

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(1)	17/03489/FUL Midgham	09 February 2018 (extension of time to 14 th June 2018)	<p>Mixed use of the site for: vehicle sales and leasing (sui generis), vehicle preparation and washing (B1), and MOT and servicing (B2). Alteration to east elevation to remove roller shutter door and install glazing to provide for vehicle display, internal alterations to workshop layout, visitor reception and WC and replacement windows to office area. Variation to authorised operating hours (for customers, workshop based operations, and lighting). Alternative scheme to the development approved under 16/03528/FUL.</p> <p>Sabre House, Bath Road, Midgham, Reading, Berkshire, RG7 5UU</p> <p>Mr Graham Joyce – Anchor Vans Ltd</p>

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/03489/FUL>

Recommendation Summary:

To **DELEGATE** to the Head of Development and Planning to **APPROVE PLANNING PERMISSION** subject to conditions

Ward Members:

Councillor Dominic Boeck

Reason for Committee Determination:

More than ten letters of objection received

Committee Site Visit:

Not applicable (site visit made in respect of recent planning application).

Contact Officer Details

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1. Relevant Site History

- The building on the site was originally erected in the 1970s for B2 (general industrial) purposes of metal blade manufacturing (the name 'Sabre House' comes from this historical use).
- Planning application reference **112053** for the extension of the existing building. Approved on 19/02/1980.
- Planning application reference **132075** for extension of the existing building on the site for purposes of B2 use associated with the use of the building for vehicle repairs. Approved on 13/07/1988.
- Planning application reference **151043** for resurfacing of the site access. Approved on 11/09/1997.
- Certificate of Lawfulness for an Existing Use **15/01503/CERTP** for an extension to the existing building, permeable hard standing and siting of new LPG tank. Approved on 02/09/2015.
- Planning application reference **16/01016/FUL** for the Proposed change of use from B1 (light industrial) and B8 (Storage and Distribution) use to mixed use to allow for vehicles sales and leasing (sui generis) and vehicle preparation and washing (B1) and MOT and servicing (B2) for Anchor Vans Ltd). Approved on 01/11/2016.
- Discharge of conditions application **16/03402/COND1** Application for approval of details reserved by Conditions (5) vehicle parking and turning, (6) transporter entry, (17) delivery management plan and (19) two metre fence of approved application 16/01016/FUL. Approved 27/04/2017.
- Variation in conditions application **16/03528/FUL** 73a: Removal of conditions 7 (roller shutter door shut), 18 (additional acoustic mitigation), and 19 (acoustic boundary), and variation of condition 11 (paint spraying) from previously approved application 16/01016/FUL: Proposed change of use from B1 (light industrial) and B8 (Storage and Distribution) use to mixed use to allow for vehicles sales and leasing (sui generis) and vehicle preparation and washing (B1) and MOT and servicing (B2) for Anchor Vans Ltd). Approved – 07/07/2017.

2. Publicity of Application

Site Notice Expired: 9 February 2018
Neighbour Notification Expired: 29 January 2018

3. Consultations and Representations

3.1 Consultations

Parish (Midgham) 'At its meeting on 23 January 2018, Midgham Parish Council recorded an **OBJECTION** to this application on the grounds that a vehicle showroom is not suitable in a rural village location. The Parish Council strongly objects to the attempt to remove or change previously imposed conditions relating to opening hours, lighting, use of pressure washers and undertaking works outside the

building. These conditions were imposed to protect local residents from the impacts of industrial development in a rural location. All previously agreed conditions must be upheld in full.'

Environmental Health Service

Identified Environmental Health issues relevant to Planning:

- Noise from servicing,
- MOT, repairs, valeting and external pressure washing
- Lighting from external operation

Conclusion

The change to mixed use to permit vehicle servicing, MOT, repairs and washing and external pressure washing provides the potential for some activities to cause noise disturbance to the neighbouring residents. The closest residential property to the site boundary is within 5m.

The revised Sound Survey with Impact Assessment (reference 02434 dated 03/11/17) has assessed the different noise sources with the changed layout of the facility and the conclusions have not identified the need for any mitigation measures.

