

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/01480/FUL Bradfield Parish Council	1 st September 2020 ¹	Demolition of existing outbuilding and polytunnels and erection of a building in flexible use for storage or distribution (Use Class B8) and/or for any light industrial process within Use Class E, with associated access track and parking area. Glenvale Nurseries, Hungerford Lane, Bradfield Southend Mr and Mrs Varley
¹ Extension of time agreed with applicant until 28 th October 2020			

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/01480/FUL>

Recommendation Summary: Delegated to the Head of Development and Planning to grant planning permission subject to conditions.

Ward Member: Councillor Ross MacKinnon

Reason for Committee Determination: Ten or more representations objecting to the application have been received and the application is recommended for approval.

Committee Site Visit: Owing to social distancing restrictions, the option of a committee site visit is not available. Instead, a collection of photographs is available to view at the above link.

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1. Introduction

- 1.1 This application seeks full planning permission for the demolition of existing outbuilding and polytunnels and erection of a building in flexible use for storage or distribution (Use Class B8) and/or for any light industrial process within Use Class E, with associated access track and parking area.
- 1.2 The application site is located in the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and outside of a defined settlement boundary. The site is located within the open countryside in terms of the Local Plan.
- 1.3 The site is situated off of Hungerford Lane, to the rear of dwelling known as Swallows Rest. The closest settlement to the site is Bradfield Southend, of which the closest western edge of the settlement boundary is approximately 625 metres when measured in a straight line on a map.
- 1.4 The application site forms part of the wider “Glenvale Nurseries” site. The red line of the site is the eastern most part of Glenvale Nurseries and sits behind the dwelling known as Swallows Rest.
- 1.5 The land within the red line currently consists of three existing structures; two polythene tunnels and a detached timber shed. In total these structures have a footprint of approximately 345sqm. The maximum height of any structure on the site is 3.8m.
- 1.6 A Lawful Development Certificate granted by the Planning Inspectorate (appeal reference 3165648) confirms that the current lawful use of the site is a mixed use (*Sui Generis*), consisting of:
 - a) A horticultural plant nursery (agriculture),
 - b) The retail sale of imported plants and garden sundries products to the public, and
 - c) The wholesale supply of plants and garden sundries to the commercial trade.
- 1.7 The site is mostly screened from Hungerford Lane by a large hedge. There is a commercial style metal gate to the north west of the site, this is the existing (hard standing) access to the nursery. The southern, eastern and western boundaries consist of a 1.8m close board fence. To the west of the site is a public footpath (Bradfield 1/1), which runs from Hungerford Lane towards Bucklebury Common to the south. To the north of Hungerford Lane, opposite the site is open countryside. Another public footpath (Bradfield 2/1) crosses this land heading north-east to Cock Lane.
- 1.8 The proposal scheme would remove the existing ‘polytunnels’ and shed. The development would consist of a single building, shown to contain four units. The proposed building will have a footprint of approximately 157sqm, an eaves height of 2.7m, a ridge height of 4.2m, a depth 6.4m and a length of 24m (measurements exclude the bike store). The north-western elevation includes four entrance doors and four commercial doors. The corrugated sheet metal roof includes eight roof lights. The elevational treatment is a mixture of brick and timber. There are no openings on the side elevations, they are constructed of vertical timber. The south-eastern roof slope includes two rows of solar panels and two roof lights. The south east elevation is also of vertical timber.
- 1.9 Cycle storage is proposed along the north-eastern elevation. This is a lean-to timber frame with corrugated sheet metal roof addition to the main building, and would provide secure, covered cycle storage for four bicycles.

- 1.10 The internal layout of each unit is a “shell”, measuring approximately 36sqm each including a w/c.
- 1.11 The proposed development includes a new access road through the site. The proposed access is from the existing entrance point off of Hungerford Road and runs parallel to the neighbouring public footpath (Bradfield 1/1). The road measures 4.5m in width and includes passing points within the site.
- 1.12 The external area is proposed to be hardstanding with space allocated for eight car parking spaces, including two electric charging points.
- 1.13 The agent has submitted a BREEAM pre-assessment, stating that the proposed development will achieve a BREEAM rating of “Excellent”.

