recent/current applications could see the number of bedrooms increase to 49 (if approved). Events are currently permitted from this site and there is small bar within the hotel building. This application proposes a new restaurant with 54 additional car parking spaces which equates to 1 space per 3 diners, and 42 more spaces than were proposed on 16/02902/FUL.

West Berkshire Council does not have current car parking standards for A3 use and so applications such as this are assessed on their own merits.

Given all of the above and the information accompanying this application, it is the view of the highway authority that, with the increased car parking now proposed, it would be difficult to now object to this application on these grounds.

I am satisfied with the levels proposed Motor Cycle Parking and Cycle

	<p>Storage</p> <p>This proposal will see an increase in vehicle movements. It is noted that during the AM peak there should be no increase. In the PM peak period there could be an increase of around 27 two-way movements (paragraph 8.1.1). However, given this site is accessed directly onto the A4 this is a negligible increase.</p> <p>Recommendation</p> <p>The increase in car parking for this site is much welcomed. I would request clarification on what the “lease of land” actually means and whether this can be relied upon – is this a permanent arrangement?</p> <p>Subject to confirmation of this, the highway recommendation is likely to be for approval as set out below.</p> <p>It was confirmed that the correct notice had been served upon the land owner and that a planning condition could be appropriately placed. Should the lease expire or not be renewed enforcement action against the non-compliance with conditions would likely be actioned.</p>
<p>Sustainable Drainage Team</p>	<p>Having reviewed the above application, we note that the proposals in terms of surface water management are broadly in accordance with previous proposals at the site, however, the proposals are to change the existing gravel car park to permeable block pavements. We consider these amended proposals to be acceptable.</p> <p>If LPA is minded to approve the application, we request that a condition is attached to the application to ensure that flood risk is appropriately managed for the lifetime of the proposed development.</p>
<p>Environment Agency</p>	<p>The proposed development will be acceptable if a planning condition is included requiring a scheme to be agreed to ensure that the landscape within the site is managed in such a way as to protect and enhance the ecological value of the site including the River Lambourn Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC)</p> <p>This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.</p> <p>This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.</p>
<p>Archaeology</p>	<p>Mill Waters Cottage was apparently created in the 1930s out of part of a historic courtyard building at the former Newbury Mill (also Ham</p>

	<p>Saw Mills). Although the cottage contains some historic fabric, and is also quite attractive as an early 20th century conversion, it has been altered on more than one occasion. The proposals will retain the existing cottage although alter it further.</p> <p>The proposed restaurant is also within an area of 'high' to 'highest' potential for Mesolithic archaeology or palaeo-environmental evidence, but our previous advice was that the site would have been disturbed by the construction of buildings during the late 19th and early 20th century. Evidence suggests that there will be no major impact on 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>
<p>Conservation</p>	<p>Mill Waters Cottage was constructed in the first half of the C20th within the curtilage of the Grade II listed Newbury Manor Hotel. It has undergone a number of alterations and extensions in the C20th and C21st.</p> <p>Given the fact that it pre-dates 1948 and that there was a functional and physical relationship between the principal listed building and the cottage at the time of listing, the building is considered to be curtilage listed.</p> <p>The application is almost identical in form and design to the recently withdrawn applications (16/02903/LBC2 & 16/02902/FUL). The only difference appears to be the inclusion of an extract vent on the roof. However, given its location on the roof it will not be visible from ground level so will have no impact on the character of the building.</p> <p>My comments on the previous application therefore still apply:</p> <p><i>The application proposes to extend Mill Waters Cottage and convert it into a restaurant for the hotel. The extension is located to the rear and will combine a traditional brick and tiled gabled structure to mirror the existing cottage, as well as an extensive contemporary glazed section. The glazed structure will form a low profile link between the existing and proposed brick elements.</i></p> <p><i>The extension has been designed in a contemporary idiom with a lightweight profile, made possible by the use of fully glazed elevations and a shallow pitched glass roof. Whilst the proposed extension covers quite an extensive footprint, it does not dominate the main house, instead it allows the original cottage to remain the focal point.</i></p> <p><i>The application also proposes removing the existing C21st lean to porch, which spans across two thirds of the front elevation with a smaller, more traditional porch. I consider that this is a positive alteration that will enhance the principal elevation of the cottage.</i></p> <p><i>The design of the proposal is well considered and I do not feel that it would cause any harm to the character of this curtilage listed building or the setting of the principal Grade II listed hotel building.</i></p>
<p>Newbury Society</p>	<p>The Newbury Society objects to this application and the four other</p>

linked applications for the Newbury Manor Hotel. While we would wish this business to succeed, we have serious concerns about the current plans which needs to be addressed before any approvals can be considered.

Consultation

We have serious concerns about the quality of consultation with these proposals. The consultation period ran into Christmas. For this application, (17/03237/COMIND), the deadline for consultation announced in the *Newbury Weekly News* was December 28, between Christmas and New Year. Such deadlines undermine the nature of "consultation." We would suggest that for all future planning applications, the period from Christmas Eve to New Year's Day should not be taken into account in dealing with the related dates, i.e. the nine days should be added on to all relevant dates. In such consultations it should be made clear that e.g. two weeks from Dec 14 should lead not to Dec 28, but to Jan 6.

Urbanisation

The planning history shows the piecemeal expansion of buildings on the "Newbury Manor" site since the 1980s, which combine with recent applications to create a substantial increase in the total footprint of the buildings.

This is a marked and progressive urbanisation of an area which retains some rural characteristics, and helps to provide a break in the continual urbanisation along the A4 from Newbury to Thatcham. The change in character removes some of this site's attractions as the setting for a hotel. The current plans for the hotel even include an extension on extensions already approved, but not yet built. The additional parking proposed is another negative factor increasing the urbanisation and affecting the character of this area.

Many previous applications for additions and extensions have been approved but this application for a large restaurant (17/03237/COMIND and 17/03238/LBC2) is one too many.

Disturbance to neighbours

As with the previous application for the restaurant (withdrawn), the Newbury Society also supports the objections of the neighbours. The new restaurant is substantial, although I cannot find formal figures for its capacity among the paperwork (- its footprint is several times that of the cottage it is extending). It will extend almost to the site boundary, which has residential neighbours on the other side who will be affected by the noise, lights and increased traffic. The consequence seems certain to be significant disturbance.