This survey differed to that from previous application (16/01016/FUL) as measurements of actual valeting and MOT and servicing activities were measured at an Anchor Vans site. Measurement of the power washer to be used externally was undertaken in the north-western part of the site (as shown in Figure 2.1).

The specific noise levels generated by the valeting, MOT and servicing, and pressure washer operations, at residential properties is determined and then a correction of up to 11dB can be added to the specific noise level if the new noise has certain acoustic features, such as tonality, impulsivity, intermittency and any other sound characteristics, to give the rating level. Generally the greater the difference between the rating level (LAeq) and background noise level (LA90) the greater the impact of the new noise.

A difference of +10dB or more is an indication of a likely significant adverse impact, depending on the context. Officer's experience is that any complaints are likely to be justified.

A difference of +5dB is an indication of a likely adverse impact, depending on context. Officer's experience is that complaints are likely.

The Noise Policy Statement for England classifies this neighbourhood noise as between No Observed Effect Level (NOEL) and Lowest Observed Adverse Effect Level (LOAEL) (which is the equivalent of +5dB). Below NOEL there is no detectable effect on health and quality of life, and above LOAEL effects on health and quality of life can be detected.

The results of the assessment are that for the worst case scenario, internal valeting and MOT and servicing activities, the difference will be -26.9 dB, and for external pressure washer activities -20.3 dB,

which indicates a low impact. Therefore no specific mitigation measures are required, as long as the future operations are undertaken as per the noise report and in the locations stated.

The hours of operation as supplied in the application vary depending on the class use applied for. In order to protect the impact of the neighbours from external activities (pressure washing) an earlier finish time on Saturdays would be recommended, to change from the proposed 08:00 – 20:00 to 08:00 – 13:00. This limiting of working hours would minimise the impact of operations on site to neighbours.

No new Lighting Report was submitted. The Design and Assess Statement request times longer than currently permitted. Further clarification by the application request lighting every day from 08:00-21:00. The Lighting report submitted with application 16/01016/FUL stated that screening and directional reflectors are proposed with LED lights located at 6ft on the boundary positions. Subject to the external lighting being operated in accordance with the approved lighting report, the extended hours of operation for the lighting would not have an material impact on neighbouring residential amenity.

Recommendation (with conditions if appropriate):

Environmental Health has considered this application and would recommend that the following are imposed should permission be granted:

Operating hours – MOT and servicing.

The use of the site for vehicle servicing, MOT, repairs and washing shall be restricted to the hours of 08:00 to 18:00 Monday to Friday, and 08:30 to 18:00 Saturday. No operations shall be undertaken at any time on Sundays and Bank Holidays.

Operating hours – sales

The use of the site for purposes of sales and the use of the ancillary office accommodation shall be restricted to the hours of 08:00 to 20:00 Monday to Saturday, and 08:00 to 16:00 on Sundays and Bank Holidays.

Operating hours – external pressure washing*

The use of the site for external pressure washing shall be restricted to the hours of 08:00 to 18:00 Monday to Friday, and 08:00 to 13:00 Saturday. No operations shall be undertaken at any time on Sundays and Bank Holidays.

Location of external pressure washing

Notwithstanding the information provided, prior to any external pressure washing hereby permitted being undertaken in association with external vehicle cleaning/valeting of vehicle (outside of the existing building within the site), details of the precise external location for such activity shall be submitted to and approved in writing by the Local Planning Authority. The external pressure washing shall thereafter be undertaken strictly in accordance with the approved

details.

Activities restricted to inside the building

Other than details permitted under external pressure washing condition 10, All MOT and servicing, repair and washing and valeting on the sites shall only be undertaken inside the building when all of the openings to the building including the roller doors and windows are shut.

External lighting restriction

No floodlighting or other form of external lighting scheme shall be installed in the site except for in accordance with the lighting report registered 22 April 2016. No lighting shall be in use between 21:00 to 08:00 Monday to Sunday.

Solvent based products restriction

No use or storage of solvent-based products shall be carried out on the site.

Amplified sound restriction

No sound reproduction or amplification equipment (including public address systems, tannoy, loudspeakers etc.) which is audible outside the site boundary shall be installed or operated on the site.