2. Planning History

- 2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision / Date
20/00771/CLASSR	Proposed change of use of two buildings from agricultural to a flexible commercial used under Class R.	Refused 17.04.2020
19/00221/FULD	Demolition of Glenvale Garden Centre and replace with 1 dwelling, retaining the existing entrance onto Hungerford Lane.	Refused 17.04.2019 Appeal: 3234385 Dismissed 14.11.2019
18/02190/FULD	Demolition of Glenvale Garden Centre and double garage and replace with 1 detached chalet style dwelling, retaining the existing entrance onto Hungerford Lane.	Refused 25.10.2018
16/02922/OUTD	Outline application for the demolition of garden centre and replace with 4 x custom build dwellings - Matters to be considered: Access.	Refused 22.12.2016 Appeal: 3166113 Dismissed 2.05.2018
16/02923/CERTE	Lawful Development Certificate for “Retail Garden Centre”. See paragraph 1.6 for explanation of confirmed use.	Refused 16.12.2016 Appeal: 3165648 Allowed 26.10.2017
16/01193/OUTD	Outline application for the demolition of Glenvale Garden Centre and associated buildings and replace with 5 x self-build/ custom build houses with	Refused 06.09.2016

	associated garages using existing access. Matters to be considered: Access.	Appeal: 3158031 Dismissed 8.03.2017
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3. Procedural Matters

- 3.1 A screening opinion has been issued under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. This concludes that the proposal is not EIA development and therefore an Environmental Statement is not required to accompany the application.
- 3.2 A site notice was displayed on 29.07.2020 at the front of the site. The deadline for representations expired on 19.08.2020. The application has therefore been publicised in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 3.3 The Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). B8 and B2 floor space is currently zero rated.
- 3.4 The application has been subject to some minor amendments to address technical issues raised during its consideration. The original application was presented as including uses in B1, B2 and B8 Uses Classes. Early engagement between the case officer and the agent resulted in the description being amended to remove B1 from the proposal scheme. The reasons for this was due to potential conflict with policy CS9 and for reasons relating to vehicle movements. Some minor amendments to the design have also taken place, including the provision of passing points for vehicles within the site and a small repositioning of the building further north within the site. Finally, the application description has been further amended to replace the proposal for general industrial use (Class B2) with "light" industrial uses within Class E, thus reducing the potential impact on neighbouring amenity.

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Bradfield Parish Council:	Original proposal Bradfield Parish Council objects to this application on the grounds of insufficient information in the following areas: <ul style="list-style-type: none"> It is assumed that Glenvale Nurseries will continue to operate from a smaller site, but this is not clear from the proposals.
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	<ul style="list-style-type: none"> • There is no information about how the existing access to Glenvale Nurseries will interact with the proposed access to these units. • There is no plan for noise mitigation. • There are no lighting plans; this site is within the AONB and dark skies need to be maintained. • There is no information on waste removal from the site. <p>If WBC is minded to approve this application, it is suggested that there should be a condition on</p> <ul style="list-style-type: none"> • Times for usage of the units in order to maintain amenity value for local residents. • That the curtilage of this proposal should not sold off separately to Glenvale Nurseries. <p>Amended proposal</p> <p>No objections</p>
Bucklebury Parish Council:	No objections
WBC Highways:	No objections subject to conditions
Drainage:	No comments. Advice to applicant on management of surface water drainage.
Environmental Health:	No objection subject to conditions limiting type of occupier and opening times.
Economic Development Officer:	Support
Trees:	No objections subject to a landscaping condition
Public Rights of Way:	No objection
Rambling Society:	No response received
Joint Emergency Planning:	No adverse comments to make
Environment Agency:	No response received
Office for Nuclear Regulation:	No comments
Thames Water:	No response received

North Wessex Downs AONB:	No response received
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Public representations

- 4.2 Representations have been received from 22 contributors, 12 of which support, and 10 of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

