

<b>Item No.</b>	<b>Application No. and Parish</b>	<b>8/13 Week Date</b>	<b>Proposal, Location and Applicant</b>
(1)	18/03144/FUL  Newbury Town Council	30 <sup>th</sup> January 2019	Newbury Athletics Club Fifth Road Newbury Berkshire  Demolition of the Sports pavilion and erection of a single storey replacement pavilion and new parking area.  St Bartholomews School

To view the plans and drawings relating to this application click the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/03144/FUL>

**Ward Member(s):**

Councillor H Bairstow

Councillor A Edwards

**Reason for Committee determination:**

The application has received 10 or more objections and the Case Officer is recommending APPROVAL

**Committee Site Visit:**

24<sup>th</sup> January 2019

**Recommendation.**

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

<b>Contact Officer Details</b>	
<b>Name:</b>	Mr. Matthew Shepherd
<b>Job Title:</b>	Senior Planning Officer
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## 1. Relevant Site History

- 1.1. 76/05284/ADD. Continued use of building as headquarters for Newbury Athletic Club. Approved 24.11.1976.
- 1.2. 81/016314/ADD. Renewal of temporary planning permission no 105284. Approved 19.01.1982.
- 1.3. 16/03263/FUL. Demolition of existing Newbury Athletic Clubhouse building and construction of new clubhouse building with new access and parking layout. Demolition of existing building proposed before first occupation of replacement building. Approved 07.02.2017.
- 1.4. 17/02804/FUL. Demolition of existing Clubhouse building and construction of new clubhouse with new access and parking layout. Demolition of existing proposed before first occupation of replacement building. Approved 19.12.2017
- 1.5. Full planning history available on file.

## 2. Publicity of Application

- 2.1. This application was advertised by way of Site Notice to which was posted to the front entrance of the site on 20<sup>th</sup> December 2018 and expired on 10<sup>th</sup> January 2019.

## 3. Consultations and Representations

### 3.1. Consultations

<b>Newbury Town Council</b>	No objection/comments: 1) The applicant should consult with the adjoining houses in Fifth Road to agree on screening which is both effective and attractive to look at. 2) Potential noise and light pollution from the building should be examined and appropriate action taken. The lighting should be low density. 3) The parking facilities should be studied to see if the number of spaces can be increased, to limit the on-street parking by visitors. 4) Use of the building should be limited to sporting and allied activities.
<b>Highways</b>	I have no objection to this planning application. Please apply suggested condition in regards to parking in accordance with the approved plans.
<b>Sustainable Drainage Team</b>	No response 17/01/2019
<b>Sport England</b>	Thank you for consulting Sport England on the above named application.  It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.  Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 97), and against its

	<p>own playing fields policy, which states:</p> <p>'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:</p> <ul style="list-style-type: none"> <li>• all or any part of a playing field, or</li> <li>• land which has been used as a playing field and remains undeveloped, or</li> <li>• land allocated for use as a playing field</li> </ul> <p>unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'</p> <p>Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:  <a href="http://www.sportengland.org/playingfieldspolicy">www.sportengland.org/playingfieldspolicy</a></p> <p>Having assessed the application, Sport England is satisfied that the proposed development meets exception 2 of our playing fields policy, in that:</p> <p>'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'</p> <p>This being the case, Sport England <b>does not wish to raise an objection</b> to this application.</p> <p>The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.</p>
<p><b>Archaeology</b></p>	<p>Thank you for your consultation of 13/12/2018 on the above planning application, following other applications on this field and my previous comments apply.</p> <p>The application to demolish the existing clubhouse and construct a new building is of some archaeological interest. The site is within the Registered Battlefield of the Civil War First Battle of Newbury (though this is apparently not noted in the submitted documents), and archaeological evidence was also found at Enborne Gate Farm to the north that suggests Iron Age activity in the immediate area. As such, there is some potential for in situ archaeological features and deposits (as well as artefacts associated with the Civil War battle) to remain on site.</p> <p>I would therefore recommend that the applicant(s) be asked to commission a programme of archaeological supervision (watching brief) during the excavation of the foundations and any related groundworks for the new club house and associated landscaping. This should be secured by applying the following condition to any approval granted:</p>