Ancillary servicing of vehicles only

The use of the building on the site for the carrying out of vehicle MOT and servicing, repair and washing and valeting shall be restricted to the use of MOT and servicing, repair and washing and valeting in the ownership of the business operating the site. The site shall not be used for the purpose of carrying out vehicle MOT and servicing, repair and washing and valeting on any other vehicles.

Obscure glazed windows

The obscure glazing on the southern elevation windows of the building shall remain glazed.

(*Officer Note – it is recognised that the Council's Health Service has suggested reduced hours for external pressure washing activities when compared to broader activities within the site e.g. MOT/Servicing undertaken inside the workshop building to help protect neighbouring residential amenity).

Public Rights of Way

No comments received

Highways

Proposed alterations would not result in material changes to trip numbers or cause any problems with access and egress – No objection subject to conditions.

Ramblers

No comments received

Drainage No comments received

Ecology No comments received

3.2 Representations

Total: 39 Object: 14 Support: 25

The material planning considerations raised in the letters of objection relate to:

- Proposed external use of pressure washers would have an adverse impact on neighbouring residential amenity in terms of increased noise and disturbance (short videos also submitted in support).
- Applicant has not served the corrected notices due to highways land forming part of the application site boundary.
- Proposal seeks to amend planning conditions that were imposed to protect surrounding amenity.
- The proposed hours of operation and hours of lighting use are considered excessive and would harm neighbouring residential amenity.
- Lack of supporting transport statement to demonstrate that the proposal, including new trade sales showroom, would not have an adverse impact on highway safety and free flow of traffic within the local highways infrastructure.
- Lack of need for the proposal within a rural area.
- The supporting sound survey is not adequate or robust.
- There is a lack of information to demonstrate proposed lighting would not have an adverse impact on the rural character of the area and neighbouring residential amenity.
- Proposal would conflict with the relevant policies of the development plan overall.
- There is a lack of satisfactory planning justification for the proposal.
- Proposal is out of character with the surrounding rural area.
- Proposal would have an adverse environmental impact on local water supplies through contamination.

Other comments:

- Planning conditions applied to previous planning permissions relevant to the site have not been complied with
- The application is not clear as to whether it is a variation of conditions application or change of use of application.
- External and internal lighting should be controlled by planning condition to preserve the amenity of the area
- 19 planning conditions imposed under application reference 16/03528/FUL should be re-imposed on this application if the council are minded to support the application including the implementation of sliding glass doors per condition no.19 of 16/03528.
- Additional condition is required to ensure the new internal wall behind the showroom must be sound proofed (WBC to specify the relevant british standard) to ensure no noise from the workshop penetrates into the showroom to protect neighbouring amenity – when the brick wall is removed and replaced by glass there is potential for greater noise emissions/leakage.

Material comments in support indicate:

- Proposal would accord with relevant planning policies.
- The proposal would support new jobs and the expansion of an existing commercial enterprise helping the local economy.
- Proposal comprises mostly internal changes which would not have an adverse impact on neighbouring residential amenity or the local environment.
- The replacement of the shutter door with glazing should help protect neighbouring amenity.

- The proposal is supported by sound report that demonstrates the proposal would have a low impact on the surroundings.
- The proposal would ensure investment into the site helping to improve its overall appearance to the benefit of the amenity of the area.
- The enterprise invests in the local area, provides valuable income to local families and helps create long term stability for its staff.
- Proposal would accord Core Strategy Policy CS9 which seeks to support business proposals that upgrade existing premises thus protecting and encouraging employment and benefits to the local economy.
- The additional hours of lighting and operation would support health and safety within the site.

3.3 Community Infrastructure Levy

3.3.1 The proposed works would not attract payment of the Community Infrastructure Levy.

4 Planning Policy

4.1 The statutory development plan comprises the West Berkshire Core Strategy 2006-2026 and those saved policies within the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

4.2 The policies within the West Berkshire Core Strategy (2006-2026) attract full weight. The following policies are relevant to this application:

- ADPP1: Spatial Strategy;
- ADPP6: East Kennet Valley;
- CS5: Infrastructure Requirements and Delivery;
- CS9: Location and type of business development;
- CS10: Rural Economy
- CS13: Transport;
- CS14: Design Principles;
- CS19: Historic Environment and Landscape Character.