Support

- Minimal visual impact
- Support the rural economy
- Support current business
- Prevent villages become commuter hubs
- Beneficial to community
- Economic growth following COVID-19 recession
- Potential to support start-up businesses
- Local employment
- Minimise carbon emission
- Support an independent business

Object

- Unsustainable location
- Increase in traffic
- Concerns over septic tank and drainage
- Lack of pedestrian route
- Visitors will travel to site
- Insufficient turning circle
- Issues of noise
- Agricultural restriction on Oak Lodge
- Located in AONB
- Site is not in sole agricultural use
- Trading hours should be limited
- Uses not appropriate for residential area
- Drainage and sewage issues on the site
- Submitted photographs are not accurate
- Inadequate screening
- Result in overlooking of neighbouring properties
- Contrary to ADPP1, CS9 ENV16 and CS10
- Unacceptable impact on residential amenity
- Potential for industrial machinery
- Lack of evidence for justified need
- Result in overlooking and loss of privacy for neighbours
- Impact on dark skies
- Question of security outside business hours
- Located in the open countryside
- Number of planning applications on the site have already been refused
- Not in keeping with character and appearance of the area

- Could lead to later applications for residential development
- Will make little contribution to the economics of the surrounding area
- Will result in smell, dust and noise pollution for neighbouring properties
- Impact on wildlife
- Unknown how commercial waste will be disposed of
- Inconsistencies in the application
- Proposed units are very small, how can a business run such a space
- Not a viable business case
- Application is an attempt to reclassify land

5. Planning Policy

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS5, CS8, CS9, CS10, CS11, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS5, OVS6 and TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2019-24
- WBC Quality Design SPD (2006)
- WBC Planning Obligations SPD (2015)
- WBC Sustainable Drainage Systems SPD (2018)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Whether the proposal is in accordance with the development plan;
- The potential economic benefits;
- Whether the proposal respects the character and appearance of the area, and conserves the special qualities of the AONB;
- Traffic generation, access and parking;
- Compatibility with existing uses in terms of noise and other impacts;
- Neighbouring living conditions.

Principle of development

6.2 The most important policies for determining whether the principle of development is acceptable are policies ADPP1, ADPP5, CS9 and CS10 of the Core Strategy. The Core Strategy includes a Spatial Strategy (ADPP1 and ADPP5) that provides a broad indication of the overall scale of development in the district, applying the principles of

sustainable development, and based on defined spatial areas and a settlement hierarchy. Policies CS9 and CS10 relate specifically to employment and the economy.

- 6.3 The site is located outside of any defined settlement boundary, and is therefore located in “open countryside” in terms of policy ADPP1. Policy ADPP1 states that most development will be located within or adjacent to settlements included within the settlement hierarchy. However, the policy does make an allowance for appropriate limited development in the countryside focused on addressing identified needs and maintaining a strong rural economy.
- 6.4 In accordance with policy ADPP1, the scale and density of development will be related to the site’s current or proposed accessibility, character and surroundings. Significant intensification of employment generating and other intensive uses will be avoided within areas which lack sufficient supporting infrastructure, facilities or services or where opportunities to access them by public transport, cycling and walking are limited.
- 6.5 Policy ADPP5 is the spatial strategy for the North Wessex Downs AONB. Recognising the area as a national landscape designation, the policy envisions that development will conserve and enhance the local distinctiveness, sense of place and setting of the AONB whilst preserving the strong sense of remoteness, tranquillity and dark night skies, particularly on the open downland. In terms of the economy, the policy states that small, local businesses will be supported, encouraged and protected within the AONB providing local job opportunities and maintaining the rural economy.
- 6.6 Whilst the proposed development is located outside of a defined settlement boundary, policy ADPP1 does allow for limited development in the open countryside which does not result in significant intensification and where it assists in maintaining the rural economy. Small scale economic development is also specifically supported within the AONB, subject to the overarching protection of the landscape. The site is not within an accessible location, as it is remote from local services and public transport opportunities are limited; this limits the intensity of economic development that is appropriate in the location. However, overall the nature and scale of the proposed development is considered to accord with the above Spatial Strategy.
- 6.7 Policy CS9 relates to the location and type of business development. Strategically across the plan period (2006-2026), policy CS9 seeks to manage the growth of B1 floor space (now incorporated into Use Class E) to meet future requirements and retain a portfolio of B8 uses in suitable locations. Policy CS9 states that proposals for industry, distribution and storage uses will be directed to the district’s defined Protected Employment Areas, and existing suitably located employment sites and premises.
- 6.8 Paragraph C (Managing the scale, type and intensification of business development) of policy CS9 states:
- “A range of types and sizes of employment sites and premises will be encouraged throughout the District to meet the needs of the local economy. Proposals for business development should be in keeping with the surrounding environment, not conflict with existing uses, and promote sustainable transport.*
- More efficient use of existing sites and premises should be made in order to attract inward investment, respond to modern business requirements, and meet the demand for employment land over the plan period. The Council will promote the intensification, redevelopment, and upgrade of existing, vacant and/or derelict employment sites and premises for business development.”*
- 6.9 The existing site comprises a single rural enterprise known as Glenvale Nurseries. The site is in mixed use comprising elements of horticulture, retail sale and wholesale trade. This use applies across the whole site, which is a single planning unit. Through the