Trees

Existing trees contribute significantly to the character of the site. If the council is minded to grant permission, we would ask for a comprehensive arboricultural monitoring programme. This monitoring is essential, must be regular and include key elements in the whole construction process. Visits and findings should be recorded and the

	<p>council informed (as BS5837:2012 “Trees in relation to design, demolition and construction”).</p> <p>History/ Archaeology</p> <p>The Newbury Manor Hotel was formerly known as Millwaters, and before that formed part of Ham Mills. There were two sets of mills at Ham Mills: one, on the Lambourn, as part of this site; the other, adjacent, on the Kennet. Part of the hotel was originally the miller’s house (known for a time as ‘The Cedars’). Historically, it was not in Newbury and was not a Manor House.</p> <p>If the council is minded to approve this application, we would ask for any work which involves cutting into the site to be covered by an archaeological condition: preferably for sample trenches; but at the very least, requiring a watching brief. This is essential because many of the mill sites in the Newbury area are the sites of Domesday mills, and some even go back to the Early Medieval (i.e. Anglo-Saxon) period. As such, they have strong archaeological potential.</p> <p>In addition, in the Tudor period many of the local mills were fulling mills, processing cloth. The two sets of mills on the Ham Mills site, although now in Newbury, have a complex history on the borders of the parishes of Speen and Thatcham. This has meant that they are so far poorly documented. However there are C15th and C16th century references to a fulling mill at the extreme east end of Speen which could refer to this site.</p>
<p>Environmental Health</p>	<p><u>Noise</u></p> <p>I have reviewed the submitted noise impact assessments: Cole Jarman Noise Impact Assessment Report Ref 16/0017/RO1//Revision 05 dated 25th Jan 18. Cole Jarman Plant Noise Assessment Report 16/0017/R2 Revision 0 dated 10 Nov 2017</p> <p><u>Plant Noise</u></p> <p>Mechanical extraction plant is to be installed within and on the roof. The intake fan is to be in a sealed room within the building with an inlet louvre at roof level. The extract unit is to be on the roof which should provide some acoustic screening. A condensing unit is to be installed on the east facing wall (facing residential receptors) but exact location is not clear. The extraction plant is to operate during restaurant opening hours and the condensing plant will operate for 24 hours. Presumably switching on and off during that time.</p> <p>An assessment of baseline noise was carried out in January 2017 to assist in the calculation of target levels at the nearest sensitive receptors (i.e. dwellings in Two Rivers Way). The report concludes that the ‘representative’ background sound level during the day time is 43dB and during the night is 42dB. The difference between the day time and night time measured background sound levels is minimal (1dB) which, in my opinion is unusual where there is influence from traffic. I carried out some monitoring on the 6th Feb 2018 in the garden of a property in Two Rivers Way which showed that background sound levels (LA90) during the day time were similar to those recorded in 2017 but fell to 39dB at 2300. Unfortunately the monitoring equipment stopped operating after 2300 and no night time levels were recorded. It is reasonable to assume however that the</p>

background sound level could possibly have fallen and that more work is required to establish the 'worst case scenario' (i.e., lowest night background noise level). This could possibly effect the target noise levels established in the noise impact assessment (T5 pg. 10).

The noise levels generated by the proposed development have been assessed at positions representative of the nearest residential facades (para 7.2.1). In my opinion the potential impact of noise in garden areas should also be assessed particularly during the 'day time' period. 0700 – 2300.

Notwithstanding the above it is technically possible to provide noise mitigation measures to mechanical plant to ensure that there is no impact on residential amenity. I would therefore recommend that a condition is imposed to ensure that further base line assessment is carried out and that appropriate noise mitigation measures are installed and maintained.

I would also recommend a condition to ensure that extraction ventilation equipment is regularly maintained and is switched off when the restaurant is not operating.

Noise from Restaurant and External Seating Area

An assessment of noise break out from the restaurant has been carried out. The source levels (T6) have been derived from database noise data for 'kitchen noise' and 'bar noise levels with no music.'

The impact at residential properties has been derived by comparing measured levels (LAeq) with predicted levels (LAeq) at receptors. It is not clear whether music will be played in the restaurant area and it is not clear whether the impact within neighbouring *gardens* has been assessed.

Noise from the external seating area has also been assessed using data from BS ISO 9921-1:1996. The calculations assume one person talking at each table at a normal level and that it would be unusual for people to talk over each other. I do not agree with this assumption.

The layout of the external seating area differs from one drawing to another. In one drawing (Site Plan 03/2/17 RP01) a fence is shown at the eastern end of the terrace closest to residential receptors. On another drawing 03/2/17 RP02 this fence is shown as a 2m high close boarded fence which, if it were acoustically sealed, (i.e. no gaps) could provide additional protection to local residents.

I recommend that the decision on this application is deferred until further assessment of noise from the restaurant and external seating area is carried out including:

- an assessment of noise affecting neighbouring gardens;
- an assessment of noise from amplified music, if it is to be played;
- an assessment of potential noise mitigation (insertion loss) provided by proposed 2m high close-boarded fence at the end of the terrace.

Noise from Deliveries

Deliveries will be made to a door on the eastern façade of the proposed restaurant via a ramp that runs close to the boundary with

neighbouring properties. The noise impact assessment (para 8.5) states that deliveries to the new restaurant building are not expected to be significant in number over the course of a typical week and that the open doors of delivery vehicles should face away from residences to the east. No assessment has been made of noise from vehicle movements, reversing alarms, refrigeration units on vehicles or unloading activity

I recommend that the decision on this application is deferred until an assessment of noise from deliveries is carried out and submitted.

Refuse Disposal

I note that there is an enclosed 'refuse' area (room) on the eastern façade of the proposed building. The day to day use of this area is not likely to be significant unless it is used for the disposal of empty bottles at inappropriate times. Noise from the delivery and collection of waste skips has the potential to cause significant disturbance particularly if it happens early in the morning, which is quite often the case in such locations

I recommend that the decision on this application is deferred until an assessment of noise from the refuse area is carried out.

Noise from the Car Park

I understand that the capacity of the existing car park is to be increased. Paragraph 8.1.1 of the noise impact assessment points out that vehicles currently park close to the boundary of the site close to residential properties and that in fact there will be an increase in the average distance to residences when the car park is more formally laid out. Given that there is likely to be an intensification of the use of the car park and an increase in the number of customers using the site as a result of this application I consider it reasonable to request an assessment of noise from the car park.

I recommend that the decision on this application is deferred until an assessment of noise from the car park is carried out to include:

- assessment of noise from the arrival departure of vehicles
- assessment of noise from customers arriving and departing including the closing of car doors
- any possible noise mitigation measures perhaps in the form of acoustic fencing along the eastern boundary of the site (for example)

Commercial Odour

Odour from the commercial kitchen could have an impact on residential amenity if not adequately controlled. Drawings showing the layout of the extraction equipment have been provided but there appears to be no information on odour control, filtration etc. . I recommend therefore that a condition is imposed as follows:

Before development commences the applicant shall submit to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of odour and noise from the preparation of food associated with the development. Development shall not commence until written approval has been given by the Local Planning Authority to any such scheme of works.