4.3 The policies of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007 attract due weight in accordance with their degree of consistency with the policies of the National Planning Policy Framework. The following saved policies are relevant to this application:

- OVS5: Environmental Nuisance and Pollution Control;
- OVS6: Noise Pollution;
- TRANS1: Meeting the Transport Needs of New Development

4.4 In addition, the following documents are material considerations:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Planning for Growth Written Ministerial Statement (23/03/2011)
- BS 4142:2014
- Explanatory Note to the Noise Policy Statement for England (DEFRA)
- Environmental Protection Act 1990

5. Description of Development

5.1.1 The application site is located off the A4 within the open countryside between Thatcham and Woolhampton within a cluster of several buildings grouped around the A4 junctions with Church Hill and Brimpton Road. Apart from the application site, the group to the south

of the road comprises residential houses: Orchard Cottage, Wisteria Cottage, Old Acre House, The Barn, Fourways (31 Bath Road) and 32 Bath Road. On the northern side of the road, opposite the site, is the Coach and Horses public house. The neighbouring property to the west, Orchard Cottage, also has a permitted use within an outbuilding adjacent to the boundary for a yoga studio and therapy/consulting room.

- 5.1.2 The application site is currently in use for mixed use B1 (light industrial) and B8 (Storage and Distribution) for vehicles sales and leasing (sui generis), vehicle preparation and washing (B1) as approved under planning application reference no. 16/01016/FUL dated 1 November 2016. In addition, the use of the site for MOT and Servicing (B2) was also permitted by this planning permission but not yet implemented.
- 5.1.3 This application relates to the mixed use of the site for vehicle sales and leasing (sui generis), vehicle preparation and washing (B1), and MOT and servicing (B2) as previously permitted but with additional changes including an alteration to east elevations of existing two-storey building within the site to remove roller shutter door and install glazing to provide for vehicle display and storage area of approx. 200m², internal alterations to workshop layout, visitor reception, WC and replacement windows to office area.
- 5.1.4 The proposal would also change operating hours (for customers, workshop based operations, and lighting, and introduce external pressure washing) as an alternative scheme to the development permitted under application reference 16/03528/FUL. The tables below summarise the existing and proposed hours of operation.
- 5.1.5 *Existing hours of operation:*

	Monday to Friday	Monday To Friday	Saturday	Saturday	Sundays and Bank Holidays	Sundays and Bank Holidays
Use	Start Time	End Time	Start Time	End Time	Start Time	End Time
Office B1(a)	0800	2000	0800	2000	0800	1600
Vehicle servicing, MOT, repairs and washing (B1c and B2)	0800	1800	0830	1300	None	None
Vehicle sales (Sui Generis)	0800	2000	0800	2000	0800	1600
External lighting operation	0800	2000	0800	2000	0800	1600

5.1.6 *Proposed hours of operation:*

	Monday to Friday	Monday To Friday	Saturday	Saturday	Sundays and Bank Holidays	Sundays and Bank Holidays
Use	Start Time	End Time	Start Time	End Time	Start Time	End Time
Office B1(a)	0800	2000	0800	1800	0800	1600
Vehicle servicing, MOT, repairs and washing (B1c and B2)	0800	1800	0830	1800	None	None
Vehicle sales (Sui Generis)	0800	2000	0800	2000	0800	1600
External lighting operation	0800	2100	0800	2100	0800	2100
External pressure washing	0800	1800	0800	2000	None	None

6. Consideration of the Proposal

6.1 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

6.1.1 The application has been screened under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and is not considered to constitute EIA development and therefore an Environmental Statement is not required.

6.2 Assessment:

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

- Principle of development;
- Impact on neighbouring amenity;
- Impact on highway safety;
- Impact on the character and appearance of the area.
- Other matters.

