

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 2 JUNE 2021

Councillors Present: Tony Linden, Royce Longton, Ross Mackinnon, Alan Macro (Vice-Chairman), Geoff Mayes, Graham Pask (Chairman), Richard Somner, Joanne Stewart (Substitute) (In place of Alan Law) and Keith Woodhams

Also Present: Alice Attwood (Senior Planning Officer), Bob Dray (Development Control Team Leader), Paul Goddard (Team Leader - Highways Development Control), Kim Maher (Solicitor) and Linda Pye (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Alan Law

PART I

3. Minutes

The Minutes of the meetings held on 21 April 2021 and 4 May 2021 were approved as true and correct records and signed by the Chairman.

4. Declarations of Interest

There were no declarations of interest received.

5. Schedule of Planning Applications

(1) Application No. & Parish: 20/03068/FULD - Button Court Farm, Windmill Lane, Midgham

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 20/03068/FULD in respect of erection of a farm owner's dwelling and garage with associated access.

Planning Officer, Mr Bob Dray introduced the report and highlighted the key points. The detailed assessment was set out in the agenda report. No objections had been raised by Midgham Parish Council and no objections had been received on technical grounds. There were eleven supporters to the application.

Members were shown the application site of the proposed barns (20/03069/FUL – pending consideration) located on the eastern side of the track.

Supporting financial information had been provided to Members in a Part II confidential report and there was no dispute with the figures.

There were two main issues with the application, which were the principle of the development and the impact on the character and openness of the area. Policy C1 of the HSA DPD gave a presumption against new residential development outside of the settlement boundaries. Exceptions to this were limited to some forms of development, one of which was housing to accommodate rural workers. New dwellings in the countryside related to, and located at or near, a rural enterprise would be permitted where:

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

- i. It was proven as essential to the continuing use of land and buildings for agriculture, forestry or a rural enterprise;
- ii. Detailed evidence was submitted showing the relationship between the proposed housing and the existing or proposed rural enterprise and demonstrating why the housing was required for a full time worker in that location;
- iii. It was demonstrated that there were no suitable alternative dwellings available or that could be made available in that location to meet the need. This included those being used as tourist or temporary accommodation or existing buildings suitable for residential conversion;
- iv. It must be shown why the housing need could not be met by existing or proposed provision within existing settlement boundaries;
- v. The financial viability of the business was demonstrated to justify temporary or permanent accommodation;
- vi. The size, location and nature of the proposed dwelling was commensurate with the needs of the enterprise; and well related to existing farm buildings or associated dwellings;
- vii. The development had no adverse impact on the rural character and heritage assets of the area and its setting within the wider landscape. Where it affected the AONB the impact on its special qualities and natural beauty of the landscape would be the overriding consideration;
- viii. No dwelling serving or associated with the rural enterprise had been either sold or converted from a residential use or otherwise separated from the holding within the last 10 years. The act of severance might override the evidence of need.

The Council had instructed Kernons Countryside Consultants Limited to review and provide independent analysis as to the need for the proposed rural workers dwelling. Kernons reviewed the application documents and supporting statement of need which had informed the Officer's recommendations as detailed in the report.

According to the application, there were 80 hectares of permanent pasture land associated with the farm and presently 16 cross-bred beef suckler cows and followers at the farm. Calving took place all year round and that was what the need for a rural worker dwelling was related to. There were two houses in the vicinity; one was a bungalow for which the applicant's mother had a life tenancy rendering it unavailable and the other was the old farmhouse which had been sold in 2004. There was no other available accommodation for use as a rural worker's dwelling.

The view of the consultants was that 16 suckler cows and followers on site was not of sufficient scale to require an essential worker to live on site in the context of the policy. The scale of the proposed enterprise of 25 suckler cows would still not generate an essential need to live on site according to the consultants who advised that approximately 40 suckler cows and above would meet that need. It had been accepted that the two dwellings on site were not available. There was a query over whether there was potential for converting other buildings but the primary point made was that the applicant lived in close proximity to the site – two miles away in a nearby village – which the consultants concluded was sufficient proximity in order to meet the need of the application.

In terms of viability and size of the dwelling, there was no dispute over the figures that had been provided. The Consultants concluded that it was profitable and sustainable but commented that it was quite marginal. The criteria of size and location of the building and

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

landscape, character and heritage considerations were the two factors in terms of refusal of the application.