	<p><i>No development/site works/development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.</i></p> <p><i>Reason: To ensure that any significant archaeological remains that are found are adequately recorded.</i></p> <p>Such an approach follows the guidance set out in paragraph 199 of the 2018 National Planning Policy Framework.</p> <p>It was previously mentioned that the existing clubhouse (to be demolished) is a surviving World War II former billet hut. It is recognised that no viable use can be found for the building, but this represents a previously unrecognised surviving piece of military heritage that should be recorded before demolition. It is important that the works do not contribute to a significant loss of character or to the loss of historic information. Should planning approval be likely then I would advise that the following condition should be appended to any permission to ensure that the structure is adequately recorded, and that historic information is not destroyed as part of the development process without record:</p> <p><i>No demolition/ site works/ development shall take place within the application area until the applicant has secured the implementation of a programme of building recording in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.</i></p> <p><i>Reason: To ensure that an adequate record is made of these buildings of architectural, historical or archaeological interest.</i></p> <p>Such an approach is in line with paragraph 199 of the NPPF. The level of recording necessary should be guided by the advice specified by Historic England in <i>Understanding Historic Buildings: A guide to good recording practice</i> (2016). I believe a Level 2 descriptive record would be appropriate in this instance, supplemented by any accounts of the building's origins and use if these can be tracked down.</p>
<b>Public Rights of Way Officer</b>	No response 17/01/2019
<b>Ramblers Association</b>	No response 17/01/2019
<b>Environmental Health</b>	I have assessed the information on this consultation and I have no comments.

## 3.2. Representations

3.2.1. The Local Planning Authority received 30 letters of objection to the proposed development.

3.2.2. The matters raised in the letters of objection (summarised by officer) are:

- The development is too near to adjacent houses causing nuisance to the residents who will be disturbed by noise and light pollution.
- The development will also overshadow the nearest neighbouring dwellings.
- The landscaping referred to in the plans is not adequate to protect the neighbouring amenity.
- The proposed development would open it up to other profit making functions
- There is inadequate parking on site
- The inadequate parking on the site could lead to an increase in on street parking in the area raising concern in regards to road safety for all users.
- The new pavilion position would ruin the outlook of neighbours over the meadow
- The new positioning is too near residential properties which will cause more noise and light pollution.
- The now 8 parking spaces fall far short of all the extra traffic that will be generated.
- The now 3 lacrosse pitches indicate that matches will be held on a more regular and intense basis.
- In inclement weather, parents often sit in their vehicles with engines running for warmth - causing a high pollution risk - particularly as there are chronic asthma sufferers in the area and children regularly use this route.
- Objection to other uses of the pavilion being proposed such as a leisure club
- The design of the building is considered an eyesore
- Concern in regards to noise and music being played from the proposed pavilion and its impact on neighbouring amenity.
- Objection to the lack of landscaping proposed between the pavilion building and adjacent houses but the objector also had an adversity to the loss or change to this landscaping given its ecological value.
- The development could increase occurrences of crashes and incidences to which objectors already believe are high in the area.
- Objection to the arrival of coaches to drop teams off at the venue which causes chaos in the area in regards to traffic.
- If the facility is approved, especially with the expansion of the facility to have a clubhouse, kitchen & improved lacrosse facilities etc. that the sports ground will become more frequently used for sport & social use.
- The pitches will take up virtually the whole of Brown's Field so parents will no longer be able to park there
- Previous application 17/02804/FUL was approved. This new application just seems like an attempt to get major changes through under the net without being fully noticed.
- The scheme will have a direct and adverse effect on the wellbeing and amenities of the neighbouring houses and residents
- It will also have an adverse effect on the safety of all the residents in this area of Fifth Road through the increase in the traffic.
- The Design and Access Statement alludes to the fact that ample parking and drop off places are available and that an up to date travel plan is in operation however this has not come to fruition and the reality is that the proposed development is likely to causes traffic chaos despite these factors.
- The decked area may cause disruption if let out to other parties.
- Public consultation was not considered meaningful
- Objection to the 2m high netting that will be placed around the front of the new building.
- The proposed design of the building does not fit in the rural area.