Reason: In the interests of the amenities of neighbouring occupiers

I recommend that the further information is requested as detailed

above before determination

An updated version of the Noise Impact Assessment (Cole Jarman report 16/0017/R01)//Revision 06) was submitted to the LPA and re-consulted upon with objectors.

The following additional information has been provided:

1) Noise from the restaurant and external seating area

The noise from people using the terrace was previously based on one person speaking at a time. We considered that this was not a realistic scenario and asked for this to be reassessed. The current assessment is based on every person at each table talking at the same time. Whilst this is also not realistic it does ensure that a worst case assessment has been carried out and is therefore acceptable.

Paragraph 7.3.3 states that “*the closest dwellings are screened from people within the external areas and the open façade by the building itself*”. Drawing ref RP.01 A (Proposed Restaurant Site Plan in Appendix) shows a fence at the eastern end of the terrace but this does not appear on other drawings (RP.02, RP.06).

It is not clear, however, whether the assessment takes into account any acoustic benefit from this fence. Given that nearby residents are likely to benefit from a close boarded fence at this location I recommend that this is installed as part of this development. You may wish to seek further clarification on this.

2) Noise from deliveries/ collections

Previous assessments did not provide a comprehensive assessment of noise from deliveries/collections. Section 8 of the revised report assesses noise from deliveries and collections and concludes that the calculated noise levels are lower than the existing ambient noise levels so are suitably controlled. The assessment states that waste collections and F&B deliveries will be limited to between 0900 and 1800 each day. I therefore recommend that a condition is imposed to restrict delivery and collections times to between 0900 and 1800 each day.

I was concerned about potential noise from the disposal of bottles and other glass waste. The noise assessment states that a ‘Glassbuster’ machine will be used in the bar area and glass waste will be stored in plastic containers. This will significantly reduce the noise form disposal of glass waste and is acceptable. It is not clear, however whether this should / could be secured by condition.

3) Noise from Car Park

A full assessment of noise from the refurbished car park has been included in section 9 of the revised assessment. Data from various car park noise databases have been used to calculate the potential noise impact and the assessment is based on methods detailed in the DoT calculation of Road traffic Noise (CRTN). It concludes that the noise impact from

	<p>the car park will be suitably controlled and that no mitigation is required. Whilst it is not possible to model every scenario, including occasional excessive noise from people using the car park, I think that the assessment is reasonable and is therefore acceptable. Licensing conditions could be used to limit people noise should the need arise.</p> <p>4) <u>Noise from external plant (Air conditioning and refrigeration).</u> I recommend that the standard condition for controlling noise from externally mounted plant and equipment is applied. <i>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 BS4142-2014, at a point one metre external to the nearest noise sensitive premises.</i> <i>Reason: in the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area</i></p> <p>It was confirmed in an email dated 3rd May 2018 that Environmental Health had no objections subject to conditions.</p>
Canal and Rivers Trust	No comments received.
Ecology	<p>I note that the ecology information is dated December 2015.</p> <p>Standing advice from Natural England is that surveys should not be over 2 – 3 years old for medium to high impact schemes. (Natural England – Standing Advice for Protected Species)</p> <p>However, since this site is adjacent to a SAC and SSSI and has the potential to impact on a number of species it is worth having a refresh done especially as the land has been vacant for several breeding seasons and new species might have migrated in.</p> <p>I note that the Water Vole survey was updated in 2016 and again in 2017 and therefore does not need to be done again.</p> <p>Updated ecology reports were submitted to the LPA, to which were reviewed by the LPA's ecologist. Thank you for consulting Ecology with this updated information. If you are minded to approve please apply conditions.</p>
Natural England	<p>Following receipt of further information on 16/05/2018, Natural England is satisfied that the specific issues we have raised in previous correspondence relating to this development have been resolved. We therefore consider that the identified impacts on the River Lambourn SSSI/ SAC can be appropriately mitigated with measures secured via planning conditions as advised and withdraw our objection.</p> <p>The planning conditions are as follows:</p> <p>- That the site is connected to the public foul drainage system as mentioned in the letter dated 9th May 2018 and that foul water will not be dealt with through a package treatment plant or septic tank.</p>

	<p>- That the construction activities will be undertaken in a way which will avoid any detrimental impact on the adjacent SSSI/SAC e.g. from dust, spillages, polluted runoff etc. Measures will be put in place to ensure no sediment or polluted runoff enters the river when undertaking activities such as wheel washing, refuelling of machinery, storing materials etc. Best practice and Environmental standards will be adhered to and specific details regarding where certain activities will take place on site, such as the storage of materials etc, will be included in the final CEMP.</p> <p>- That a long term SUDs maintenance plan will be provided. The information provided in the technical note document is not detailed enough to reassure our concerns. Natural England would like to see a SUDs maintenance plan as requested in our letter dated 17th November 2016. This should include timescales of regular checks and details of the maintenance specific to the types of SUDs that will be used onsite. If the SUDs are not properly maintained and therefore fail, the River Lambourn SSSI/SAC is likely to be affected.</p> <p>- That a buffer zone between the river bank and the construction footprint of at least 8m will be retained and clearly marked by both a visual and physical barrier thus preventing materials, machinery or work from encroaching onto the SSSI/SAC either before, during or after demolition or construction as mentioned in the draft CEMP. The buffer zone will be maintained as an undisturbed riparian corridor. This point is linked to our request in our letter dated 17th November 2016 about considering how the development will be undertaken that ensures no altered hydrogeology will occur.</p>
Tree Officer	<p>There are a number of significant mature trees that may be adversely affected by the proposals, they are all protected under the Conservation Area. The submitted arboricultural information prepared by Ian Murat of A C S Consulting dated October 2017 and subsequent Overlay and mark up of Landscape planting plans of the approved hotel plan and current restaurant plan dated 27.03.18 is considered to be adequate for the purpose of determining this application as far as tree and landscape implications are concerned and with the protection measures specified along with close arboricultural supervision should be sufficient to minimise the impact of the development on retained trees.</p> <p>Recommendation:</p> <p>I raise no objection to this development subject to the following conditions</p>
Ministry Of Defence	No objections
Transport Policy	<p>I have now looked at the January 2018 ETP that has been produced for the restaurant. The ETP shares the wider primary aim to reduce single occupancy car travel by staff travelling to and from Newbury Hotel. A number of revisions were requested to increase the accuracy of the Employment Transport Plan</p> <p>In terms of my other point regarding the electric vehicle charge point, we would probably require a single charge point with two sockets to enable two vehicles to be charged at any one time. This can be secured via a condition.</p> <p>No objections subject to conditions</p>