6.3 The principle of development

6.3.1 The mixed use of the site for vehicle sales and leasing (sui generis), vehicle preparation and washing (B1), and MOT and servicing (B2) has been established under planning application reference no. 16/01016/FUL dated 1 November 2016 (as varied by application reference 16/03528/FUL dated 7 July 2017). As such, the proposal is considered acceptable in principle subject to the material considerations set out below:

6.4 Impact on neighbouring amenity

- 6.4.1 Notwithstanding the principle of the development has been established under planning application reference 16/01016/FUL dated 1 November 2016, the proposal involves the vehicle valeting, repair and servicing activities to be carried out inside the workshop building, accessed via roller shutters to the north facing elevation. The potential noise sources associated with the valeting operations include vacuum cleaners, pressure washers, low noise electricity powered buffers, and 'silent' screw type compressors.
- 6.4.2 The vehicle repair activities would involve the use of hydraulic ramps located within the central bay of the workshop, and air powered tools. Externally all vehicle cleaning would be carried out by the use of domestic pressure washers to keep the sales display stock/vehicles clean.
- 6.4.3 The main changes proposed by this application compared against the previously permitted scheme include alterations to east elevations of the existing two-storey workshop building within the site to remove roller shutter door and install glazing to provide for vehicle display and storage of approx. 200m² in area, internal alterations to workshop layout, visitor reception, WC and replacement windows to office area. The proposal would also include changed operating hours (for customers, workshop based operations, and lighting, as well as new external pressure washing of vehicles) when compared to the lawful use of the site as detailed above.
- 6.4.4 It is recognised that the application site is adjacent to the boundaries of existing residential properties known as 'Orchard Cottage', 'Wisteria Cottage', 'Old Acre House' and 'The Barn' that are considered to be sensitive receptors for potential noise and disturbance associated with the proposed use. In this regard, the application is supported by a Sound Survey with Impact Assessment (reference 02434 dated 03/11/17) has assessed the different noise sources associated with the changed layout of the facility and the conclusions have not identified the need for any specific mitigation measures, as long as the future operations are undertaken in accordance with the noise report and in the locations stated.
- 6.4.5 This survey differs from those undertaken previously under application reference 16/01016/FUL) as measurements of actual valeting and MOT and servicing activities have been measured at an Anchor Vans site. It was noted that the survey measured external pressure washer use being undertaken in the north-western part of the site.
- 6.4.6 The Council's Environmental Health Service has carefully considered the supporting information including the noise survey and concludes, subject to the imposition of planning conditions, the proposed development would have an acceptable impact on neighbouring residential amenity. Conditions are proposed to control operating hours for the MOT/servicing, external pressure washing and external lighting, for the precise location of external pressure washing to be agreed with the council before it commences (the supporting sound survey indicates the north-west corner of the site could be acceptable), activities relating to MOT/servicing and repairs being undertaken inside the workshop building with windows and doors shut, restrictions on the use of solvent based products, no amplified sound systems, restrictions on the vehicle MOT, servicing, repairs, washing and valeting being linked to the primary business use operating on the site, and external glazing to the work shop being retained as obscure glazed. It was recognised that the removal of the existing shutter door from the eastern elevation would reduce work-related activity in this area of the site, reducing potential noise and disturbance to the adjacent properties located to the south-west of the site.
- 6.4.7 In respect of increased noise and disturbance associated with vehicle movements, the Council's Highway Officer has concluded the proposal would not result in any material increase in traffic generation when compared against the lawful use of the site. The

Councils Environmental Health Service therefore consider the proposal would preserve neighbouring residential amenity in this regard.

- 6.4.8 For these reasons, the proposed development would have an acceptable impact on neighbouring residential amenity subject to identified mitigation measures being secured through the imposition of relevant planning conditions having regard to the provisions of Core Strategy Policy CS14, Local Plan Policies OVS.5, OVS.6, and guidance contained within the NPPF and NPPG.

6.5 Highways Impact

- 6.5.1 Notwithstanding that the principle of the development has been established under planning application reference 16/01016/FUL dated 1 November 2016, and the proposal would utilise the previously approved/existing access arrangements for the site, the Council's Highways Service has carefully considered the proposal including changes to the proposed ground floor plans and hours of operation and concludes the proposal would not have a material impact on traffic generation or safe operation of the access way subject to relevant planning conditions.
- 6.5.2 For these reasons, the proposal would not have an adverse impact on highway safety or the free flow of traffic within the local highways infrastructure having regard to the provisions of Core Strategy Policy CS13, Local Plan Policy TRANS1, and guidance contained within the NPPF and NPPG.

