

| Item No. | Application No. and Parish | 8/13 Week Date | Proposal, Location and Applicant |
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| (5) | 17/03238/LBC2 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=17/03238/LBC2>

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 approval.

Committee Site Visit: 31st May 2018.

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

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

- 1.1. 01/2511/FUL. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Withdrawn 17.06.2002
- 1.2. 01/02514/LBC. Proposed bedroom extension and function room. Withdrawn 24.06.2002
- 1.3. 02/02208/FULMAJ. Proposed extension and alterations to existing hotel to provide additional bedrooms and function room. Plus change of use of additional land to car park. Withdrawn 20.01.2003.
- 1.4. 02/02222/LBC. Proposed extension and alterations to existing hotel to provide additional land to car parking. Withdrawn 20.01.2003
- 1.5. 03/00062/FULLMAJ. Proposed extension and alterations to existing Hotel to provide additional bedrooms and function room and ancillary parking. Approved 05.08.2004
- 1.6. 03/00075/LBC. Proposed bedroom extension and function room. Approved 23.04.2003.
- 1.7. 06/02011/FUL. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.8. 06/02012/LBC2. Retrospective- New timber deck and balustrade to riverside restaurant. Refused. 31.10.2006
- 1.9. 06/02812/FUL. New timber deck and balustrade to riverside bar. Approved 15.02.2007
- 1.10. 06/02813/LBC2. New timber deck and balustrade. Approved 15.02.2007
- 1.11. 10/02937/FUL. Retrospective- Single storey extension to existing function room. Approved 12.04.2011
- 1.12. 10/02938/LBC. Single storey extension to existing function room. Approved 12.04.201
- 1.13. 15/00991/FUL. Removal of single storey 70's flat roofed building attached to the original watermill and blacksmiths. Withdrawn 02.07.2015.
- 1.14. 15/00991FUL. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.15. 15/00992/LBC. Removal of the single storey70's flat roofed building attached to the original watermill and blacksmiths brick building and the construction of a new flat roof Oak framed building to replace the building removed. The extent of the proposed new building is to extend in to the lagoon. Withdrawn 02.07.2015
- 1.16. 16/01171/FUL. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016
- 1.17. 16/01172/LBC2. Two storey rear extension to hotel following removal of conservatory and outbuildings 912 net additional rooms); elevational improvements; internal alterations; permeable paving of car park. Approved 07/10/2016.
- 1.18. 16/002902/FUL. Extension of hotel cottage to create hotel restaurant with outdoor seating terrace. Withdrawn 07.03.2017.

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

2. Publicity of Application

2.1. This application was advertised by way of neighbour notification letters which required responses by the 28th December 2017 and by way of Site Notice which expired on 10th January 2018.

3. Consultations and Representations

Consultations

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| <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> <ol style="list-style-type: none"> 1) access and egress from the site for the expected traffic volume; 2) combined parking capacity on the site for the hotel and restaurant; 3) the effects of cooking odours, noise from diners, and light pollution from the proposed restaurant on the residents of the closely adjoining Two Rivers Way; 4) the effect on wildlife in the River Lambourn and Kennet & Avon Canal, which should be assessed at the appropriate time of year; 5) flooding risk arising from the building extensions and tarmacking of the proposed new parking space; 6) the noise from deliveries to the proposed restaurant; 7) the proposed landscaping, tree removal, and arboricultural measures. <p>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>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. 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> |

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| | <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 linked applications for the Newbury Manor Hotel. While we would wish this business to succeed, we have concerns about the current plans which need to be addressed before any approvals can be considered.</p> <p>Consultation</p> <p>We have serious concerns about the quality of consultation with these proposals. For this plan, the summary provided in the short description conveys no meaning to the public. And even when the wording of “condition 2” itself is tracked down, it provides no information at all about what is proposed. The effect is to veil the nature of the application.</p> <p>In addition, the deadline for the 14 days’ consultation announced in the public notice in the <i>Newbury Weekly News</i> 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.</p> |

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| | <p>Urbanisation</p> <p>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.</p> <p>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 also removes some of this site’s attractions as the setting for a hotel. The current plans for the hotel even include an expansion on extensions already approved, but not yet built. The additional parking required for the cumulative alterations, including the “15 net additional rooms” in this “variation” is another negative factor increasing the urbanisation and detrimental to the character of this area.</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>Although we recognise that the main house (the former mill house, listed as “Millwaters”) has already been compromised by previous alterations, we would ask for a record of this listed building (including a photographic record, externally and internally) to be taken before further work begins.</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>Archaeology</p> | <p>I have reviewed the application using the approach set down in the National Planning Policy Framework and have checked the proposed development against the information we currently hold regarding the heritage assets and historic land uses in this area. Mill Waters Cottage was apparently created in the 1930s out of part of a historic courtyard building at the former Newbury Mill (also Ham 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</p> |

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| | <p>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>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 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).</p> <p>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.</p> <p>Notwithstanding the above it is technically possible to provide noise mitigation measures to mechanical plant to ensure that there is no</p> |

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 from 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 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.

4) Noise from external plant (Air conditioning and refrigeration).