BBOWT Thames Water Utility Minerals Policy Team Kennet and Avon Canal Trust	No response received as at 22/05/2018.
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2. Representations

- 4.1. The Local Planning Authority received 17 representations all of which were objections to the application. A number of objectors sent multiple representations letters. In line with the Council's Constitution they only count as the one objection, but all of the matters raised have been considered.
- 4.2. The matters raised in the letters of objection (summarised by officers) are:
- The impact on neighbouring amenity from noise pollution from users of both hotel, restaurant and parking areas, also the lack of parking provided.
 - The siting of the restaurant close to neighbouring dwellings but away from the hotel
 - The impact on neighbouring dwellings garden amenity
 - The open plan nature of the application lends itself to be used as a function room rather restaurant
 - The increase in likely numbers of vermin attracted to the increase in waste proposed on the site.
 - The customers of the proposed development parking in the surrounding streets causing conflict with regard to road safety and neighbouring amenity.
 - Impact on the local ecology of the River Lambourn which is SSSI and a SAC.
 - The outdated ecology reports raise concern that this has not been considered closely enough
 - The running of the condenser unit for 24 hours a day will have a detrimental impact on neighbours
 - Impact from the restaurant being used for the wedding market
 - Impact from the increased likelihood of firework displays
 - Impact from outside diners on the external seating area
 - Concerns raised in regards to food smells being emitted from the restaurant
 - Light pollution from the glazed roof of the restaurant and car lights in the car park
 - Noise from the development being used as a wedding venue increasing the use of DJs and bands
 - The increase in capacity of car park causing disruption to neighbours
 - Replacing an extensive area of scrubland/grass etc with hard surfacing will prevent it from absorbing any of the run-off from the river when the level is high, or when excessive rainwater runs down the hill and through that area as it has done before.
 - The submission of applications in the pre-Christmas period making consultation responses an issue
 - Increased traffic using the A road adjoining the site
 - The increase in traffic movements having a negative impact on the ecology of the site.
 - The bi-fold doors will provide an option for the indoor area to provide a larger cumulative impact from noise.
 - The change to the surfacing of the land will alter the natural drainage of the car park which will increase risk of flood in the area
 - The original Noise Impact Assessment lacks pragmatic consideration of additional sources of noise such as live or background music, deliveries and taxis.
 - Increasing use of restaurant causing anti-social behaviour in the surrounding areas
 - The development is proposed too close to residential buildings
 - Existing issues with Hotel Guests and noise complaints is likely to increase

- Objections to all the applications being considered separately and should have been submitted as one.
- Misleading Planning Statement, where it states previously withdrawn applications were considered acceptable, despite no decision being made.
- The reliance on previously submitted documents to justify this proposal leads to inaccuracies.
- Ecology surveys not being carried out at appropriate times in accordance with best practice.
- The potential nuisance and pollution adverse impact is compounded as all of the noisiest and polluting operational activities are planned to be within 5 metres of residences. These being: the refuse store, bottle store, 3 closed plant areas and kitchen.
- Objection is raised to the findings of the Ecology reports whereas the Hotels website states that the river is full of fish, and other wild life can be found in the grounds.
- Objectors state that a number of protected species are seen regularly throughout the year on the site.
- Objection raised to staff taking smoking breaks near service areas
- Objection to the use of the areas adjacent for spill out activities such as bbqs and igloos to increase the use of the site. Additionally uses such as outdoor cinemas.
- Lack of information on future plans for the site, specifically the existing riverside building which is current unused.
- Discrepancy in flood space calculations
- The under provision for disabled access to the restaurant and parking spaces.
- The travel plan omits key trips in its considerations
- The noise impact does not take into account the cumulative impact of the development.
- Contradictions in regards to the choice of Plant equipment choice between documents

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 carry full weight and 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 Polices in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following Policies remain in place until they are replaced by future 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 proposes the single storey extension and alteration of an existing cottage to create a hotel restaurant with outdoor seating terrace, wall mounted-condenser unit and roof-mounted extract. The proposed development is to extend the existing dwelling in the grounds of the Hotel, to the east by around 16 metres and to the south by 17 metres approx. in amongst other smaller extensions. An external seating area is proposed to the south adjoining the river Lambourn.

6.2. The site is located adjacent to the River Lambourn which is a site of Significant Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The dwelling itself is not listed but is listed by virtue of being within the curtilage of the Grade II listed building of Newbury Manor Hotel. The proposed development also falls within a Conservation Area and within the defined settlement boundary of Newbury Town.

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 of the Site;
- Archaeology of the Site;
- Community Infrastructure Levy.

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 including 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.

- 8.3. The proposed development at Mill Waters Cottage, 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 2017).
- 8.4. Being within the settlement boundary and within an established commercial hotel site the principle of the proposed development is considered acceptable. The dwelling to be converted has been used by the hotel for staff accommodation and various 'back room' uses according to the Design and Access Statement (DAS). The proposed development being within the settlement boundary as directed by ADPP1 and ADPP2 is also situated on previously developed land. The proposed use would accord with the existing nature of the site and there are other commercial mixed use of the A4 London Road which contains a number of different restaurants and uses such as The Swan Pub and the 'Toby Carvery' which share a similar relationship to the surrounding uses as this development.
- 8.5. The proposed development would create 10 full time jobs and 15 part times jobs according to the application form. The development would therefore create jobs in a sustainable location with good transports links within West Berkshire.
- 8.6. Although the principle of development is acceptable the permission can only be granted 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 and other key issues.

9. 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. Mill Waters Cottage was constructed in the first half of the C20th within the curtilage of the Grade II listed Newbury Manor Hotel. It has undergone a number of alterations and extensions in the C20th and C21st. Given the fact that it pre-dates 1948 and that there was a functional and physical relationship between the principal listed building and the cottage at the time of listing, the building is considered to be curtilage listed.
- 9.4. The extension has been designed in a contemporary idiom with a lightweight profile, made possible by the use of fully glazed elevations and a shallow pitched glass roof. Whilst the proposed extension covers quite an extensive footprint, it does not dominate the main house, instead it allows the original cottage to remain the focal point.
- 9.5. The application proposes to extend Mill Waters Cottage and convert it into a restaurant for the hotel. The extension is located to the rear and will combine a traditional brick and tiled gabled structure to mirror the existing cottage, as well as an extensive contemporary glazed

section. The glazed structure will form a low profile link between the existing and proposed brick elements

