

**WESTERN AREA PLANNING COMMITTEE
ON 6TH JUNE 2018**

UPDATE REPORT

Item No: (4) **Application No:** 17/03237/COMIND **Page No.** 81-114

Site: Mill Waters Cottage at Newbury Manor Hotel, London Road, Berkshire RG14 2BY

Planning Officer Presenting: Matthew Shepherd

Member Presenting: N/A

Parish Representative speaking: N/A

Objector(s) speaking: Edward Sharp
Rebecca Richards
Thomas Hall

Supporter(s) speaking: N/A

Applicant/Agent speaking: Tiffany Renwick on behalf of applicant
Euan Brown on behalf of agent

Ward Member(s): Councillor Jeff Beck
Councillor David Goff

Update Information:

Updated Information from the Agent

- Applications 17/03237/COMIND and 17/03238/LBC2 mention wall mounted condensers, however, this appears to be a mistake or have been superseded. The restaurant will instead be served by the VRV condensers shown on the service plan submitted to support application 17/03223/FUL.
- The VRV compound location is yet to be finalised as per the above plan indicative nature. As per Sophie's email from 8th February, the VRV AC compound is not intended to form part of this application. The service plan shows an indicative location and a new application will be made for this plant once the location is finalised.
- The agent has had a conversation with the Project Manager (who has in turn checked with the

M&E supplier) trying to clarify these issues. The VRV kit (if approved) will serve air conditioning for the main part of the restaurant building. The “Foster DCU3-1H Condenser” mentioned in the noise report is intended to serve heat rejection for the kitchen and it is still required, independent of the VRV plant being installed or not. (The agent is sorry that directly contrary information has been provided on subsequent days)

- The final internal layout of the kitchen has not been agreed and so the best position for this condenser has not been confirmed, beyond it being on the east wall. The agent is hoping to receive an indicative drawing with the most likely position shown on before lunch today.
- The agent is happy to accept conditions regarding parking and landscaping if they will make the development acceptable
- When queried over the ‘good practice’ of the management plan of the hotel, for instance in regards to employees breaks and smoking areas, the agent comments that the already runs two hotels, so they would be quite happy to submit a good management plan covering relevant issues.

Updated Information from Objectors

Changes to the plans have been suggest by objectors to the application these contain

- Moving all nuisance or polluting activities of the development to the least sensitive parts of the site.
- As all screening in the form of trees and shrubs is being removed along the perimeter adjoining the residences to facilitate parking, this effectively removes all our privacy and screening from noise and will allow light from car headlights, car park lights and hotel lights into our rear bedrooms and living areas at night. We request that a 4 metre high sound insulating barrier be erected at the rear and adjacent to the residential properties and that the barrier conform with BS EN 1793, BS EN 1794-1 and BS EN 1794-2.
- Replace the bi-fold doors with full glazed windows along the Southern side of the restaurant, reduce and move the outdoor seating and dining area from the South of the restaurant to the West of the restaurant either side of the West facing entrance.
- Extend the exhaust flue to terminate above the West facing entrance to the restaurant
- Create an internal access point to the refuse and recycling store. It is accepted that the refuse and recycling bins would need to be taken out once a day for collection by waste carriers but this is a better solution than having staff constantly accessing an exterior refuse and recycling store continually throughout the day and night only 5 metres from our property
- Move the wall mounted condenser from the East side of the property (5m from our boundary) to a less sensitive area, ideally the SW or NW corners, complying with Saved Policy OVS.5
- Move the motor cycle parking bays to the NW corner of the car park
- Retain the buffer zone between restaurant and River Lambourn of 8 metres into the future
- A restrictions be placed to restrict the use of the land adjacent to the restaurant for gazebo's, BBQ's and other semi- permanent structures.
- To this effect, we would request that a condition be put in place requiring the applicants to install a professional permanent noise monitoring system in a garden of one of the residences (we would be happy for it to be in ours).
- As the East side of the proposed restaurant is the service area and kitchen, it would be a natural place for staff to smoke. We would request a condition be put in place that the East side of the

restaurant be designated a 'No Smoking' area as it is immediately next to our boundary.

- Justify the exclusions of "events" in relation to both noise and traffic modelling.

Additionally information has been provided showing photographs of water voles and bats on the site but these could not be displayed to the committee. This is due to Local Authorities (Access to meeting and documents (Period Notice) (England) Order 2002)

Updated Information From Environmental Health

Post submission of the Committee Reports conditions Environmental Health Officer Joe Dray reviewed the suggested conditions and requests the following changes to ensure the conditions meet the 6 tests of the Planning Practice Guidance to a greater extent.

Variation to Condition 18

Noise Levels of Machinery

The applicant shall carry out a noise survey to establish the representative prevailing background sound level during the times that the site is operating. If refrigeration plant is to be installed that cannot be switched off and will operate at night, a representative night time background sound level shall also be established. The results of the survey shall be sent to the local planning authority for written agreement before operations commence. The representative background sound levels established shall be used to comply with the following restriction.

Noise resulting from the use of this plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142-2014, at a point one metre external to the nearest noise sensitive premises.

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

Variation to Condition 19

Regular Maintenance and Switch Off

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

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

Variation to Condition 22

Prior to Development Works to Minimise Odour and Noise from Food Preparation

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