Criteria vi (size, location, nature of dwelling). According to the policy, the size, location and nature of the proposed dwelling should be commensurate with the needs of the enterprise. In terms of size, the consultants had taken the view that the dwelling was quite large for a rural worker's dwelling.

Criteria vii (rural character, landscape and heritage): The location of the dwelling was more concerning. Countryside in the area was quintessential of the countryside found in the wider countryside north of the A4 and shared many of the characteristics of its setting in an AONB in terms of woodland and undulating fields marking it out as a valuable landscape in that respect. The fundamental concern was siting the dwelling in an undeveloped aspect of the field which would interrupt the openness of the public views.

In accordance with the Council's Constitution, Barbara Grey and Toby Dyson, supporters, and Matthew Williams (Agent) and Andrew Inwood (Applicant), addressed the Committee on this application.

Supporter Representations:

Toby Dyson in addressing the Committee raised the following points:

- Mr Dyson said he and his wife had lived at Button Court Farm for over 10 years and were in full support of the proposed dwelling. In their view, the applicant, Mr Inwood, was a very diligent and thoughtful farmer and they thoroughly enjoyed living next to the farm. They heard the cows from the front of their house which faced the applicant's fields. There had been occasions during calving when Mr and Mrs Dyson had called the applicant at 2.00am or 3.00am to let him know that it sounded like one of his cows might need his experience and assistance.
- Mr Dyson said that if the applicant lived on site this would bring a positive impact to the welfare of all the applicant's animals which was of paramount importance to the applicant.

Barbara Grey in addressing the Committee raised the following points:

- Mrs Grey said she and her husband had lived in Midgham since 1985 and had known the applicant and his family since that time.
- Mrs Grey and her husband now owned a 60 acre farm on the western edge of Midgham which qualified for higher level stewardship and the applicant had looked after their land with great care for the past 26 years, proving to be a very able and dedicated farmer.
- Mrs Grey advised that the applicant was born at Button Court Farm, his father and grandfather having farmed there before him. Since the applicant's father died two years ago, the applicant had been managing Button Court Farm from his home in Upper Bucklebury, keen to carry on as a traditional Berkshire farmer.
- The applicant was passionately keen to care for his animals in the best way possible. The applicant currently had in excess of 50 cattle at the farm, 26 of which were suckler breeding cows. Mrs Grey said it was these breeding cows which were most likely to need the applicant's attention, in particular during calving.
- The applicant knew that such care and attention could only be achieved if he lived on the farm close to his animals as he needed to be on-hand should there be any animal welfare issues that required his attention.

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

- Mrs Grey stressed that the welfare of 10 or 20 cows was no less important than the welfare of 50 or 100 cows.
- The planning application was for an attractive, modest dwelling which resembled a converted agricultural barn and its planned position was close to the other farm buildings and carefully designed to fit in and not look out of place with its surroundings.
- The impact on the nearby roads would be minimal and she thought the plans had made that very clear.
- Midgham Parish Council, of which she was a Member, had given its full support to the application and she could not see any reason why such a modest building, built to fulfil such an understandable need should be refused planning consent.
- It was worth noting that Mr Inwood was free to build an agricultural building in the same position without the need for any planning permission, such building could be considerably less attractive and with no restrictions or guidance from the local planning authority. Mrs Grey strongly believed therefore that the application should be approved.

There were no Member questions to Mrs Grey or Mr Dyson and Councillor Pask thanked them both for their contribution to the meeting.

Agent Representation:

Mr Matthew Williams in addressing the Committee raised the following points:

- Button Court Farm had been in the Inwood family since 1938 with the applicant, Mr Andrew Inwood being the third generation family farmer. The applicant inherited the farm in April 2019 following the death of his father and despite challenges faced in the UK farming industry, wanted to keep the farm running.
- A factor that had not been considered was the significant change which had been made to planning policy in 2018. This policy change made provision where an essential need for a new dwelling in the countryside included those taking majority control of a business as part of the farm's succession process, which was the current scenario. When the applicant inherited the farm, there had been 17 head of cattle which quickly built up to 39 but unfortunately 15 cows had been lost due to an outbreak of TB. The herd was now up to 26 cows with a stock bull and all cows would be kept on and finished with beef. There was currently 52 head of animals on the farm.
- Mr Williams said he believed there was confusion around the applicant's aspirations for the farm; 25 cows was never a ceiling for the growth of the farm and this would be significantly increased with the new buildings which were expected to be approved shortly (20/03069/FUL – pending consideration).
- With regard to the sight and sound test, Mr Williams strongly disputed the view of Officers and the consultant that animal welfare requirements could be met by the applicant's existing dwelling at Upper Bucklebury, 2.5 miles and a 5 minute drive away. The enterprise required year-round calving with regular daytime and evening checks to monitor animal welfare. On average this would involve five trips between home and the farm per day, and even more when it was known a cow was going into labour. Officers often recommended refusal for new dwellings in the countryside where there would be an increase in car travel, whereas this proposal would significantly reduce the number of car movements with associated environmental benefit.

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

- In terms of the dwelling size, there was no formula to calculate the size of the dwelling based on the scale of named dwellers. The Consultant incorrectly measured the size of the dwelling in their initial assessment and was now referring to national minimum space standards to justify the dwelling being too large. These national standards were designed to prevent under-sized and poor quality housing, particularly in urban areas and were therefore an inappropriate measure on which to judge this proposal. When the farm toilet, washroom, utility and office were removed, the floor space in this 3-bedroom dwelling was 217sqm (2,340ft²) which was not unusually large, particularly when taking into account this would be the principal dwelling for the farm. By way of comparison, an agricultural worker's dwelling had been approved at a farm in Peasemore in 2017 with a gross internal area of 332sqm (3,570ft²). With regard to funding, planning policy did not require new dwellings to be funded by the farm business or existing property so this area of concern could be discounted.
- In terms of visual impact, Members had had the opportunity to visit the site and it was hoped they would agree that the location of the site had been well chosen as it related well to the existing buildings on both sides of the lane which was needed for optimal animal welfare and supervision. The scale was limited to 1.5 storeys to minimise its impact and conditions in respect to materials and landscaping would ensure the development integrated within its context. Mr Williams said he did not believe the development would impact whatsoever on the setting of the AONB which was further north.
- In conclusion, this proposal represented a genuine and essential need for the applicant to be readily available in the interests of animal welfare having taken majority control of the farm in 2019 and this cannot be fulfilled by living in Upper Bucklebury, particularly given his intention and ability to develop the enterprise further. Every possible step had been taken from location to scale and design to ensure the dwelling respected the rural character of the area and it was hoped that planning permission would be granted.

Member Questions to the Agent:

Councillor Jo Stewart asked for clarification on the number of cows needed on the farm to generate an essential need for the applicant to live on site. Mr Williams confirmed that the applicant currently had 26 suckler cows, a stock bull and a total of 52 head of cattle. In terms of the applicant's aspirations, this would depend on the capacity of the infrastructure available with existing buildings which was why more space was desperately needed. The applicant, Mr Inwood, advised Councillor Stewart that the current number of cattle on the farm could change quickly with another 12-15 born at any time as the bull was about to go out and some of the females/heifers were big enough and mature enough to go to the bull.

Councillor McKinnon asked Mr Inwood how many years his ancestors had lived on site and whether there had been an essential need for them to do so. Mr Inwood said there used to be a milking herd on the farm and his Grandfather had a milk round which his father had continued until it was no longer profitable. The operation had then moved onto suckler cows for beef animals. Mr Inwood's grandfather and father had always lived on site and when Mr Inwood was born a farm worker had lived in part of the farmhouse and the family had lived on site in a caravan until Mr Inwood was three years of age.

Councillor Mayes asked whether the current land of 80 hectares was sufficient to feed the 52 head of cattle. Mr Inwood confirmed that it was and could indeed feed more and added that he also made silage and haylage on the land to sell.

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

Councillor Macro commented that from the confidential accounts it would appear that a large proportion of the profits of the enterprise came from the basic payment scheme which was due to be phased out over the next seven years and asked what would replace that profit. Mr Inwood said that a new scheme would replace the current scheme but it was not yet fully known how the new scheme would operate but might involve rewilding. Councillor Macro asked whether there was land available in order to do rewilding and Mr Inwood said he assumed rewilding would pertain to small areas around the outside of the farm but reiterated not enough was yet known as to the requirements of the new scheme.