6.6 Impact on the Character and Appearance of the Area

- 6.6.1 The proposed external physical changes to the existing building include the removal of existing roller shutter door entrance to on the eastern elevation to provide a glazed façade, alterations/replacement of window openings to the other elevations and replacement pedestrian entrance. The existing timber would be replaced by powder coated white alloy windows. The proposed internal changes relate to reconfiguration of the floor space to provide vehicle display and storage of approx. 200m² in area, internal alterations to workshop layout, visitor reception, WC and replacement windows to office area.
- 6.6.2 The proposed external changes would modernise and improve the overall appearance of the building which would ensure it would harmonise with the surroundings. The internal changes would have a neutral impact on the surroundings.
- 6.6.3 It is noted that the external lighting would operate until 9pm in the evening. However, subject to the measures set out in the lighting report approved under planning application 16/01016/FUL including screening and directional deflectors, as well as activation by movement sensors, on balance, the external lighting would have an acceptable impact on the character and appearance of the area.
- 6.6.4 For these reasons, the proposal would not have an adverse impact on the character and appearance of the area having regard to the provisions of Core Strategy Policies CS14, CS19 and guidance contained within the NPPF and NPPG.

6.7 The presumption in favour of sustainable development

- 6.7.1 This application has been assessed in terms of the above matters and the principle roles of sustainable development identified in the NPPF, these being the economic role, social role and environmental role.

-In terms of the economic role of sustainable development, the proposed development is considered to provide benefits for the operation of the site in supporting the growth and viability of the enterprise within a rural area.

-In terms of a social role, the proposal retains the employment use of the site, continuing to support the provision of jobs as well as provided improved facilities for customers.

- Whilst it is noted that the application proposes the use of the site for activities that may generate noise and disturbance to surrounding residential properties, the Councils Environmental Health Service has carefully considered mitigation measures for these activities and is satisfied that subject to these being imposed the proposed development would not generate material harm to neighbouring residential amenity. Therefore, on balance the outcome of the proposed change of use in providing jobs and retaining the site in employment use is considered to comply with the overall aims of the NPPF.

-In terms of the environmental role of sustainable development the proposed development is considered to have a neutral impact in continuing the existing use of the site for employment purposes of a similar nature and with limited external changes.

6.7.2 For these reasons, the proposal is considered to constitute sustainable development.

6.8 Other matters:

Environmental Impacts:

6.8.1 It is noted that local residents have raised concerns in respect of adverse environmental impacts of the proposed uses of the site, such as oil and cleaning products entering the local water environment. Although such matters fall within the remit of pollution control regimes covered under separate legislation from planning, it is noted existing infrastructure is present within the site which appears adequate to address such impacts.

6.8.2 Planning Conditions:

6.8.3 It is noted representations have been made that planning conditions applied to previous planning permissions within the site should be re-applied to this proposal. In this regard, paragraph 206 of the National Planning Policy Framework indicates that conditions should only be imposed where they are: necessary; relevant to planning and to the development to be permitted; enforceable; precise; and reasonable in all other respects. It is also clear that whether it is appropriate for the Local Planning Authority to impose a condition on a grant of planning permission will depend on the specifics of the case.

6.8.4 This proposal has been assessed on its individual merits against relevant planning policy and material considerations, and taking into account supporting evidence, the planning conditions proposed by this application (as amended from previous planning permissions within the site) are considered to comply with the tests set out in the NPPF.

Publicity

6.8.5 It is noted concerns have been raised that the correct notices have not been served on the highways authority. In this regard, officers have verified that the applicant has served the relevant notices and therefore the planning application is valid.

7. Conclusion

7.1 Having taken account of all the relevant policy considerations and other material considerations referred to above, it is considered that the application complies with the development plan when considered as a whole and is therefore recommended for conditional approval.