- 9.6. The application also proposes removing the existing C21st lean to porch, which spans across two thirds of the front elevation with a smaller, more traditional porch. The Conservation Officer consider that this is a positive alteration that will enhance the principal elevation of the cottage.
- 9.7. Given the location of the extraction units on the roof it will not be visible from ground level so will have limited impact on the character of the building or the character of the area.
- 9.8. The design of the proposal is well considered and overall the Conservation Officer and Planning Officer do not feel it would cause any harm to the character of this curtilage listed building or the setting of the principal Grade II listed hotel building.
- 9.9. In light of the above the case officer does not feel that the proposal would harm the setting of this Grade II listed building or the Conservation area, the Conservation Officer is in agreement with this assessment. Conditions have been recommended should approval be given.
- 9.10. It is considered 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 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. This policy requires appropriate measures to be taken in the location, design, layout and operation of development to minimise any adverse impact as a result of noise generated from the proposal.
- 10.2. The impact on the neighbouring amenity has been an area of strong objection within representation letters. A number of objection areas have been submitted to the LPA, these relate in the majority to noise emitted from the restaurant, the external seating areas, deliveries and the noise from the associated car parking in amongst other matters.
- 10.3. Noise from the restaurant has been considered in the Cole Jarmen Noise Impact Assessment (NIA) Report 16/0017/RO1// Revision 1. Initial objection was raised in regards to some of the assumptions made in earlier NIA's however this document was reviewed. The assessment contained within revision 6 makes the assumption of all people at a 4 person table would speak at the same time, allowing for the worst case scenario to be presented. The figures presented in this report with this assumption, show a 'not significant' increase in noise at the site. This does not present an adverse impact from noise generated by the restaurant and external seating area and therefore Environmental Health officers were content with the impact. The internal noise levels have been generated without music (T6 Page 11 of the NIA report version 6). Therefore a restricting condition on music being played in the premises is warranted until further details have been submitted. The external seating area noise levels took into account the acoustic fence to the east of the seating area which was demonstrated to reduce the noise impact on neighbouring amenity.
- 10.4. The development has sought to orientate the external seating areas, and the bi-fold doors away from neighbouring properties to reduce the noise impact on neighbouring amenity. It

is considered the design has been carefully considered and the NIA shows 'Not Significant' increase in noise levels from the restaurant on neighbouring dwellings. This evidence in combination with planning conditions, EH legislation and licensing will protect and provide the development will have an appropriate level of impact on the neighbouring amenity from the existing commercial site.

- 10.5. Noise from deliveries is an area of impact on neighbouring amenity. The revised NIA in section 8 addresses this area of impact. It concludes that the existing ambient levels next to the A4 on an established commercial site are such that the deliveries to the restaurant will not give a significant increase in noise impact over the existing situation. The EH team agree with this assessment, but do note that the deliveries and waste collections will be limited to times between 0900 and 1800, which can be secured by condition.
- 10.6. A very specific area of objection was the disposal of glass bottles and the adverse impact this can have on amenity from a particularly disruptive operation of the restaurant. It has been proposed that a 'glass buster' be used which breaks the bottles in smaller pieces in the restaurant area and deposits these into plastic tubs, to be stored until waste is collected. This would be considered an appropriate mitigation method to the noise and a condition requiring more specific details of this operation and machinery have been recommended.
- 10.7. Noise generated from the use of the car park was considered another area of potential unacceptable impact on neighbouring amenity. This was covered in section 9 of the NIA revision 6. The number of spaces will increase in the areas surrounding the hotel, however, the majority of the site is already a car park and the laying of additional parking has been previously approved under application 16/01171/FUL further north of the site. Despite this the NIA uses various car park noise databases to calculate the potential noise impact and the assessment is based on methods detailed in the Road Traffic Noise. The method of calculation and assessment is reasonable to the LPA's Environmental Health team as it would not be possible or reasonable to model every scenario. It has also been mentioned by the EH team, that licensing conditions could be used to limit the noise should the need arise. The Impact is considered acceptable and can be controlled. It should also be noted that the majority of the areas are existing parking areas, and therefore the increase in impact is considered minimal.
- 10.8. Objections letters have stated the issue that the NIA only takes into account week day trip generations. This was put to the agent who has provided a separate tables for the weekend trip generation to which shows similar levels of impact. The impact is shown to be within an acceptable level.
- 10.9. Noise from plant works have been subject to a noise impact assessment 16/0017/R2 conducted by Cole Jarman. This documents outlines that suitable plant equipment can be installed to acceptable levels of noise. It has been noted that the subsequent revision 6 of the NIA states that choice of plant equipment has not been made yet despite what the Plant NIA states. It is considered that an appropriately worded condition that stipulates a maximum noise level for plant equipment to comply with gives the commercial business greater flexibility in choice of manufacture but also retains control of the noise levels.
- 10.10. The extensions to create the restaurant are all single storey, therefore it is not considered any impact on neighbouring amenity will occur through overlooking or perceived overlooking.
- 10.11. Conditions restricting external light until details have been submitted are recommended to reduce the impact on light spill to neighbouring dwellings. These are also justified in regards to protecting the ecology of the site.

- 10.12. There have been a number of objections submitted to the council in regards to the impact on the neighbouring amenity from the proposed development. This impact can be controlled through conditions. The Planning Practice Guidance states that cumulative impacts must be assessed from developments. The established levels of noise of the both existing and proposed have been considered and the levels of noise impact have been considered acceptable subject to conditions.
- 10.13. For these reasons, the proposal subject to conditions, in so far as it relates to protecting residential amenity, the development would be, on balance, 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 LPA's highways department assessed the site as a whole, considering the previously approved hotel extension and the parking demands generated from this to draw a 'worst case' scenario in regards to the parking on the site for all the uses. No current car parking standards for A3 uses are adopted by the LPA and therefore each site and application is treated on its merits.
- 11.3. A full list of parking provision is given in highways responses in the consultation section of this report but a total 129 parking spaces have been provided for within this application. The existing parking area accommodates 50 cars approx. it is not formally laid out at present. The previously approved hotel extension formally proposed to layout the car park to accommodate 75 spaces. With additional parking to the north and east of the site this application proposed a total of 129 spaces on the site. This would provide an increase in 54 parking spaces upon previous consents.
- 11.4. The LPA's highways department has worked through a number of situation as follows
- *According to the floor plans the following number of diners could be accommodated:*
 - o 110 covers internally;
 - o 40 covers externally;
 - o There is also a private dining area seating 12.
 - *For a total of 162 covers (internal and external) and 54 new car parking spaces, this would equate to 3 covers per vehicle if all diners travelled by private vehicle, which is unlikely to be the case. In reality the spaces would be shared across the site.*
 - *A maximum of 49 car parking spaces could be required for hotel guests at 100% occupancy and if all guests travelled by car. This is likely to be a rare occurrence if at all.*
 - *There could be up to 20 restaurant staff at peak times – Saturday evenings. It was established on the 2016 application that at this time there could be around 5 hotel staff. Assuming 65% of staff would travel by private car, as per the 2011 Census data, this could create a demand for around 16 staff vehicles.*
 - *Therefore with 49 spaces for hotel guests, 16 vehicles for staff, this would leave around 67 spaces for diners at the restaurant or for (existing) events. This is an additional 42 spaces on the previous application which saw 25 spaces remaining.*