Councillor Stewart said there was a suggestion in the Officer's report that if the decision was made that a dwelling on site was necessary, that it could be positioned on the north side of the road from where the application site was. Councillor Stewart asked why the Agent had suggested that this would not be feasible. Mr Inwood replied that positioning the dwelling on the north side would require knocking down two or three buildings which would then have to be replaced elsewhere – likely on the other side of the road – as the buildings were needed for machinery and animal feed. Mr Inwood added the only other possibility was for the dwelling to be positioned at the very bottom corner but it was very wet down there and would be taking him further away from the animals whereas the proposed location of the dwelling was right by the sheds where the animals were housed and in the ultimate place to see as much of the farm as possible for security reasons.

Ward Member Representation – Graham Pask:

Councillor Pask said he had represented the rural Ward of Bucklebury for some time, which comprised a number of farms and had always regarded farmers as the custodians of the countryside who looked after the hedgerows as well as using the land to make a living. Councillor Pask said the main reason for calling-in the application was because if this application was from someone who had speculatively bought a plot of land, the Committee would be looking for a mobile home or shed to be placed on the land to prove the viability. However, this enterprise had been an active working farm for three generations, since 1938, and was well established. One of the key points was that the applicant had been working very hard building up the stock to a total of 39 which was just about at the threshold of 40 suckler cows needed to meet criteria for someone to be on site. However, TB had struck and Mr Inwood had lost 15 head of cattle, but the intention was clear that he had a track record of building up the herd and was in the process of doing so again.

Councillor Pask questioned whether it was fair that Mr Dyson was expected to have to make phone calls to Mr Inwood in the middle of the night upon hearing cows in distress. Councillor Pask said another reason for calling-in the application was due to rural security issues; there was machinery on site and issues of people entering the land or damaging animals. Councillor Pask said he had sufficient sympathy to ensure the application was heard in a democratic way by Members to determine whether the application was viable under policy C5 in terms of the number of cows and whether the trend was there to be viable.

Member Questions to Officers:

With respect to policy C5, Councillor Woodhams asked who made the policy, who signed off the policy and, if the Committee were minded to approve the application, would it set a precedent for similar, future applications. Mr Dray said policy C5 was in the Housing Site Allocations DPD which had been adopted by Full Council in 2017. The policy formed part of the Development Plan and it was planning law that decisions had to be made in accordance with the Development Plan unless material considerations indicated otherwise. Members were advised to take their own view, looking at individual criteria in

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

the policy and consider whether or not the proposal complied with those criteria and complied with the policy as a whole. Mr Dray said that in terms of setting a precedent, he was cautious to guide Members to make a decision that did not undermine the Development Plan but to consider whether the application complied with C5 based on the merits of the case, on the Officer's report and the evidence gathered at this meeting. However, if a decision was based on site specific reasons, then it would be hard to comment speculatively on precedent though he would advise if he had concerns.

Councillor Pask said having heard the evidence from the applicant and his Agent, if Members' interpretation of the facts in terms of viability regarding number of cows was deemed to be compliant with policy C5, could a legitimate decision be made at this meeting? Mr Dray said the interpretation of policy was a matter of judgement, if each criteria was examined and a reasonable argument made in each case then a legitimate decision could indeed be made.

Councillor Somner asked Mr Dray if he accepted the point raised earlier with regard to agricultural buildings being put on that land without further application to be correct. Mr Dray said there were extensive permitted development rights for agricultural buildings in the General Permitted Development Order Part 6. The majority of them were subject to a light touch prior approval so basic details had to be submitted to the Council who would carry out basic checks to ensure they were reasonably necessary for the purposes of agriculture. There had to be justification for them and a decision could be made by Officers as to whether or not further details were required on the siting and external appearance. The GPDO rights had conditions that had to be complied with and there was a prior approval process but in theory agricultural buildings could be built on land subject to that.

Councillor Somner referenced the view from the bottom of School Hill at the T junction looking across to the field and asked Mr Dray if he accepted that a wider field of view on the camera lens would have actually shown the buildings because it would have included the existing barn buildings that were there. Mr Dray said he appreciated that the image was in 3D, but in person you could see the area was influenced by the existing buildings on both sides of the road. The primary concern was fundamentally that the aspect across there was currently open and undeveloped.