- This new pavilion has a far larger capacity for changing and a hall with double doors onto a large decked area. It is designed for a far wider and all year / all week use to the wider community and organisations.
- Given the increase in pitches and new location of pavilion visitors will be unable to park on the grass
- Currently the school is advising parents to park at the school car park. This has always been ignored. People do not want to walk the half a mile from there to the field when there is “parking” nearer the facility.
- The planning applications consultation period occurred over Christmas given less time to comment.
- The site is of historical interest and should not be developed.
- The view over the field is enjoyed by walkers and local residents. This view would be impaired by a building in the proposed location.
- The roads in the surrounding area are already poorly maintained and the increased footfall from this development would make these worse.

#### **4. Planning Policy Considerations**

4.1. 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)

4.2. The following policies from the West Berkshire Core Strategy carry full weight and are relevant to this application:

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

4.3. 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 future development plan documents and should be given due weight according to their degree of consistency with the National Planning Policy Framework:

- TRANS1: Meeting the Transport Needs of New development.
- OVS5: Environmental Nuisance and Pollution Control.
- OVS.6: Noise Pollution
- ENV.27 Development on Existing Institutional and Educational Site in the Countryside

4.4. 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

4.5. Other material considerations for this application include:

- The National Planning Policy Framework (2018), (NPPF)
- Planning Practice Guidance (PPG)
- Quality Design Supplementary Planning Document (SPD)

## 5. Proposal

- 5.1. The application proposes the demolition of the sports pavilion and erection of a single storey replacement pavilion and new parking area. The site lies outside, but adjacent to the defined settlement boundary of Newbury. The pavilion to be demolished is an existing World War II billet hut which is unlisted, additionally the development falls within a registered battle field of the Civil War First Battle of Newbury.
- 5.2. The proposed pavilion will be 25.2 metres long, by 8.9 metres wide and have an overall height of 3.35 metres (approx.). It is of a contemporary design clad in modern materials and flat roofed in design.

### Determining issues:

- The Principle of Development;
- The Impact on Highway safety;
- Ecology of the Site;
- Archaeology of the Site;
- Community Infrastructure Levy.

## 6. The Principle of Development

- 6.1. The National Planning Policy Framework (NPPF) makes clear that the starting point for all decision making is the development plan, and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan for West Berkshire comprises the West Berkshire Core Strategy, the Saved Policies of the West Berkshire District Local Plan and the West Berkshire Housing Site Allocations Development Plan Document.
- 6.2. The NPPF is a material consideration in the planning process. It places sustainable development at the heart of the planning system including the need to support sustainable economic growth. The first core planning principle set out in the NPPF is that planning should be genuinely plan led.
- 6.3. As the site falls outside the settlement boundary the application must be considered against ENV.27 as St Bartholomew's School and Newbury Athletics Club are both institutions to which would use this facility and this clubhouse is considered development on an existing institutional site. ENV.27 sets out criteria to which proposals for educational and related development on existing school or institutional sites located in the countryside must be meet for development to be acceptable. The following points need to be fulfilled;
- a) it is demonstrated to the satisfaction of the Council that such development is necessary to meet the reasonable needs and operational requirements of existing educational and institutional establishments; and*
  - b) there are no existing buildings or accommodation within the site or in proximity that might reasonably be used; and*
  - c) it is reasonable in proportion to the size and nature of the existing establishment; and*

- d) *it is well designed and constructed of appropriate materials, is located close to or within an existing group of buildings and is not inappropriate or intrusive in its setting; and*
- e) *it is not harmful to or would result in any significant loss of open space areas, landscape or habitat features found within the site or impact unduly on the amenities of adjoining residential or other properties; and*
- f) *it makes provision for landscape enhancement within or adjoining the site where this would help to screen and integrate the new development into its rural surroundings; and*
- g) *it would not generate traffic of a type or amount prejudicial to highway safety or the amenity of the area.*