current application the existing rural enterprise is seeking to evolve in order to adapt and survive in the changes that have taken place within the industry.

- 6.10 The current application seeks to provide new light industrial, storage and distribution uses on a speculative basis; there is no definite end user identified for the development. Notwithstanding this, there is potential for the proposal scheme to accommodate start-up businesses. This is supported by policy CS9.
- 6.11 Due to the modest size of the proposed units and the total proposed floorspace, the proposed uses are not assessed as conflicting with the existing mixed use on the remainder of the site. The proposal scheme would provide more efficient use of the existing premises, and thus make a positive contribution to the local rural economy.
- 6.12 Due to the location of the site within the open countryside, where accessibility is poor and occupiers would most likely be reliant on private vehicles, which is environmentally unsustainable, this must be balanced against other positive criteria offered by the proposal scheme. Overall, the nature and scale of the proposed development is considered to accord with policy CS9.
- 6.13 Policy CS10 specifically relates to the rural economy. It encourages the diversification of the rural economy, particularly where they are located in or adjacent to Rural Service Centres and Service Villages, and states that existing small and medium sized enterprises within the rural areas will be supported in order to provide local job opportunities and maintain the vitality of smaller rural settlements.
- 6.14 The existing use is partly a form of agriculture (horticulture), and the supporting text of policy CS10 recognises that there have been changes in the agricultural industry over recent years. The supporting text also identifies that there is a continued need to protect and support the development of start-up businesses and that adequate provision should be made for them throughout the district. Although Bradfield Southend is defined as a Service Village, the application site is located some distance from its boundary. However, the scale of development proposed is considered commensurate with the existing use and location of the site.
- 6.15 The proposal scheme is supported by policy CS10.
- 6.16 Paragraph 83 of the NPPF (2019) seeks to support the rural economy, it states that planning policies and decision should enable:
- a) *sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
 - b) *the development and diversification of agricultural and other land-based rural businesses;*
- 6.17 One of the main aims of the NPPF (2019) is to ensure that new development is sustainable. Whilst the proposal scheme is not in an accessible location (reducing its environmental sustainability), when looking to support the rural economy paragraph 84 states that development may have to be located beyond existing settlement boundaries in locations that are not well served by public transport:

“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling

or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

- 6.18 The Council’s Economic Development Team has provided a consultation response, which is supportive of the application (full response available via link at top of report). It highlights that the business spaces created by this proposal will be able to help facilitate the growth of other small local businesses and self-employed people. It is stated that small, affordable spaces like the ones proposed are a valuable component of the local business property offering as they provide an ‘incubator’ for businesses that cannot afford large spaces. A recent study by Thames Valley Berkshire Local Enterprise Partnership also indicated that there is not sufficient availability of such units.
- 6.19 Overall, the proposal would bring economic benefits to the rural economy, and the proposed scale of the new floor space is considered appropriate when balancing the economic benefits against the poor accessibility of the site. It is concluded that the proposal is in accordance with the Spatial Strategy the Council’s planning policies for the economy and employment.