- 11.5. Highways also looked into the Transport Statement showing data of trip generation for restaurants and for the hotel to show that the appropriate level of parking has been provided. The case officer summarises that this application proposes a new restaurant with 54 additional car parking spaces, equates to 1 space per 3 diners, and 42 more spaces than were proposed in previously withdrawn applications.
- 11.6. The hotel is already operating from the site. Recent/current applications would see the number of bedrooms increase to 49 (if approved) and events are currently permitted from this site and there is small bar within the hotel building. West Berkshire Council does not have current car parking standards for A3 use and so applications such as this are assessed on their own merits.
- 11.7. Given all of the above and the information accompanying this application, it is the view of the highway authority that, with the increased car parking now proposed, it would be difficult to now object to this application on these grounds. An electric car charging point with two sockets has been requested by the Transport Policy team to cater for the increasing use of electric vehicles and promote the sustainable elements of the development.
- 11.8. Therefore the proposal is considered to be , on balance, acceptable and in accordance with CS13 of the West Berkshire Core Strategy (2006-2026), Saved Local Plan policy TRANS1 and the NPPF (March 2012) subject to conditions.

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. This policy stipulates that sites require a flood risk assessment if they fall within Flood Zone 2 or 3, a flood risk assessment has been submitted created by Peterbrett. This document was consulted upon with the LPA's drainage team who noted that the proposed development would largely be similar in impact to that previously approved under application 16/01171/FUL. No objections were raised in response to the flood risk assessment that alter the parking areas within the hotels grounds. The proposal will change the existing gravelled car park to an area of block pavements with suitable sustainable drainage measures.
- 12.2. The sustainable drainage team raised no objections to the details contained with the flood risk assessment and recommended a condition be applied for more specific details of the sustainable drainage methods. An objection was submitted by Natural England who raised concerns in regards to the sustainable drainage methods and the possibility that they may discharge in the River Lambourn (SSSI and SAC) which may compromise the ecology. They recommended subject to conditions, that the impact could be avoided and mitigated.
- 12.3. A number of objectors have raised concerns over the increase likelihood of flooding should the application be approved. The flood risk assessment has shown that through appropriate measures the impact from the proposed development can be mitigated and will not increase flooding in this area. The LPA's sustainable drainage team agrees with this assessment and for these reasons, the proposal would be in accordance with policy CS16 of the Core Strategy and advice contained within the NPPF subject to conditions

13. Ecology and Tress

- 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. The application site is located adjacent to a SAC and SSSI of the River Lambourn it also contains a number of significant trees protected under the Conservation area.

- 13.2. There are a number of significant mature trees that may be adversely affected by the proposals, they are all protected under the Conservation Area. The submitted arboricultural information prepared by Ian Murat of A C S Consulting dated October 2017 and subsequent Overlay and mark up of Landscape planting plans of the approved hotel plan (17/01171/FUL) and current restaurant plan dated 27.03.18 is considered to be adequate for the purpose of determining this application as far as tree and landscape implications are concerned. The Tree Officer accepts that with the protection measures specified along with close arboricultural supervision should be sufficient to minimise the impact of the development on retained trees.
- 13.3. Due to the sensitive nature of the site and the adjoining SSSI and SAC site of the River Lambourn a number of objections have been raised in regards to the impact on the ecology of the site. This has been closely considered by the councils Ecology, Natural England, and the Environments Agency.
- 13.4. The council's ecologist initially requested the submitted ecology reports be revisited due to the standing advice from Natural England stating that surveys should not be over 2-3 years old for medium to high impact schemes. As the initial ecology information dated back to December 2015 this was considered justified. The Water Vole report was updated in 2016 and again in 2017 and therefore did not need to be reviewed. The revised Ecology report submitted in January 2018 conducted by Windrush Ecology.com was reviewed by the council's ecologist who recommended a number of conditions to provide mitigation of the proposed development upon the ecology of the site. This was considered justified and in line with CS17 of the Core Strategy and no objections were raised.
- 13.5. The Environments Agency were of the opinion that the proposed development will be acceptable if a planning condition is included requiring a scheme to be agreed to ensure that the landscape within the site is managed in such a way as to protect and enhance the ecological value of the site including the River Lambourn Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC)
- 13.6. This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.
- 13.7. This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109 which aims to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. In addition in line with Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.
- 13.8. Natural England required further information in regards to how the proposal will not adversely impact the River Lambourn SAC. They wanted to see information in relation to a Construction Environment Management Plan (CEMP) and further information in regards to the long term maintenance of the SUDs system and details of the onsite waste management system.
- 13.9. Further documentation was submitted to Natural England to which withdrew their objection subject to a number of planning conditions including information regarding
- *That the site is connected to the public foul drainage system as mentioned in the letter dated 9th May 2018 and that foul water will not be dealt with through a package treatment plant or septic tank.*
 - *That the construction activities will be undertaken in a way which will avoid any detrimental impact on the adjacent SSSI/SAC e.g. from dust, spillages, polluted runoff etc. Measures will be put in place to ensure no sediment or polluted runoff enters the river when undertaking activities such as wheel washing, refuelling of machinery, storing materials etc.*

Best practice and Environmental standards will be adhered to and specific details regarding where certain activities will take place on site, such as the storage of materials etc, will be included in the final CEMP.

- *That a long term SUDs maintenance plan will be provided.*
- *That a buffer zone between the river bank and the construction footprint of at least 8m will be retained and clearly marked by both a visual and physical barrier thus preventing materials, machinery or work from encroaching onto the SSSI/SAC either before, during or after demolition or construction as mentioned in the draft CEMP. The buffer zone will be maintained as an undisturbed riparian corridor.*

13.10. These requests were considered appropriate to be conditioned, they were agreed by the applicant and related to many of the conditions already requested by the LPA's ecologist and the Environments Agency. It is considered, on balance, that the development will comply with CS17 of the Core Strategy and provide mitigation and protection to the Ecology of the site and will not have a detrimental impact in accordance in accordance with the provisions of Core Strategy CS17 and advice within the NPPF.