- 6.4. Policy ENV.27 goes on to say that in general terms the scale and balance of development (existing and proposed) should be in keeping with the existing nature and character of the site and not harm its location and setting.
- 6.5. The development is proposed to facilitate the use of the site for St Bartholomews School for Physical Education Lessons, for sports such as Lacrosse, and for Newbury Athletics club to continue training within the grounds. The development proposed has a similar footprint to that of the existing pavilion on site (this is required to be replaced given its age and structural safety). The existing pavilions footprint is 202 sqm (approx) and the proposed pavilion is 224 sqm (approx). They both contain similar uses in terms of large halls for activities, stores, kitchens, and changing facilities. The proposed development provides a modern facility with improved facilities for changing and supporting the use of the site for sports. It is considered that the proposed design would meet the needs of the users in regards to the use of the site for sports and athletics. The movement of the pavilion from previously approved schemes will allow for a third lacrosse field to be utilised. The development there for is not only necessary but beneficial to the use of the site. This therefore meets section A and section C of ENV.27 as displayed above.
- 6.6. As briefly touched upon above the existing pavilion on site is unsuitable, outdated, and fails to meet the needs of the sports clubs and school that uses it. The removal and demolition of the existing pavilion has been accepted in two previous permissions. This therefore meets criteria B of the ENV27.
- 6.7. Planning Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant to this application. Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area whilst making a positive contribution to the quality of life in West Berkshire. It further states that the design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place. Proposals are expected to make efficient use of land whilst respecting the density, and character of the area.
- 6.8. The development is proposed to be a pre-fabricated single storey structure with a flat roof design, this results in a low profile building on the site. This has the effect of reducing the proposed developments impact upon the wider site and steps development away from the existing settlement boundary into the countryside. The materials proposed are metal cladding in various subtle colours to reflect the design of the school. Although objections have been received to this design the case officer does not find the development unacceptably designed. It may be different, however being a sports pavilion building a different design is reflective of its unique nature on the site. The National Planning Policy Framework speaks of how LPA's should ensure design is of the highest quality. Although it is accepted the design may not strictly accord with the traditional urban street scene it does not afford harm to it. It is not considered poor quality design but adds to the variety and architectural features of Newbury in its unique design. The development therefore



meets criteria D of ENV.27 and it is considered the proposed development would not adversely affect the character and appearance of the area in accordance with the provisions of Core Strategy policies ADPP1, ADPP2, CS14 and the NPPF.

- 6.9. The development is re-located away from the existing footprint of the pavilion on site. It is moved away from the previously approved schemes also. The proposed pavilion is moved towards the south of the site, west of the entrance. The development therefore keeps development close to the boundaries of the site and adjacent to existing settlement boundary to which minimises the impact on the open area and landscape. More importantly with the movement of the pavilion this will allow room for three lacrosse pitches to be accommodated on the site. This allows for the maximum and most efficient use of the open space for sports.
- 6.10. Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. SPD Quality Design - West Berkshire outlines considerations to be taken into account with regard to residential amenity, and Policy OVS.6 of the West Berkshire District Local Plan Saved Policies considers the potential noise impact of development. This policy requires appropriate measures to be taken in the location, design, layout and operation of development to minimise any adverse impact as a result of noise generated from the proposal.
- 6.11. A number of objections have been received in regards to the impact the development will have upon dwellings to the south of the proposed location of the pavilion namely Nos. 61 to 67 Fifth Road. The separation distances between the proposed development and the residential dwellings is approx. 18 metres. Between the proposed pavilion and dwellings is an un-adopted roadway and a bramble hedgerow of varying thickness and density. The proposed pavilion is approx. 3.35 metres high. With the orientation of the pavilion and separation distances issues of overshadowing of the neighbouring amenity are not raised as concerns of the case officer. Given the separation distance and height of the proposed pavilion the development does not raise concern in regards to overbearing on the neighbouring amenity. No windows are proposed that would face towards neighbouring amenity on the southern elevation therefore overlooking issues are not present.
- 6.12. Concerns have been raised by objectors in terms of the use of the site increasing occurrences of light and noise pollution. The case officer is reactive of these comments and has ensured that reasonable hours of use are conditioned, both on going and during construction. The use has been restricted via planning condition and a restrictive condition has been used to control music until acceptable details of noise impact assessment have been submitted. The objections raised by neighbours in regards to the increased use of the site as a result of the new pavilion building are not shared by the case officer and can be controlled via planning condition.
- 6.13. The hedgerow between the proposed pavilion and the residential amenity assists in breaking up the pavilions southern façade. The hedgerow is no relied upon to make the proposed development acceptable but does assist in reducing the impact upon neighbouring amenity. The movement of the proposed pavilion is to the benefit of the sports field allowing it to fit three lacrosse fields onto the site. The previous two proposals did not allow for a third lacrosse pitch that meets regulations standards to be accommodated on site. Given the lack of harm identified by the case officer in regards to neighbouring amenity and the clear benefit to the schools ability to provide another lacrosse field to its children the issues of neighbouring amenity do not raise concern for the case officer.
- 6.14. For these reasons, the proposal subject to conditions, would be in accordance with development plan policies ADPP1, ADPP2, CS14, ENV.27, and OVS.6, as well as guidance in SPD Quality Design and the NPPF.