Design and conservation of the AONB

- 6.20 Core Strategy Policy CS14 states that new development must demonstrate a high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality.
- 6.21 Core Strategy Policy CS19 outlines that in order to ensure that the diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural, and functional components of its character will be considered as a whole. In adopting this holistic approach, particular regard has been given to the sensitivity of the area to change and ensuring that the new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.22 The location of the site within the open countryside of the AONB, increases its sensitivity to adverse change. The site is an existing rural enterprise, and whilst the existing premises does not make a positive contribution to the character and appearance of the area, it is largely shielded from the public realm, and such sites not wholly out of keeping with the pattern of development in the area.
- 6.23 The proposal scheme will result in the removal of two polytunnels and a timber shed on the site. The proposed building is for a relatively basic design, which includes external materials of brick, timber and corrugated metal sheeting. The highest point of the development will 4.2m from floor level. Owing to the overall scale of the proposed development and its location within the wider Glenvale Nurseries site, it is relatively unobtrusive within its setting and the AONB. The design in itself is of no great merit, however it is also of a low impact and will see the removal of the existing polytunnels.
- 6.24 Third parties have raised concerns as regards to light spillage. The proposal scheme includes ten small (0.6sq.m) roof lights. Due to the commercial nature of the proposed development, the use of the site outside of daylight hours will be limited. Additionally, a planning condition is proposed which would limit the hours in which the units can be used. With these controls it is considered that the conservation of dark night skies will be maintained.

- 6.25 On balance, the proposal scheme is considered to have a neutral impact in terms of its design and impact on the surrounding AONB. The proposal is considered to comply with the aforementioned policies.

Highways

- 6.26 A Transport Statement (TS) from consultants Granville has been submitted as part of the application, this has been reviewed by the Council's Highway Officer. The TS is based on a new building with a gross floor area (GFA) of 144m². The new building will consist of four separate units each with a GFA of 36m².
- 6.27 The development will use the existing access onto the public highway that serves the car park for the nursery. Visibility splays of 2.4 x 90 metres to the left on leaving the site and 2.4 x 130 metres are in existence to the right. This is considered to be acceptable by the Highway Officer.
- 6.28 Car parking standards for commercial uses are provided in Appendix 5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). The standards suggest a maximum provision of one space per 25m² for B1 (now part of Class E) and B8 development. This equates to a maximum provision of six car parking spaces. The proposed development will provide eight car parking spaces which is considered to be acceptable. The proposal scheme also includes two electric car charging points, which is welcomed to promote the uptake of electric vehicles.
- 6.29 The proposal also complies with the cycle parking standards provided in the West Berkshire District Council Cycle and Motorcycle Advice and Standards for New Development 2014.
- 6.30 As detailed in Section 4.0 of the TS, to calculate the expected traffic generation for the proposal, the Trip Rate Information Computer System (TRICS) database has been used. This is quite standard methodology of calculating traffic generation. TRICS is a Republic of Ireland and UK wide database of traffic surveys of many uses including the proposed. It is noted from the TS that Greater London, town centre and edge of town centre sites have been excluded. It would therefore seem that the use of TRICS, and the way that it has been used in this particular case, is acceptable.
- 6.31 From TRICS it is projected that the proposal will generate 17 vehicle movements per day (circa 8.5 in, 8.5 out). According to Section 1.0 of the TS, the existing nursery site generated 46 and 86 vehicle movements per day during the winter and summer seasons respectively. The Highway Officer has noted some of the concerns on traffic generation from objectors, but has found no reason to doubt the above figures.
- 6.32 The site is within an unsustainable location. It is highly unlikely that travel will take place to and from the site other than private motor vehicles. However as there should be a decrease in traffic generation, the highways officer has not objected to the proposal on sustainability grounds.
- 6.33 The site layout appears acceptable, but the Highway Officer has expressed concern that larger vehicles will attend the site than the 7.7 metre long fire tender shown in the TS. The Highway Officer would prefer that the access within the site be widened and enlarged. The width of the access is only 4.5 metres wide. This is large enough for small vehicles to pass. For a large and small vehicle to pass, a width of 4.8 metres is required. Ideally 4.8 metres should have been provided throughout, especially where the access joins the public highway. However some passing places have been provided and the Highway Officer considers the projected level of traffic to be too low to object any further to the proposed access. They also consider the number of larger vehicles that will attend

the site will be very low. Should one attend, the provision of the passing places near the bend will enable easier access around the bend.