I recommend that the standard condition for controlling noise from externally mounted plant and equipment is applied.
Noise resulting from the use of this plant, machinery or

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| | <p><i>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></p> <p><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 comment |
| 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> <ul style="list-style-type: none"> - 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. The information provided in the technical note document is not detailed enough to reassure our concerns. Natural England would like to see a |

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| | <p>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> |
| MOD | No objections |
| Kennet and Avon Canal Trust | No comments |

4. Representations

- 4.1. The Local Planning Authority received 16 representations all of which were objections to the application. A number of objectors sent multiple representations letters however in line with the council's constitution they only count as the one objection, but all have been equally 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 are relevant to this application:

- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 2: Newbury
- CS 14: Design Principles
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

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

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

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

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

5.5. Other material considerations for this application include:

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

6. Proposal

6.1. The application proposed the extension and alteration of existing cottage to create 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 approx. and to the south by 17 metres approx. in amongst other smaller extensions and an external seating area to the south adjoining the river Lambourn. The extension to the dwelling will be single storey and sit below that of the existing retain dwelling fabric.

6.2. 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.

6.3. 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 boundaries of Newbury Town.

7. **Determining issues:**

- The Impact on the Character and Appearance of the Area and Listed Building;
- The Archaeology of the Site
- The Assessment of Sustainable Development;

8. **The Impact on the Character and Appearance of the Area and Listed Building**

8.1. The National Planning Policy Framework states that in determining planning applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to its conservation.

8.2. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm or loss of a Grade II listed building should be exceptional.

8.3. The National Planning Policy Framework further adds that, local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

8.4. Planning Policy CS14 states how developments should conserve and enhance the historic and cultural assets of West Berkshire, CS 19 of the West Berkshire Core Strategy seeks to ensure that development results in the conservation, and where appropriate, enhancement of heritage assets and their settings.

8.5. 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.

8.6. 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.

8.7. 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

8.8. 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.

- 8.9. Given the location of the extraction units on the roof it will not be visible from ground level so will have no impact on the character of the building or the character of the area.
- 8.10. 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.
- 8.11. 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.
- 8.12. It is considered, subject to conditions, that the proposed development would not adversely affect the character and appearance of the area in accordance with the provisions of Core Strategy policies ADPP1, ADPP2, CS14, CS19 and the NPPF.

9. Archaeology of the Site

- 9.1. 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 councils 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.
- 9.2. 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.

10. The Assessment of Sustainable Development

- 10.1. The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.
- 10.2. Being a proposed extension to a building in the grounds of the hotel the scheme has economic considerations by promoting the commercial ability of the site in addition to the immediate construction period benefits. The Environmental considerations have been assessed in terms of design, amenity and impact on the area in specific relation to the status and impact on the Grade II listed building of Newbury Manor. Social considerations overlap those of the environmental in terms of amenity. Having assessed the application in terms of design, impact on the area and impact the development is considered sustainable development

11. Conclusion

- 11.1. The proposal is considered to not harm the setting of this Grade II listed building or the Conservation area, the Conservation Officer is in agreement with this assessment.
- 11.2. The proposal considered within this application for the erection of extension and alteration of existing cottage to create hotel restaurant with outdoor seating terrace, wall-mounted condenser unit and roof-mounted extract at Mill Waters Cottage at Newbury Manor Hotel

are considered in accordance with National Planning Policy Framework (March 2012) and policies ADPP1, ADPP2, CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026). In addition to these the proposal is in line with supplementary planning guidance Quality Design (June 2006).

12. Recommendation

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

1. Time Limit on Planning Permission

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

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. Approved Drawings

This listed building consent relates only to work described on the drawings identified below:

- 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.

No work shall be carried out other than in accordance with the above drawings and documents.

Reason: To clarify what has been approved under this consent in order to protect the special architectural or historic interest of the building.

3. Schedule of Materials

No development shall take place until samples and an accompanying schedule of all materials and finishes visible external to the building have been submitted to and approved in writing by the Local Planning Authority. All materials incorporated in the work shall match the approved samples.

Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

4. Facing Brickwork Making good shall match

All new facing brickwork, including works of making good, shall match the existing brickwork in terms of bricks (size, colour and texture); mortar (mix, colour and texture); joint profile; and bond.

Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

5. Making good and repair to retained fabric

All works of making good and repair to the retained fabric, whether internal or external, shall be finished to match original/adjacent work with regard to the methods used and to materials, colours, textures and profiles.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026)

6. Rainwater Goods

Notwithstanding what is shown on the approved drawings or other approved documents, unless otherwise agreed in writing by the Local Planning Authority, all new rainwater goods shall be cast iron, painted to match existing, and any existing metal rainwater goods and accessories shall not be removed or modified without the prior written approval of the Local Planning Authority on an application made for that purpose.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

7. Window Details

No development shall take place until details of all new windows/areas of glazing/external doors, including materials and finishes, at a minimum scale of 1:20 and 1:2, have been submitted to and approved in writing by the Local Planning Authority. The windows/areas of glazing/external doors shall be installed in accordance with the approved details.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

DC