Debate:

Councillor Woodhams drew attention to the assessment in the report against policy C5, on which basis he would be supporting the Officer recommendation to refuse planning permission.

The scale of the proposed enterprise at 25 suckler cows would still not generate an essential need to live on site according to the Council's consultant. Kernons had advised that approximately 40 suckler cows and above generated an essential need to live on site. Whilst there was scope in terms of land and the proposal for new farm buildings to allow the farm and its livestock to grow the need, at present, was not sufficient. Given these factors the application was not considered to meet criteria i and ii of Policy C5.

It was, however, understood that the applicant lived 2 miles away from the site in Upper Bucklebury which was approximately a 5 minute car journey to the site. Policy C5 stated that a new dwelling would be permitted where the need could not be met by housing within existing settlement boundaries, and the supporting text set out that the Council's preference was for accommodation to be located in nearby towns or villages. This, in combination with the above discussion in regards to how there was at present no established need to live on site, meant that criterion (iv) of C5 had not been satisfied. It

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

was considered the enterprises current needs could, therefore, be met by the existing dwelling in Upper Bucklebury.

Conclusions on Policy C5: In summary, it was considered that the proposal failed to comply with criteria I, ii, iii, iv, v, vi and viii of Policy C5, and was therefore contrary to the policy as a whole.

Councillor Mackinnon said it appeared that the decision relied on the Committee's opinion about whether or not there was an essential need for Mr Inwood to be on site. Policy C5 did not reference a specific number of cows but it was the opinion of the consultants that 40 suckler cows would be required. Councillor Mackinnon said a compelling case had been heard from both the applicant and Mr Dyson that it was quite proper to take a different view to suggest that a fewer number of cows was required to justify a judgement that there was an essential need for the farm worker to be on site. Councillor Mackinnon said he did not believe it would be going against policy for the Committee to oppose Officer's recommendation and recommend approval of the application; it was simply an interpretation based on the specific circumstances of this farm operation and the specific circumstances of this site as to whether there was an essential need for the applicant to be on site, which Councillor Mackinnon believed there to be.

Councillor Macro stated that he agreed with the views of Councillor Woodhams and added that there was one other aspect to the policy which must be considered which was that the development should have no adverse effect on the rural character and heritage asset of the area. Whilst Members had been advised that the development had no adverse effect on the heritage asset of the area, Councillor Macro said he believed it did have a quite significant impact on the rural character because the site gave quite an extensive view from the road down through the valley. Councillor Macro said he was also concerned about the future viability of the farm because, as mentioned previously, a very high proportion of the profit came from the basic payment scheme, due for replacement over the next 7 years by various schemes which required some public good. Councillor Macro said he was not sure there was sufficient land and ownership of the farm to actually achieve this. If in the unfortunate circumstance that the farm did not become viable in the future then a house would remain in a rural area, detached from the land, which would not be an acceptable situation.

Councillor Somner stated that he had no issues with the policy in place which he believed to be sound but did feel, as previously stated by Councillor Mackinnon, that the application was subject to a heavy weighting of opinion by Members as to the individual circumstance. Councillor Somner said he was content that by debating, reviewing and looking at exceptionality, that the Committee did not set precedence as an outcome. Councillor Somner said he was sympathetic to the applicant's concerns with regard to being away from his stock and said he understood, from his own family's link to the farming industry, there was a high risk in many terms, not least of which was cost, if a farmer or organisation was not in a suitable location to control their livestock. Councillor Somner said he felt the situation had been driven by an unfortunate set of circumstances; if the applicant's father was still alive then he would be on site and in a much better location to be able to address the needs of the farm. Councillor Somner concluded that he was in favour of approving the application.

Councillor Stewart added she was sympathetic to the views of Councillors Macro and Woodhams and felt favour towards the comments from Councillors MacKinnon and Somner. Councillor Stewart said it had been interesting to hear Mr Dyson talk about the fact that he and his family were acting as temporary rural workers by sometimes being the ones to raise the alarm. Councillor Stewart understood the difficulties faced by the

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

applicant in managing the business as it was but also to build it without actually being able to be on site. Councillor Stewart said if it was not possible to build the business without the capability, capacity and the buildings to go with it, she was in favour of supporting the applicant.