- 6.34 Overall, no objections are raised by the Highway Authority, subject to the imposition of conditions to secure the timely provision of the access road, parking and turning spaces, cycle storage and electric vehicle charging points.

Noise and disturbance

- 6.35 Paragraph 180 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 6.36 Small scale storage and distribution (B8) uses are of low concern in terms of noise and pollution, particularly given the small size of the building.
- 6.37 Industrial processes, as defined under the Use Classes Order, includes a process for or incidental to any of the following purposes in the course of any trade or business other than agriculture, and other than a use carried out in or adjacent to a mine or quarry:
- a) the making of any article or part of any article (including a ship or vessel, or a film, video or sound recording);
 - b) the altering, repairing, maintaining, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article; or
 - c) the getting, dressing or treatment of minerals.
- 6.38 The application previously included proposals for “general industrial” uses under Use Class B2. By definition, industrial uses under Class B2 can include uses which “may not be appropriate in a residential area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.” Planning and Environmental Health Officers have given consideration to how planning conditions could be used to permit such a use of the site without risk to neighbouring amenity, but were unable to find an acceptable solution. The applicant therefore agreed to amend the application to replace the proposal for “general industrial” (B2) use with “light industrial” use under Class E (a new class which incorporates the former light industrial Use Class B1). By definition, industrial uses under Class E only include uses *“which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.”*
- 6.39 The development is speculative in that no specific end users are proposed within the application. It is considered that, to an extent, the size of the building and units will automatically limit the variety of uses and intensity of operations that could take place on the site.
- 6.40 A third party has commissioned and submitted their own noise survey for the proposal scheme. This survey concludes that “dependant on the type and intensity of the proposed commercial development adjacent to the site, noise generating activities would result in a significant adverse impact.” This survey has been reviewed by Environmental Health, who return the following comments: *“In my opinion there is some uncertainty over the background noise level. As the site was not operating in normal conditions then this is not really a typical background noise level. A lot of assumptions have been made with regard to noise from the proposed activities emanating from the site. No calculations are submitted. Also these noises are highly unlikely to be*

continuous throughout the day and a worst case scenario has been looked at. No consideration has been given to the uncertainties of the assessment e.g. distances, ground conditions, barriers and the noise source."

- 6.41 Environmental Health raised no objections to the proposal scheme when it included B2 uses, subject to a condition limiting the precise B2 uses on the site, such as vehicle repair and respraying, any maintenance activities, metal and wood fabrication, in addition to an hours of work condition. However, as B2 uses cover such a broad range of potential uses, it has not been possible to devise conditions to make a B2 use acceptable. Hence the application was amended to omit B2 uses and replace them with industrial uses under Class E.
- 6.42 In its revised form, the proposed uses are considered to be compatible with existing uses on and adjoining the site in terms of noise and disturbance, subject to the recommended conditions.

Neighbouring light, privacy and outlook

- 6.43 During the application process the proposed development was moved within the site, placing the footprint north-eastwards.
- 6.44 Appendix 1 of this report includes a map showing the approximate distances from neighbouring properties for the proposed and existing developments. The distances between existing buildings currently on site and neighbouring properties ranges between 5.5m and 39.6m. The distances between neighbouring properties and the proposed building ranges between 17.1m and 47m. The proposed development is set further away from all neighbouring properties to that currently on site. Given these separation distances, and having regard to the existing layout of buildings on the site, the proposal is not considered to result in any significant loss of daylight or sunlight, to result in any material harm to outlook, or have any overbearing impact on neighbouring properties.
- 6.45 The only windows proposed as part of the development are roof lights. Due to the angle height of the roof lights they are not assessed as resulting in any material overlooking or loss of privacy.