## **7. Highway safety**

- 7.1. The NPPF states that decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policies CS 13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan, set out highway requirements. Policy P1 of the Housing Site Allocations Development Plan Document sets out the residential car parking levels for the district.
- 7.2. The current site has no formally laid out parking, it provides no cycle parking or disabled parking on site. The proposed development would provide 8 parking spaces to which two would be for disabled users. It would also provide 10 cycle storage stands. These can be guaranteed to be delivered through planning conditions. A large degree of objection has been received from the public consultation in regards to parking on match days. The design and access statement would suggest that the school has an active travel plan in place to ensure parking is not an issue for the area. The school must ensure this is adhered to ensure the impact to the residents is not unacceptable. The case officers acknowledges the objections in regard to parking but finds that the provision on site has increased by 8 formally laid out spaces and 10 cycle storage spaces compared to the original provision which is zero. Additionally the internal use of the site is similar to that of the existing pavilion. This is displayed by the comparable internal floor areas and uses. The LPA's Highways team have raised no objection to the application. The objections to the parking provision on site is balanced against the community benefit of the proposed pavilion and the numerous benefits to school children playing sports on the site. What tips the planning balanced in favour of this development is that provision of formally laid out parking has increased. Therefore the benefits of the development outweigh the objections in the case officers opinion.
- 7.3. The increase in car parking for this site is much welcomed and is a requirement of this application. The highway recommendation is for conditional approval as set out the Highways Officers email response.
- 7.4. Therefore the proposal is considered to be, on balance, acceptable and in accordance with CS13 of the West Berkshire Core Strategy (2006-2026), Saved Local Plan policy TRANS1 and the NPPF (2018), subject to conditions.

## **8. Ecology**

- 8.1. Policy CS 17 of the Core Strategy states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. The NPPF supports the overall aims and objectives of this policy. The existing pavilion has been surveyed for protected species and the ecology survey has suggested how to demolish the pavilion to protected any species that may inhabit the development.
- 8.2. It is considered that the development will comply with CS17 of the Core Strategy and advice within the NPPF.

## **9. Archaeology of the Site**

- 9.1. The application to demolish the existing clubhouse and construct a new building is of some archaeological interest. The site is within the Registered Battlefield of the Civil War First Battle of Newbury (though this is apparently not noted in the submitted documents), and archaeological evidence was also found at Enborne Gate Farm to the north that suggests Iron Age activity in the immediate area. As such, there is some potential for in situ archaeological features and deposits (as well as artefacts associated with the Civil War

battle) to remain on site. An archaeological investigation should be commissioned and this should be secured via planning condition.