Councillor Linden said he felt this was a marginal case but there should always be an opportunity for a farmer who was dedicated to try and get to the levels required. There were difficulties with constraints on the land in terms of an ideal site for the proposed dwelling but if the application presented an opportunity to continue with, and grow, the enterprise, then Councillor Linden said he was in favour of the application.

Councillor Longton said he was very much of the view that farmers should be allowed and encouraged to live on their farms particularly where animals were concerned. Councillor Longton expressed his concern that approval was against policy but felt that as the applicant was intending to grow his herd to meet the standards, he had no hesitation in voting in favour of the application.

Councillor Pask thanked Members for their contributions and sought guidance from Mr Dray regarding conditions given that the application did meet the criteria of C5 in most cases but was subject to interpretation by the Committee. Mr Dray said he understood the proposal was on the basis that it complied with the policy C5. Whilst a list of high level conditions had been prepared, Mr Dray said if the motion was carried, then the resolution would be to grant planning permission subject to conditions and delegate the authority to come up with the conditions to Officers because there would be pre-development conditions as well, for which agreement with the applicant would need to be sought. Mr Dray outlined the proposed high level conditions:

- The usual three years to commence the approved plans
- Submission of a schedule of materials
- Restrictive conditions and agricultural tithe that was tied to the farm
- Landscaping and ecological management plan
- Details of hard and soft landscaping
- Tree protection conditions as recommended by the Tree Officer
- Construction of an Environmental Management Plan and construction of Methods of Statement which could normally be combined but which dealt with the impacts of, and during, construction and of environmental issues
- Details of drainage
- Electric charging points to comply with new dwellings policy
- Parking in accordance with the plans to make sure that there was no on-street parking
- Cycle parking as required by policy
- The removal of permitted development rights. The area was not in an AONB so they were quite extensive and given the site was open all around, there were side extensions and the quite sizable rear extension that could be added under permitted development
- External lighting – even though not in an AONB, it was a rural setting

Councillor Pask invited Members to vote on the proposal by Councillor Stewart, seconded by Councillor Longton. At the vote the motion was carried

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

RESOLVED that the Head of Development and Planning be authorised to grant planning permission subject to the following conditions which would be delegated to Officers to resolve the detail.

Conditions

1. Commencement of development

The development hereby permitted shall begin no later than three years from the date of this decision.

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 following approved plans/documents;

- Site Location Plan. Drawing number 02 C;
- Proposed Site Plan. Drawing number 105;
- Proposed Elevations. Drawing number 103 G;
- Proposed Plans and Elevations Garage Building. Drawing number 104 C;
- Proposed Plans. Drawing number 102 F;
- Proposed Roof- Roof Plan. Drawing number 107;
- Street Scene Elevations. Drawing number 101 C;
- Site Sections Elevations. Drawing number 106.

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

3. Agricultural tie

The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in agriculture at Button Court Farm, Windmill Lane, Midgham, or a widow or widower of such a person and to any resident dependants.

Reason: A dwelling in this location is only acceptable because it provides essential accommodation for a rural worker at the farm. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP4 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policies C1 and C5 of the Housing Site Allocations DPD 2006-2026.

4. Tree protection scheme

No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012. All such fencing shall be erected prior to any development works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the National Planning Policy Framework, and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place. This pre commencement condition as agreed by the planning agent via email dated 10/06/2021.

5. Construction method statement

No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved CMS. The CMS shall include measures for:

- (a) A site set-up plan during the works;
- (b) Parking of vehicles of site operatives and visitors;
- (c) Loading and unloading of plant and materials;
- (d) Storage of plant and materials used in constructing the development;
- (e) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing;
- (f) Temporary access arrangements to the site, and any temporary hard-standing;
- (g) Wheel washing facilities;
- (h) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;
- (i) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- (j) Hours of construction and demolition work;
- (k) Hours of deliveries and preferred haulage routes.

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 precommencement condition is required because the CMS must be adhered to during all demolition and construction operations. This pre commencement condition as agreed by the planning agent via email dated 10/06/2021.

6. Landscape and Ecological Management Plan (LEMP)

No development shall take place until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- (a) Description and evaluation of features to be managed.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management.
- (d) Appropriate management options for achieving aims and objectives.

