

**EASTERN AREA PLANNING COMMITTEE  
28 OCTOBER 2020**

**UPDATE REPORT**

**Item No:** (1)                      **Application No:** 20/01480/FUL                      **Page No.** 11-50

**Site:**            Glenvale Nursery, Hungerford Lane, Bradfield Southend

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**Planning Officer Presenting:**                      Sarah Melton

**Member Presenting:**                      N/A

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**Written submissions**

**Parish Council:**                      N/A

**Objector(s):**                      Gareth Osborn – available to answer questions at the meeting  
Jim Forrester  
Peter Neal and Rebecca Neal  
Meg Nelson  
Charles Romaine (joint submission on behalf of multiple named objectors)

**Supporter(s):**                      N/A

**Applicant/Agent:**                      Duncan and Helen Varley (Applicants) and Sophie Berry (Agent) – available to answer questions at the meeting

**Ward Member(s) speaking:**                      Councillor Ross Mackinnon

**1. Additional Consultation Responses**

Thames Water: No objections raised subject to a planning condition and informatives. A suitable planning condition is already listed in the agenda report – number 5. The additional informatives are listed at section 4.

**2. Noise Assessment**

Third parties have queried why the Council did not request a noise assessment as part of the application. The proposed light industrial use falls under Use Class E, which by definition is suitable in a typical residential area. The proposed units are small, which will limit the scale of any B8 storage a distribution within the site. A number of conditions have been proposed, conditions 16, 18, 19, 20, 21, 22 and 23, which will provide safeguards for protecting neighbouring amenities.

A condition has been requested to limit noise levels at adjoining properties. It is considered reasonable in principle to apply such a condition. However, in the absence of reliable background noise levels against which to set a maximum noise level at the neighbouring boundaries, it is not considered appropriate to apply the condition in the form proposed by the third party. An alternative condition has therefore been included within the updated recommendation to achieve a similar outcome.

### **3. Condition 19 (operating hours)**

The condition is amended in the below table. It is updated to correct an editing error.

### **4. Updated Recommendation**

The recommendation remains as set out in the agenda committee report, subject to the following additional/amended conditions and informatives.

#### **Conditions:**

#### **19. Operating hours (machinery/processes) – amended**

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

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).

#### **23. Noise Assessment – additional**

A scheme shall be submitted to and approved in writing by the Local Planning Authority, which specifies the provisions to be made for the control of noise emanating from the site. The scheme shall include an assessment of the prevailing background sound level and calculation of noise levels that are not to be exceeded beyond the boundary of the premises. Thereafter, the use shall not commence until the approved scheme has been fully implemented. Mitigation measures installed/implemented shall be retained and maintained thereafter.

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).

#### **Informatives:**

5. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

6. The proposed development is located within 15m of our underground water assets

and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

7. The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.