- 9.2. The existing clubhouse (to be demolished) is a surviving World War II former billet hut. It is recognised that no viable use can be found for the building, but this represents a previously unrecognised surviving piece of military heritage that should be recorded before demolition. It is important that the works do not contribute to a significant loss of character or to the loss of historic information. A programme of building recording will be secured via planning condition via planning condition.
- 9.3. It is therefore planning conditions are reasonable and the proposed development can therefore be considered in line with CS19 of the Core Strategy and Advice within the NPPF.

## **10. BREEAM**

- 10.1. In accordance with CS15 of the West Berkshire Core Strategy 2006-2026 development should seek to be constructed in a sustainable way to help achieve a reduction in emissions. The applicant has made arguments that the implementation of a BREEAM condition could make the proposed development unviable and would therefore remove its clear community benefit. The decision not to place a BREEAM condition is finely balanced but it is considered the reduction of size from a previously approved scheme, and the arguments made on community benefit would make the condition overly onerous.

## **11. The Planning Balance and Assessment of Sustainable Development**

- 11.1. The NPPF states there is a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.
- 11.2. Being a proposed replacement clubhouse the scheme has economic considerations in conjunction with the short term benefit of construction and long term benefit to the community. The Environmental considerations have been assessed in terms of design, amenity and impact on the area. Social considerations overlap those of the environmental in terms of amenity.
- 11.3. The development is considered to benefit the school by providing updated changing facilities and room for an extra lacrosse field. The benefit of this to the health of children and the increased opportunity for children to participate in sport is given great weight by the case officer. In addition to the benefit to the school there is a wider benefit to which the proposed pavilion will have by allowing Newbury Athletics club to continue to use the site and enjoy the proposed facilities. Although a number of objections have been received to the design, lack of parking provision and increased use of the site. These are balanced against the opinion that the proposed pavilion is designed in a contemporary manner to which is high quality and does not cause harm to the character of the area. The parking provision on site will increase from zero to eight spaces and 10 cycle stands. The site will also benefit from additional room for a third lacrosse field.
- 11.4. In summary the keys issues are the extra provisions in regards to parking and cycle stands, lack of harm to the character of the area, lack of harm to neighbouring amenity and the large public benefit the proposed development will bring. In the planning balance, the case officer finds the public benefits exceed those of the negatives of the site to which are minimised and can be controlled via planning condition.
- 11.5. The application is therefore recommended for conditional APPROVAL.

11.6. The proposal for a replacement sports pavilion is considered in accordance with National Planning Policy Framework (2018), policies ADPP1, ADPP2, CS11, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and OVS.5 and OVS.6 of the West Berkshire Local Plan Policies 1991-2006 (Saved 2007). In addition to these the proposal is in line with supplementary planning guidance Quality Design (June 2006).

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

**1. Full planning permission time limit**

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

**2. Approved Plans**

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

- Drawing title "Existing Site Location Plan". Drawing 1720 AP. 00.04 Rev A. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Site Plan". Drawing number 1720 AP.00.93 Rev A. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Sport Pitches". Drawing number 1720 AP 00.05 Rev A. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Elevations". Drawing number 1720 AP 40.02 Rev A. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Elevations". Drawing number 1720 AP 40.01 Rev A. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Floor Plan". Drawing number 1720 AP 10.01. Rev A. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Roof Plan". Drawing number 1720 AP 10.02. Rev -. Date received 5<sup>th</sup> December 2018.
- Drawing title "Proposed Ground floor". Drawing number 1720 AP 10.06. Rev A. Date received 5<sup>th</sup> December 2018.

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

**3. Schedule of materials (optional samples)**

No works above ground level shall take place until a schedule of the materials to be used in the construction of the external surfaces of the building and hard surfaced areas hereby permitted has been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework (2018), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) AND Supplementary Planning Document Quality Design (June 2006).

#### **4. External Lighting**

No external lighting of the proposed building shall be erected without the prior approval in writing of the Local Planning Authority by way of a formal planning application made for that purpose.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development. To protect the amenities of adjoining landusers and the character of the area. This condition is imposed in accordance with the National Planning Policy Framework (2018), Policies CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

#### **5. Landscaping**

No development shall take place until a detailed scheme of landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

a) Completion of the approved landscaping scheme within the first planting season following completion of development/first occupation of the dwelling(s)/first use of the development or in accordance with a programme submitted to and approved in writing by the Local Planning Authority as part of the details submitted for this condition.

b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of this development/of the completion of the approved landscaping scheme shall be replaced in the next planting season by plants of the same size and species.