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

- (e) Prescriptions for management actions.
- (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- (g) Details of the body or organization responsible for implementation of the plan.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site and protection of the rural character of the area. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the LEMP may need to be implemented during construction. This pre commencement condition as agreed by the planning agent via email dated 10/06/2021.

7. Construction Environmental Management Plan

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- (a) Risk assessment of potentially damaging construction activities.
- (b) Identification of "biodiversity protection zones".
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- (d) The location and timing of sensitive works to avoid harm to biodiversity features.
- (e) The times during construction when specialist ecologists need to be present on site to oversee works.
- (f) Responsible persons and lines of communication.
- (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- (h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site and protection of the rural character of the area. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction. This pre commencement condition as agreed by the planning agent via email dated 10/06/2021.

8. 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;

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

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.

9. Hard landscaping (prior approval)

The dwelling hereby permitted shall not be first 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: Landscaping is an integral element of achieving high quality design. 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 the Quality Design SPD.

10. Soft landscaping (prior approval)

The dwelling hereby permitted shall not be first 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 the new dwelling (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: Landscaping is an integral element of achieving high quality design. 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 the Quality Design SPD.

11. Parking (approved plans)

The dwelling shall not be first occupied until 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 (of private cars and/or private 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 applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

12. Cycle parking/storage (approved plans)

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

The dwelling shall not be first occupied until 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 P1 of the Housing Site Allocations DPD 2006-2026, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

13. Electric vehicle charging points (prior approval)

The dwelling shall not be first occupied until an electric vehicle charging point has been provided for the dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the charging point 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 P1 of the Housing Site Allocations DPD 2006-2026.

14. Lighting strategy (AONB)

No external lighting shall be installed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

(a) Include isolux contour diagram(s) of the proposed lighting.

(b) Ensure all lighting 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 except in accordance with the above strategy.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site and protection of the rural character of the area. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

15. Permitted development restriction (extensions/outbuildings)

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 extensions, alterations, buildings or other development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C and/or E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (June 2006).

16. Permitted development restriction (gates, fences, walls etc)

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 gates, fences, walls or other means

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

of enclosure which would otherwise be permitted by Schedule 2, Part 2, Class A of that Order shall be erected, constructed, or materially altered without planning permission being granted by the Local Planning Authority on an application made for that purpose. This restriction excludes any development expressly permitted by this permission, and does not prevent repairs or replacements (in full or in part) that do not materially affect the external appearance of any gate, fence, wall or other means of enclosure.

Reason: To prevent the erection of such development which may have an adverse impact on the rural character and appearance of the area, or fail to conserve the open landscape of the AONB. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (June 2006).

17. Schedule of materials (prior approval)

The construction of the dwelling shall not proceed above slap level 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 respect the character and appearance of the area. 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).

18. Drainage strategy

The construction of the dwelling shall not proceed above slab level until a detailed drainage strategy for the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the dwelling shall not be first occupied until all drainage measures have been completed. Thereafter the drainage measures shall be managed and maintained in their approved condition. The strategy shall:

- (a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018;
- (b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- (c) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- (d) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- (e) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- (f) Include details of how the SuDS measures will be maintained and managed after completion, including for access arrangements.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006), and the Council's Sustainable Drainage SPD (2018).

The decision to grant Planning Permission has been taken having regard to the policies and proposals in the National Planning Policy Framework, South East Plan 2006-2026, West Berkshire District Local Plan 1991-2006 (WBDLP) Saved Policies 2007, the Waste Local Plan for Berkshire, adopted 1998, the Replacement Minerals Local Plan for Berkshire 1991-2006 (incorporating the alterations adopted in December 1997 and May 2001) and to all other relevant material considerations, including Government guidance, Supplementary Planning Document; and in particular guidance notes and policies:

The reasoning above is only intended as a summary. If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.

INFORMATIVE:

1 The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.

2 The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met. A fee is required for an application to discharge conditions.

3 Reasons for granting planning permission

In coming to their decision on the application, the Members of the Eastern Area Planning Committee considered the application submissions, the officers' report, and the oral representations and answers to questions given during the meeting of 2nd June 2021. The committee concluded that an essential need for a rural workers dwelling was demonstrated in the circumstances of the case, that the proposed development complied with the criteria of Policy C5 of the Housing Site Allocations DPD 2006-2026, and therefore was in accordance

with the Council's strategy for new housing in the Local Plan. The Committee was also satisfied that other locations for the dwelling had been explored and justifiably discounted.