8. FULL RECOMMENDATION

To delegate to the Head of Development & Planning to **GRANT PLANNING PERMISSION** subject to the following planning 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 following approved drawings and documentation:

Plans:

- 14/052/02 Rev A – Location plan and visibility splays
- 17/033/02 – Proposed Floor Plans
- 17/033/04 – Proposed Elevations
- 16/784_005F – Proposed Site Layout Rev A (with the exception of the indicated 'cold water external pressure' washing areas which are not approved)

Documentation:

- Report 02434 – Sound Survey and Impact Assessment

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

3. **Use of building**

The use of the building on site hereby permitted shall be limited to vehicle washing, vehicle MOT and servicing, and ancillary office accommodation. Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof, the building shall not be used for any other purpose unless permission has been granted by the Local Planning Authority in respect of a planning application.

Reason: In order to prevent a change of use of the building that might result in disruption to the amenity of neighbouring occupants in accordance with the NPPF and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

4. **Use of hard-standing**

Other than details permitted under planning condition no.10 below relating to the precise location of external pressure washing of vehicles within the site, the hard-standing on the site shall be used only for the purposes of parking and turning, sui generis vehicle sales and B8 storage and distribution ancillary to the use of the site for vehicle sales. Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015 or any subsequent version thereof, the hard-standing shall not be used for any other purpose unless permission has been granted by the Local Planning Authority in respect of a planning application.

Reason: In order to prevent a change of use of the hard-standing that might result in disruption to the amenity of neighbouring occupants or a detrimental impact on

highway safety in accordance with the NPPF and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

5. No recovery trucks

The site shall not be used for purposes of vehicle recovery, and no recovery truck shall be kept on the site.

Reason: In order to prevent a use of the site that may have an undue and detrimental impact on neighbouring amenity, and in the interests of highway safety in accordance with the NPPF and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

6. Parking and turning

The development hereby permitted shall not commence until vehicle parking and turning areas have been provided in accordance with the approved drawing 'proposed site layout rev A – 16/784_005 F'. The parking and turning spaces shall thereafter be kept available for the parking and turning of private motor cars and light goods vehicles in accordance with the approved details at all times.

Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (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).

7. HGV transporter access

The development hereby permitted shall be carried out in accordance with approved drawing 'proposed site layout rev A – 16/784_005 F' which details the approved HGV vehicle transporter entry path, unloading/reloading area, turning area and exit path parking and turning areas. The approved HGV entry path, unloading / reloading area, turning area and exit path parking and turning areas shall be kept available for the access, parking, turning and egress of the transporter in accordance with the approved details at all times.

Reason: To ensure the development is provided with adequate delivery facilities in order to reduce the likelihood of deliveries taking place on the roadside which 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).

8. Operating hours restriction – servicing, etc

The use of the site for vehicle servicing, MOT, repairs and washing hereby permitted shall be restricted to the hours of 08:00 to 18:00 Monday to Friday, and 08:30 to 18:00 Saturday. No operations shall be undertaken at any time on Sundays and Bank Holidays.

Reason: In the interests of the amenities of people living nearby in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS5 and OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

9. **Operating hours restriction – sales etc.**

The use of the site for purposes of sales and the use of the ancillary office accommodation hereby permitted shall be restricted to the hours of 08:00 to 20:00 Monday to Saturday, and 08:00 to 16:00 on Sundays and Bank Holidays.

Reason: In the interests of the amenities of people living nearby in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

10. **Precise location of external pressure washing**

Notwithstanding the information provided on drawing no. 'proposed site layout rev A dated 19 Feb 2018', prior to any external pressure washing hereby permitted being undertaken in association with external vehicle cleaning (outside of the existing workshop building within the site), details of the precise location for such activity shall be submitted to and approved in writing by the Local Planning Authority. The external pressure washing shall thereafter be undertaken strictly in accordance with the approved details.

Reason: In the interests of the amenities of people living nearby, and taking into account the supporting sound survey only assessed the external use of the power/pressure washer being undertaken in the north-western part of the site, in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

11. **Operating hours restriction – external pressure washing.**

The use of the site for external pressure washing hereby permitted shall be restricted to the hours of 08:00 to 18:00 Monday to Friday, and 08:00 to 13:00 Saturday. No operations shall be undertaken at any time on Sundays and Bank Holidays.

