

WESTERN AREA PLANNING COMMITTEE
20TH MAY 2020

UPDATE REPORT

Item No: (2) **Application No:** 19/02850/FULMAJ **Page No.** 45-75

Site: Land Adjacent To Elton Farm, Weston Newbury, RG20 8JG

Planning Officer Presenting: Masie Masiwa

Member Presenting: N/A

Written submissions

Parish Council: Chairman Welford Parish Council - David Hunt

Objector(s): N/A

Supporter(s): (JOINT SUBMISSION) Kirsteen Roberts - supporting written statement local residents

Applicant/Agent: Applicant - Mr J Puxley and Marbus Developments Ltd

Ward Member(s) speaking: Dennis Benneyworth
James Cole
Claire Rowles

1. Additional Consultation Responses

Since the publication of the Committee Report, the following consultation response has been received.

Lead Drainage Authority :	<p>26 November 2019</p> <p>Thank you for consulting us on the above application. We have reviewed the information provided and, considering the fact that the application is for a Major development, we unfortunately cannot recommend approval at this time. This is because there is insufficient information provided as outlined below:</p> <p>No information has been provided on the management of surface water runoff through the utilisation of SuDS features. We would need to be</p>
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satisfied with the principles of any surface water drainage strategy prior to approving any application of this size. *Please can you request that the applicant submit relevant information?*

The site is located in an area at risk of surface water and the information provided is insufficient to determine the occupants would be safe during a flood event. Although we appreciate that Finished Floor Levels have been provided, alongside proposed levels, we would need to be satisfied that these levels would be above the maximum predicted flood extent. Currently the information is considered insufficient to make this assessment. *Please can you request that the applicant submits a Flood Risk Assessment which considers flooding and mitigation measures from all sources?*

19 May 2020

These are my formal comments following our phone conversation and are in addition to the comments made by my colleague Luke Barratt on 26 November 2019 (attached again for reference).

The submitted Drainage Strategy (DS) for this Application notes that the current proposal reduces the overall impermeable area on the site from 3800m² to 3040m², a reduction of 20%. A sustainable drainage system (SuDS) is also proposed, so on the face of it, the proposals result in an overall improvement of the management of surface water. I note that the DS appears to make no reference to the West Berkshire Council SuDS Supplementary Planning Document (SuDS SPD) (Dec 2018).

The DS mentions relatively high ground water levels (GWL) at the site and the soil investigation from September 2018 records a GWL of 1.75m below surface level at one trial pit. However, GWLs were generally quite low at that time of the investigation, being as it was the end of the summer period, so that record is probably not representative of a high GWL situation. This past winter has seen very high GWLs - as tends to periodically occur in the Lambourn Valley (last occurrences were in 2012/13 winter and 2013/14 winter) – and hence maximum levels are likely to be much higher in reality than the DS report records. EA guidelines require a 1m minimum freeboard, or un-saturated ground, between the base of any infiltration measure and the high GWL. The Applicant proposes soakaways (SAs) as the main SuDS measure. Whilst some of the SAs are shown as being no more than 1m deep from ground level (GL) to their bases, those at the northern extreme are shown at 1.4m deep. Because of limits in IT capability under the current situation, it is not possible to readily check whether there is any increase/decrease between existing GLs and proposed GLs that might lead to further differences between the depth of the SAs and high GWL. Overall, I have reservations about whether crated soakaways as proposed for the SuDS will meet this 1m freeboard requirement even though they are proposed to be “shallow”.

The WBC SuDS SPD seeks to guide developers to using “green SuDS” wherever possible instead of more traditional SuDS solutions such as soakaways and permeable paving. Such measures can include ponds, swales, wetland areas, rain gardens and the like and so therefore I would have preferred that the Applicant propose such alternatives that are less likely to be adversely affected by periodic high GWL. If there is

	<p>an opportunity to make changes - perhaps if Approval results in the imposition of conditions for example - then changes to the drainage strategy should be considered.</p> <p>The issue of the foul sewage treatment proposals for the development are out of our remit, but in our view a direct discharge to a mains foul sewer is preferable to package treatment plants.</p>
Boxford Parish Council	<p>Following discussions at the Boxford Parish Council meeting on the 18th May 2020, the Councillors voted in favour of supporting the revised application at Elton Farm in the neighbouring village of Weston.</p> <p>We strongly support the installation of the main line sewage pipes to the site and understand that this scheme would mean the building of two additional dwelling on greenbelt land at the site. We believe the advantage in protecting the River Lambourn river from phosphates and connecting all properties at this site to the mainline sewer outweigh the concerns of the additional two dwellings</p>