14. Archaeology of the Site

14.1. The Newbury Society has recommended that given the long history of the site and its previous uses if the LPA is minded to approve the application appropriate conditions should be applied in regards to archaeology reviews and a watching brief. The Council's Archaeologist has reviewed the application similarly but comment that the proposed restaurant is also within an area of 'high' to 'highest' potential for Mesolithic archaeology or palaeo-environmental evidence, but previous advice was that the site would have been disturbed by the construction of buildings during the late 19th and early 20th century. Evidence suggests that there will be no major impact on any features of archaeological significance.

14.2. It is therefore considered conditions are unreasonable and no investigation programme is required. The proposed development is therefore considered in line with CS19 of the Core Strategy and Advice within the NPPF.

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 extension to the existing building for an A3 use would incur a CIL contribution. The net additional floor space is 346 sqm according to the CIL PAAIR form and has been reviewed by the case officer whose figure was 348 sqm. These figures are subject to review by the Local Charging Authority.

16. The Planning Balance and Assessment of Sustainable Development

16.1. The NPPF states there is 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.

16.2. The proposed development would bring economic development to Newbury through the creation of a Restaurant (A3) use that will provide 10 full time jobs and 15 part time jobs in a sustainable location that is well connect to transport links. The environmental considerations have been assessed in terms of the impact on the listed building, the impact on the Conservation area, and the impact on the River Lambourn (SSSI and SAC). It is considered that through appropriate conditions the impact of the development can be mitigated and enhanced in line with policy and that harm no harm to the trees and ecology

of the site will occur from the proposed development. The Conservation Officer is content with the design and the impact from the development on the hotels grade II listed status.

- 16.3. The social implications for sustainable development have caused the most objection to this development. The noise emitted from the restaurant is considered to be of a level that will not cause significant impact, appropriate conditions can be recommended to control the noise emitted. There is also concern that the proposed development will cause an increase in flood risk, but sustainable drainage methods can be employed and the LPA's drainage team consider the level of impact acceptable subject to conditions.
- 16.4. The site has number of constraints that interlink with each other and the mitigation methods and conditions suggested will all interlink to produce a development that benefits Newbury commercially. Balanced against the commercial benefit are the issues of Conservation and protection of the ecology and trees of the site. However the LPA's officers all agree that the development will, subject to conditions, not have an adverse impact upon these. A number of objections have been raised in regards to noise and there will be a noise impact from the development. The evidence that has been submitted and reviewed the LPA's Environmental Health officers in dictates that the level of noise is acceptable subject to conditions and that there are alternative licensing and EH legislation that can protect neighbouring amenity alongside the planning conditions recommended.
- 16.5. When weighing the proposed development in the planning balance, each constraint can be mitigated by condition. The case officer in weighing the negative impact on the neighbouring amenity against the commercial and employment benefits considers that the negative impact can be mitigated by conditions.
- 16.6. The application is therefore recommended for APPROVAL.
- 16.7. The proposal for the extension and alteration of an existing cottage to create a hotel restaurant with outdoor seating terrace, wall-mounted condenser unit and roof-mounted extract at Mill Waters, Newbury Manor Hotel is considered in accordance with National Planning Policy Framework (March 2012), policies ADPP1, ADPP2, CS11, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and 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. Approved Plans

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

- Drawing title "Proposed Restaurant Elevations- Sheet 1". Drawing number RP.05. Date stamped 28th November 2017

- Drawing title "Proposed Restaurant Elevations- Sheet 2". Drawing number RP.06. Date stamped 2nd May 2018
- Drawing title "Proposed Restaurant Sections". Drawing number RP.07. Date stamped 28th November 2017
- Drawing title "Proposed Restaurant Ground Floor Plan". Drawing number RP.02 A. Date stamped 2nd May 2018
- Drawing title "Proposed Restaurant First Floor Plan". Drawing number RP.03. Date stamped 28th November 2017.
- Drawing title "Proposed Restaurant Roof Plan". Drawing number RP.04. Date stamped 28th November 2017.
- Landscaping plan: Overlay and mark up of Landscape planting plans of the approved hotel plan and current restaurant plan dated 27.03.18
- Drawing title "Proposed Restaurant Site Plan". Drawing number RP.01 C. Date stamped 16th March 2018
- Drawing title "Proposed Restaurant Block Plan". Drawing number RB.01 A. Date stamped 28th November 2017.
- Drawing title "Proposed Restaurant Location Plan". Drawing number RL.01 A. Date stamped 28th November 2017
- Drawing title "Kitchen Ventilation". Drawing number CCN-01. Date stamped 28th November 2018.
- Drawing title "Kitchen Ventilation". Drawing number CCN-02. Date stamped 28th November 2018.

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

3. HIGH12 - Parking/turning in accord with plans (YHA24)

The development shall not be brought into use until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan

- Drawing title "Proposed Restaurant Site Plan". Drawing number RP.01 C. Date stamped 16th March 2018

The parking and/or turning space 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), 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).

4. HIGH19 – Motor Cycle and Cycle parking (YHA35) - variation

The development shall not be brought into use until the motor cycle and cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of motor cycles and cycles at all times.

Reason: To ensure the development reduces assists with the parking, storage and security of cycles and motor cycles. 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).

5. HIGH19 – Electric Car Charging Point

The development shall not be brought into use until a parking space is installed with at least a single charging point with a minimum of two sockets to enable two vehicles to be charged at any one time with electricity.

Reason: To promote the use of sustainable travel methods The provision of charging points is supported by paragraph 35 of the NPPF, which states that developments should be '*designed where practical to incorporate facilities for charging and plug-in and other ultra-low emission vehicles*'. 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).

6. Details of Spoil use to be submitted to and approved by the Local Planning Authority

No development shall take place until full details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- (a) Show where any spoil to remain on the site will be deposited;
- (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
- (c) Include measures to remove all spoil (not to be deposited) from the site;
- (d) Include timescales for the depositing/removal of spoil.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS17 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

7. Submission of Construction Ecology Management Plan

No development shall take place until a Construction Ecology Management Plan has been submitted to and approved in writing by the Local Planning Authority. Natural England shall be consulted upon the details submitted in the interest of the SAC/SSSI. The development shall be carried out in accordance with the approved details. The statement 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
- (h) Measures to ensure no sediment or polluted runoff enters the river when undertaking activities such as wheel washing, refuelling of machinery, storing materials etc.
- (i) Measure to ensure best practice and Environmental standards will be adhered to where practically possible
- (j) 8m buffer zone from the river Lambourn prior to work by both visual and physical means to prevent any inadvertent impact on water voles. The buffer zone will be maintained as an undisturbed riparian corridor

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety and the safeguarding of the SAC/SSSI. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

8. Public Foul Drainage System

The development shall not be brought into use until it has been connected to the public foul drainage system and that foul water will not be dealt with through a package treatment plant or septic tank.