BREEAM

- 6.46 A BREEAM pre-assessment has been submitted with the application, stating that the proposal scheme will achieve a BREEAM "Excellent" rating as required by policy CS15. No practical or economic limitations to achieving this rating have been raised. A condition is proposed ensure that this rating is achieved on site.

Other matters

- 6.47 The application relates to the land outlined in red. The remainder of the Glenvale Nurseries site would remain in its existing mixed use, and could continue to operate alongside the proposed uses.
- 6.48 It is noted that the Parish Council request that the curtilage of this proposal should not be sold of separately to Glenvale Nurseries. The planning system is concerned with the use of land rather than land ownership. The application has been assessed in terms of the existing and proposed uses and their impacts.
- 6.49 The application form does not detail the proposed foul sewage disposal measures, and it is understood that the premises is served by a shared septic tank. As such, a condition

is recommended that requires the prior approval of proposals for foul sewage disposal, and that this should include pre-treatment measures to prevent the release of pollutants.

7. Planning Balance and Conclusion

- 7.1 The proposed development is located within the open countryside and North Wessex Downs AONB, where new development is strictly controlled and restricted. Only appropriate limited development is allowed that will address identified needs and maintain a strong rural economy. The proposed development will introduce new employment opportunities which will aid the rural economy in West Berkshire. Whilst the accessibility of the site by sustainable modes of transport is poor, the modest scale of the proposals are considered, on balance, to be in accordance with the development plan policies, and will provide additional employment opportunities within the local rural economy.
- 7.2 The design is low key and appropriate for the proposed use. The proposed development will not be readily visible from the public realm and will replace the existing polytunnels which do not make a positive contribution to the site in terms of appearance. Overall, the development is considered to have a neutral effect in terms of the conservation of the surrounding AONB.
- 7.3 Storage and distribution uses (B8) of this scale and light industrial uses within Class E are unlikely to have a materially adverse effect on neighbouring living conditions. The proposed uses are considered compatible with existing surrounding uses subject to conditions.
- 7.4 It is therefore recommended that planning permission is granted, subject to the proposed set of conditions.

8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1. **Commencement of development**

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 plans and documents listed below:

- Proposed Elevations, reference RAC/8816/4, received 14/07/2020;
- Proposed Site Plan, reference RAC/8816/3 Rev2, received 11/09/2020.

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

3. **Construction method statement (prior approval)**

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors;
- (b) Loading and unloading of plant and materials;
- (c) Storage of plant and materials used in constructing the development;
- (d) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing;
- (e) Wheel washing facilities;
- (f) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works;

Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.

4. **Spoil (prior approval)**

No development shall take place until details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:

Show where any spoil to remain on the site will be deposited;

Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);

Include measures to remove all spoil from the site (that is not to be deposited);

Include timescales for the depositing/removal of spoil.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because spoil may arise throughout development.

5. **Foul sewage**

No development shall take place until details of how foul sewage is to be disposed of have been submitted to and approved in writing by the Local Planning Authority. The details shall include pre-treatment measures (e.g. oil interceptors) to prevent the release of pollutants. Thereafter no unit shall be first occupied until the foul sewage disposal measures have been provided in accordance with the approved details.

Reason: To ensure appropriate disposal of foul sewage, in accordance with the National Planning Policy Framework, and Policy CS5 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because insufficient

information accompanies the application and such measures may need to be incorporated into early building operations.

6. **Hours of work (construction/demolition)**

No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

No work shall be carried out 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, and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

7. **Schedule of materials**

The construction of the building hereby permitted shall not take place until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.

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

8. **BREEAM**

The building hereby permitted shall achieve an "Excellent" rating under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). The building shall not be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating of "Excellent" has been achieved for the development, has been issued and a copy has been provided to the Local Planning Authority.

Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

9. **Site access**

No unit shall be first occupied until the site access road to the site from Hungerford Lane has been completed in accordance with the approved details.