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping. This condition is imposed in accordance with the National Planning Policy Framework (2018), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

#### **6. Restriction of Use Class to D2**

The premises shall be used solely as an indoor and outdoor sports and leisure facility as detailed within the submitted planning application and for no other purpose including any other purpose in Class D2 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or an order revoking and re-enacting that Order, with or without modification).

Reason: Careful consideration has been given to this application for planning permission and any other use may not be acceptable on the site. This condition is imposed in accordance with the National Planning Policy Framework 2018 and Policies, CS13, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.2007.

#### **7. Programme of Archaeological Work**

No development/site works/development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 141 of the National

Planning Policy Framework. Such an approach is in line with paragraph 141 of the National Planning Policy Framework and with CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

## **8. Building Recording**

No demolition / site works / development shall take place within the application area until the applicant has secured the implementation of a programme of building recording in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.

Reason: To ensure that an adequate record is made of these buildings of architectural, historical or archaeological interest. Such an approach is in line with paragraph 141 of the National Planning Policy Framework and with CS14 and CS19 of the West Berkshire Core Strategy (2006-2026). The level of recording necessary should be guided by the advice specified by Historic England in Understanding Historic Buildings: A guide to good recording practice (2016). A Level 2 descriptive record would be appropriate in this instance, supplemented by any accounts of the building's origins and use if these can be tracked down.

## **9. Ecology of the Site**

Development shall proceed in accordance with the measures detailed within "Updated Preliminary Bat Roost Assessment" Reference R2093/b November 2018 by John Wenman Ecological Consultancy unless otherwise agreed in writing by the Local Planning Authority.

Reason: to provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 17 of the West Berkshire Core Strategy Development Plan Document 2012.

## **10. Demolition before use begins**

The approved Clubhouse building at Newbury Athletics Fifth Road Newbury Berkshire that is subject to this permission shall not be brought into use until demolition of the original club house on site have been completed fully as shown in approved plans. Demolition will be completed fully and all spoil removed from the site.

Reason: In the interests of maintaining the appearance of the area in in accordance with policies ADPP1, ADDP2, CS14, and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006). Additionally in the interest of good planning and clarity.

## **11. Parking / turning in accord with plans (YHA24)**

The development shall not be brought into use until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (2018), 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).

## **12. HIGH19 – Cycle parking (YHA35) - variation**

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

Reason: To ensure the development reduces assists with the parking, storage and security of cycles and motor cycles. This condition is imposed in accordance with the National Planning Policy Framework (2018), 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).

## **13. Hours of use**

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

08:00:00 to 22:00:00 Mondays to Fridays;  
08:30:00 to 22:00:00 Saturdays;  
09:00:00 to 18:00:00 Sundays and Bank Holidays.

Reason: To safeguard the amenities of surrounding occupiers. This condition is applied in accordance with The National Planning Policy Framework (2018), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

## **14. No music until details submitted**

No music shall be played until details of a noise impact assessment have been submitted to and approved in writing by the Local Planning Authority.

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 (2018), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

## **15. Hours of work (construction)**

No demolition or construction works shall take place outside the following hours:

8:00a.m. to 6:00pm Mondays to Fridays;  
8:30am to 1:00pm Saturdays;  
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with The National Planning Policy Framework (2018), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

## **16. Preventing the implementation of two schemes**

The development to which this planning permission relates shall not be implemented if any part of the development for which planning permission was granted by the Local Planning Authority under application 16/03263/FUL granted on the 07.02.2017 or under planning application 17/02804/FUL granted 19.12.2017 is begun.

Reason: To prevent the implementation of both schemes which would to which would intensify the use of the use. This condition is applied in accordance with The National Planning Policy

Framework (2018), CS14 of the West Berkshire Core Strategy (2006-2026) and OVS5. And OVS6. Of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).

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