Reasons: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy. This condition is placed in accordance with National Planning Policy Framework (NPPF), paragraph 109 and 118 and in line with CS 17 of the West Berkshire Core Strategy (2006-2026).

9. Hours of Construction Work

The hours of work for all contractors for the duration of the site development shall unless otherwise agreed by the Local Planning Authority in writing be limited to:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and NO work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers. In accordance with CS14 of the West Berkshire Core Strategy (2006-2026) and OVS.6 of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

10. Condition Environments Agency

No development shall take place until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

- Details of how the existing river corridor will be protected during the construction period. The river corridor and associated habitats should be clearly identified and marked out. Access by construction vehicles and storage of materials shall not be permitted in this area.
- The existing river habitat and that of the large pool area adjacent to the old restaurant on site are currently has very poor marginal habitat with limited growth of marginal plants and much of the bank is made up with hard revetment such as
- End 2 wooden sleepers. The management plan should include the improvement of these marginal habitats including the replacement of hard revetment with a more natural option. The suitable management of these habitats should be agreed, including leaving significant 'un-mown' areas adjacent to the river.
- The ecological management should include provision for the sensitive management of the fish passes which allow movement of fish from the River Kennet and into the River Lambourn SAC can become much less efficient without proper management

Reasons: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy. This condition is placed in accordance with National Planning Policy

Framework (NPPF), paragraph 109 and 118 and in line with CS 17 of the West Berkshire Core Strategy (2006-2026).

11. SuDS Pre condition

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

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include details of how the existing flood plain will be sustained or mitigated (any measures for loss of flood plain shall not increase flood risk elsewhere);
- 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 +40% for climate change;
- g) Include elevated floors with voids underneath for flood storage to minimise the loss of flood storage capacity. Arches shall be fitted with grills to prevent access under the building by children or animals, or for storage of materials which would remove flood storage volume;
- j) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- k) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines.
- n) 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 management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
- o) This will also include specific measures to ensure the protection of the River Lambourn SSSI and SAC from the SuDs system.

The above sustainable drainage measures shall be implemented in accordance with the approved details before the building(s) hereby permitted is occupied. 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 applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

12. Ecology lighting strategy

No external lighting shall be installed on the development hereby permitted until a detailed Lighting Strategy has been submitted to and approved in writing by the Local Planning Authority. The Lighting Strategy shall ensure that any lighting limits the impact on bats and avoid light spillage

along the River Lambourn to avoid potential impact on otters. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

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

13. Mitigation (implement)

Prior to the commencement of the use of the building Two Ibstock Swift Box, Schwegler Swift Box Type 25 or the Schwegler Swift Box Type 16 are provided on the exterior of the new building AND shall thereafter be retained and maintained.

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

14. Tree Protection (scheme submitted)

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan Arboricultural Plan ref no: ARB/3519/Y/500. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

15. Arboricultural supervision condition

No development shall take place (including site clearance and any other preparatory works) until the applicant has secured with the implementation of an arboricultural watching brief in accordance with written scheme of site monitoring within the Arboricultural Report, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

16. Tree retention (plan)

No trees, shrubs or hedges shown as being retained on landscaping plan: Overlay and mark up of Landscape planting plans of the approved hotel plan and current restaurant plan dated 27.03.18 shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that dies, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

17. Landscaping implementation

The approved landscaping plan : Overlay and mark up of Landscape planting plans of the approved hotel plan and current restaurant plan dated 27.03.18 shall be implemented within the first planting season following completion of development or in accordance with a programme submitted to and approved in writing by the Local Planning Authority. Any trees, shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

18. Noise levels of machinery

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 BS4142-2014, at a point one metre external to the nearest noise sensitive premises.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

19. Regular Maintenance and switch off

All extraction plant, machinery and/or equipment installed externally on the development shall be regularly maintained and switched off when the restaurant is not operating.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

20. Acoustic Fencing

Prior to the use of the external seating area an acoustically sealed fence shall be installed in accordance with drawing "Proposed Restaurant Elevations-Sheet 2 Drawing number RP.06 A" next to the area adjoining the external seat area to the east and retained and maintained thereafter.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

21. 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 restaurant use commences. The approved boundary treatments shall thereafter be retained and maintained.

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. To also reduce the impact on the Neighbouring amenity of gardens from Car Headlights and associate noise. This condition is imposed in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

22. Prior to development works to minimise odour and noise from food prep

Before development commences the applicant shall submit to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of odour and noise from the preparation of food associated with the development on neighbouring amenity. Development shall not commence until written approval has been given by the Local Planning Authority to any such scheme of works.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

23. Prior to development works to minimise Waste and Bottle Disposal

Before development commences the applicant shall submit to the Local Planning Authority a scheme of works or such other steps as may be necessary to minimise the effects of Waste and bottle disposal associated with the development on neighbouring amenity. This will included information regarding the 'glass buster' referred to in Cole Jarman Noise Impact Assessment Report 16/0017/RO1// Revision 06. Development shall not commence until written approval has been given by the Local Planning Authority to any such scheme of works.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

24. Hours of deliveries and Waste Collections

No deliveries or collection of Waste shall be taken at or despatched from the site outside the following hours:

9:00 to 18:00 Mondays to Saturdays;
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of surrounding occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

25. Hours of use (restaurants etc.)

The use hereby permitted shall not be open to customers outside the following hours:

07:00:00 to 23:00:00 Mondays to Fridays;
07:00:00 to 23:00:00 Saturdays;
07:30:00 to 22:00:00 Sundays and Bank Holidays.

Reason: To safeguard the amenities of surrounding occupiers. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

26. No music until details agreed

No amplified or other music shall be played in the premises until a Noise Impact assessment and appropriate mitigation measures have been submitted to and approved by the Local Planning Authority. Thereafter any amplified or other music played shall be in accordance with the approved details.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area. The submitted Noise Impact Assessment Cole Jarman Noise Impact Assessment Report 16/0017/RO1// Revision 06 does not include music levels in its assessment. This condition is applied in accordance with The National Planning Policy Framework (March 2012), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

DC

Informatives

The River Lambourn, designated a SSSI and SAC, is a sensitive environmental receptor. We advise the applicant that they refer to the current guidance on pollution prevention to protect this site. Please see: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

HI 3 Damage to footways, cycleways and verges

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

HI 4 Damage to the carriageway

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

HI 8 Excavation in close proximity to the highway

In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority.