Reason: The timely completion of the site accesses is necessary to ensure safe and suitable access for all. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

10. **Parking and turning**

No unit shall be first occupied until the vehicle parking and turning spaces have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring 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 applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS.1 of the West Berkshire District Local Plan 1992-2006 (Saved Policies 2007).

11. Cycle parking/storage

No unit shall be first occupied until the cycle parking/storage facilities have been provided in accordance with the approved drawings. Thereafter the facilities shall be maintained and kept available for that purpose at all times.

Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy TRANS.1 of the West Berkshire District Local Plan 1992-2006 (Saved Policies 2007), Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

12. Electric vehicle charging points

No unit shall be first occupied until electric vehicle charging points have been provided in accordance with the approved plans. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS.1 of the West Berkshire District Local Plan 1992-2006 (Saved Policies 2007).

13. Hard landscaping (prior approval)

No unit hereby permitted shall be occupied until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.

Reason: A comprehensive hard landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the dwellings are occupied because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

14. Soft landscaping (prior approval)

No unit shall be occupied until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first occupation of any new unit (whichever occurs first). Any trees, shrubs, plants or

hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: A comprehensive soft landscaping scheme is an essential element in the detailed design of the development, and is therefore necessary to ensure the development achieves a high standard of design. These details must be approved before the dwellings are occupied because insufficient information has been submitted with the application, and it is necessary to ensure that the scheme is of a high standard. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and Quality Design SPD.

15. Lighting strategy (prior approval)

No external lighting shall be installed within the application site until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a plan to show the location of any lighting, and specifications all lighting to ensure that levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers. No external lighting shall be installed within the application site except in accordance with the above strategy.

Reason: To conserve the dark night skies of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

16. No extractor units, ducts, plant

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no extractor units, ducts or other mechanical plant shall be fixed to the external faces of the building without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: In the interest of local amenity. This condition is imposed in accordance with the National Planning Policy Framework, 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).

17. Permitted uses

The units hereby permitted shall be used for storage or distribution purposes (Use Class B8) and/or for any light industrial process within Use Class E (being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit). The units shall not be used for any other purpose, including any other purpose in Use Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). This restriction shall apply notwithstanding any provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: Any other use may not be acceptable on the site, having regard to surrounding uses and its rural location. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5, CS9, CS10, CS11, CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

18. Customer opening hours

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

Mondays to Fridays: 08:30 to 18:00

Saturdays: 09:00 to 13:00

Sundays and public holidays: closed

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

19. Operating hours (machinery/processes)

No machinery shall be operated, and no industrial processes shall take place, outside of the following hours:

Mondays to Fridays: 08:30 to 17:00

Saturdays: 09:00 to 13:00

Sundays and public holidays: no operating

9am – 4pm Mondays to Fridays;

10am -12pm Saturdays;

nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

20. Delivery hours

No deliveries shall be taken at or despatched from the site outside the following hours:

Mondays to Fridays: 08:30 to 18:00

Saturdays: 09:00 to 13:00

Sundays and public holidays: no deliveries

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

21. No industrial processes outside

No industrial processes [as defined by The Town and Country Planning (Use Classes) Order 1987 (as amended)] shall take place outside of the building hereby permitted.

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

22. **No external storage**

No materials, goods, plant, machinery, products, equipment, vehicles, storage containers or waste containers shall be stored, processed, repaired, operated or displayed in the open land on the site.

Reason: In the interests of visual amenity. This condition is imposed in accordance with the National Planning Policy Framework, and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

Informatives

1. **Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015**
Revision and Representations

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 worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.

2. **Damage to footways, cycleways and verges**

The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.

3. **Damage to the carriageway**

The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

4. **Industrial processes**

For clarity on the permitted uses defined by the Town and Country Planning (Use Classes) Order 1987 (as amended), any industrial process permitted under Class E must be a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. An "industrial process" as a process for or incidental to any of the following purposes:—

- (a) the making of any article or part of any article (including a ship or vessel, or a film, video or sound recording);
- (b) the altering, repairing, maintaining, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article; or
- (c) the getting, dressing or treatment of minerals;

in the course of any trade or business other than agriculture, and other than a use carried out in or adjacent to a mine or quarry.