2. Additional public representations

Public representations:	<p>Since the publication of the Committee Report, additional representations have been received. An online petition has been submitted indicating approximately 1,131 signatories from within the district and beyond the district. Some of the signatories have also submitted individual letters. A total of 44 additional letters of representation have been received, (43 letters in support and 1 letter of objection). The representations outlined the following additional points:</p> <p>Support:</p> <ul style="list-style-type: none"> • Allowing treated sewage containing phosphates to drain into the River Lambourn, could have a significant impact, • The chalk aquifer the river sits upon is the UK's principle aquifer and is a vulnerable groundwater body. • Any discharge of sewage into the river treated or otherwise must carry some risk in the long term of damage to that fragile environment. • Support this application as it will enforce the developer to put the sewage into the mains. • This new plan requires one additional house to be built on a greenfield site in the development to offset the additional costs. • Urge the council to grant permission to this development so that treated sewage containing phosphates is not discharged into the water table and potentially the river. • The existing permitted development including Klargesters should not have been approved in this location. • Disappointing to discover that the Development for Elton Farm was passed in December last with the provision of multiple Klargester units discharging to the ground close to the river. Planning Application approved in December 2018 did not provide satisfactory arrangements for the treatment of foul
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	<p>waste.</p> <ul style="list-style-type: none"> • A 'drainage field' will not '<i>remove phosphate</i>', merely '<i>arrest</i>' it for a while until the ground is saturated over time • Action for the River Kennet support the planning application 19/02850/FULMAJ at Elton • More than 350 of the existing stock of septic tanks in the Lambourn Valley are considered to be a high risk of pollution to the River Lambourn, with a further 140 considered to be a moderate risk. • The planning system should not be consenting any more septic tanks or Package Treatment Plants in the Lambourn Valley. <p>Objection:</p> <ul style="list-style-type: none"> • The Klargesters were not picked up by the Parish Council who supported the original application and Klargesters. • The revised application appears to be done to increase the footprint in the barns and add an additional house on the grounds of the cost of providing mains drainage. • West Berks Council is opposed to new building on green field sites. So building house 5 would contravene this. • Granting house 5 would set a precedent and give the green light to developers in West Berks. • This application will increase the size of the building by approximately 50%, greatly increase the traffic flow • Local council officials are openly suggesting that the local residents contact friends who reside anywhere. • Many of these people do not know that Elton Farm exist or where it's located.
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3. Recommendation

Having reviewed the additional information submitted within the update sheet, the officer recommendation remains for refusal as set out in the agenda committee report.

4. Appendix: Natural England final consultation response received on 26 October 2018

The submitted representations refer to Natural England's consultation comments under approved application 18/01090/FULD. To assist Committee Members in their considerations, officers have included the final consultation comments by Natural England under approved application 18/01090/FULD within this update sheet (below). As the approved Drainage Strategy is not part of this current application, the Natural England consultation is provided for Committee Members' background information only.

Date: 24 October 2018
Our ref: 250501
Your ref: 18/01090/FULD



West Berkshire District Council

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Sue Etheridge,

Planning consultation: Conversion of four no. agricultural buildings to residential use including parking, landscaping and associated works

Location: Elton Farm, Weston, Newbury, Berkshire

Further to your consultation on the above dated 21 June 2018, Natural England has further comments to make following provision of a Drainage Strategy for the proposed development by Pro Vision Consultants.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE CONDITION BEING SECURED

We consider that without an appropriate planning condition the application would:

- have an adverse effect on the integrity of the River Lambourn Special Area of Conservation
- damage or destroy the interest features for which the River Lambourn Site of Special Scientific Interest has been notified.

In order to avoid these adverse effects and make the development acceptable, the following planning condition should be secured:

- Adherence to:
 - the Drainage Strategy prepared by Cole Easdon Consultants (October 2018)
 - further comments made in an email by Justin Packman (JP) of Pro Vision (23rd October 2018)

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's advice on other natural environment issues is set out below.

Further advice on mitigation

Specific measures mentioned within the Drainage Strategy which we expect to be adhered to:

4.5 – all sewage package treatment plants and drainage fields should be a minimum of 20 metres away from the River Lambourn, with the drainage fields maintaining a buffer of adequate height above the groundwater

- We request that the soil is built up to make sure all pipes are a minimum of 1.5 metres above the groundwater level, as discussed in email exchange with JP. This may well only apply to the closest drainage field to the river.

3.13, 3.24 – securement of adequate inspection and maintenance of the proposed systems, with responsibility remaining with the property owner.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

If you have any queries relating to the advice in this letter please contact me at Eleanor.sweet-escott@naturalengland.org.uk.

Should the proposal change, please consult us again.

Yours sincerely

Eleanor Sweet-Escott
Adviser
Sustainable Development
Thames Team

Annex A

Natural England offers the following additional advice:

Landscape

Paragraph 170 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply the requirements of the NPPF. This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in Natural England's [Technical Information Note 049](#).

Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraph 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)². Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

² <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habitatsandspeciesimportance.aspx>

environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland and veteran trees

You should consider any impacts on ancient woodland and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland/veteran trees where they form part of a SSSI or in exceptional circumstances.

Environmental enhancement

Development provides opportunities to secure a net gain for nature and local communities, as outlined in paragraphs 8, 32 and 170 of the NPPF. We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you may wish to consider off site measures, including sites for biodiversity offsetting. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraph 98 of the NPPF highlights the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).