Reason: In the interests of the amenities of people living nearby in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS5 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

12. **Floodlighting / external lighting restriction**

No floodlighting or other form of external lighting scheme shall be installed on the site except in accordance with the lighting report registered by the Local Planning Authority on 22 April 2016 under application reference 16/01016/FUL. The approved lighting shall not be in operation between the hours of 21:00 to 08:00 Monday to Sunday or bank holidays.

Reason: In the interests of visual amenity and the amenity of neighbouring occupants in accordance with the requirements of the NPPF and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

13. **Solvent-based products restriction**

No use or storage of solvent-based products shall be carried out on the site.

Reason: To ensure that neighbouring properties are not unreasonably affected by

odours in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

14. Amplified sound restriction

No sound reproduction or amplification equipment (including public address systems, tannoy, loudspeakers, etc) which is audible outside the site boundary shall be installed or operated within the site.

Reason: In the interests of the amenity of neighbouring occupants in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

15. Ancillary servicing of vehicles only

The use of the building on the site for the carrying out of vehicle MOT, servicing, repair and washing and valeting hereby permitted shall be restricted to the carrying out of MOT, servicing, repairs and washing and valeting to vehicles in the ownership of the business operating from the site. The site shall not be used for purposes of carrying out vehicle servicing, repairs, washing and valeting on any other vehicles.

Reason: In order to prevent an intensification of these uses that would result in a detrimental impact on neighbouring amenity and highway safety. This condition is imposed in accordance with the NPPF, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS6 of the West Berkshire District Local Plan Core Strategy (1991-2006) Saved Policies 2007.

16. Obscure glazed windows

The windows on the southern elevation of the workshop building shall remain obscure glazed in perpetuity.

Reason: In order to prevent an increase in the overlooking of neighbouring properties associated with the intensification of the use of the building for the uses hereby approved. This condition is imposed in accordance with the requirements of the NPPF and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

17. No additional openings on southern boundary under permitted development

Notwithstanding the provisions of the Town and Country (General Permitted Development Order) (England) 2015 or any subsequent version thereof, no additional windows or openings shall be inserted in the southern elevation of the workshop building other than those hereby granted planning permission under this application without permission first being granted in respect of a planning application made for such development.

Reason: In order to prevent an increase in the overlooking of neighbouring properties associated with the intensification of the use of the building for the uses hereby approved. This condition is imposed in accordance with the requirements of the NPPF and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

18. No change of use under permitted development

Notwithstanding the provisions of the Town and Country (General Permitted Development Order) (England) 2015 or any subsequent version thereof, the site shall

not be used for any purpose other than those hereby granted planning permission under this application without permission first being granted in respect of a planning application made for this purpose.

Reason: In order to prevent a change of use that would result in a detrimental impact on neighbouring residential occupants, highway safety or harm to visual amenity in accordance with the provisions of the NPPF, Policies CS13, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Policy OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

19. Delivering management plan

The use hereby permitted shall be carried out in accordance with the approved Delivery Management Plan set out drawing 'proposed site layout rev A – 16/784_005 F'. The approved Delivery Management Plan shall be adhered to at all times.

Reason: To provide safe and suitable access for all and reduce the potential impact on the public highway 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).

20. Front boundary fence

A two metre high fence shall be maintained along the northern boundary of the site between the access to the north east and the boundary with Orchard Cottage to the north-west as shown on approved drawing numbers 16 784 005 Revision F and 16 784 012 (approved by application reference 16/03402/COND1 on 27 April 2017).

Reason: In the interests of visual amenity in order to ensure that views across the hardstanding used for vehicle sales, parking and ancillary B8 storage of vehicles do not have a detrimental impact on the character and appearance of the surrounding rural area in accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

21. Activities restricted to inside the building

Other than details permitted under planning condition no.10 above relating to the location of external pressure washing of vehicles within the site, all MOT testing, vehicle servicing, repair, refurbishment and valeting on the site shall only be undertaken inside the building on the site when all openings to the building including the roller/sliding doors and windows are shut.

Reason: In the interests of the amenities of people living nearby in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS5 and OVS6 of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007.

INFORMATIVES

Proactive actions of the LPA

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which is acceptable in

terms of the economic, social and environmental conditions of the area.