4 The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil

5 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.

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

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

7 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 secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

(2) Application No. & Parish: 20/01895/COMIND - Land west of Anchor Van Centre, Bath Road, Pips Way, Beenham

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 20/01895/COMIND in respect of a proposed scaffold hire depot, comprising open storage area, modular office building and car parking, together with means of access off Pips Way, drainage and landscaping.

The Planning Officer, Alice Attwood, introduced the report and highlighted the key points.

The reason for referral to Committee by the Development Control Manager was the need to balance economic and environmental considerations in the AONB and the recommendation was for approval of the application.

The site was approximately 1.5 hectares. The proposal was not within the defined settlement boundary and therefore regarded as open countryside for the purposes of planning. The development was within the North Wessex Downs area of AONB which ran along the edge of the A4. The application was located outside of the protected employment area known as the Beenham industrial Site. The site was former landfill which had been restored and in planning terms was considered greenfield land. The site appearance had been left so that some vegetation had reclaimed the land. The majority of the area would be used for storage and there would be an office, 20 car parking spaces for staff, 4 parking spaces for visitors, two electric vehicle charging points and cycle stands for eight bicycles. There were opportunities for sustainable transport with a regular bus route along the A4 and it was near to Aldermaston Railway Station although it was considered that the nature of the use was such that visitors were less likely to make use of public transport. There was also a proposed landscaping on the edge of the site and there was also existing landscaping which would be bolstered up through this proposal.

The modular office building floor area was approximately 250m² and would house a reception, a kitchen for the drivers, a drying room, staff toilets, office spaces, an open plan area and a Comms room. The application would retain the existing landscaping and the boundary to the north of the site would have a 5 metre strip of trees and shrub planting. To the south of the site the boundary would retain the poplar tree row and additional planting of small trees would be added. A landscape visual assessment had been completed which recommended a strategy which would respond to the minor and moderate visual impacts that would be generated from the scheme. The proposed landscaping scheme would mitigate the effects of the hard standing and it was considered that the landscaping scheme would make it capable of absorbing the proposal into the surrounding site.

The neighbouring properties from the southern boundary of the site were approximately 20 metres away from the application site when including front gardens and approximately 41 metres away if not including front gardens.

The most important policies for determining whether the principle of development was acceptable were Policies ADPP1, ADPP5, CS9 and CS10 of the Core Strategy:

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

- ADPP1 found that most development would be within or adjacent to settlements and the majority of development would take place on previously developed land. The scale and density of the development would be related to the site's accessibility, character and surroundings.
- ADPP5 looked at the spatial strategy of the North Wessex Downs recognising that it was a national landscape designation and looked at preserving the special qualities of the North Wessex Downs. In terms of the economy ADPP5 stated that protected employment areas within the AONB would continue to play a vital role in supporting local economy especially those in the edge of centre locations, small businesses and local businesses would be supported and encouraged and protected within the AONB providing local job opportunities and maintaining the local rural economy.
- According to Policy CS9, the Council sought to facilitate and promote the growth and forecasted change of business development in the plan period in order to retain a portfolio of sites for B8 uses in suitable locations. Proposals for industry, distribution and storage uses would be directed to the District's defined Protected Employment Areas, and existing suitably located employment sites and premises. Any proposals for such uses outside these areas/locations would be assessed by the Council against the following:
 - compatibility with uses in the area surrounding the proposals and potential impacts on those uses; and
 - capacity and impact on the road network and access by sustainable modes of transport.

In terms of managing the scale, type and intensification of business development, Policy CS9 stated a range of types and sizes of employment sites and premises would be encouraged throughout the District to meet the needs of the local economy. The proposals for this development were considered to be in keeping with this policy and did not conflict with existing uses, and promoted sustainable transport.

- According to Policy CS10, proposals to diversify the rural economy would be encouraged, particularly where they were located in or adjacent to Rural Service Centres and Service Villages. Existing small and medium sized enterprises within the rural areas would be supported in order to provide local job opportunities and maintain the vitality of smaller rural settlements.

There had been an objection from the public and an objection from the Parish Council in regard to noise that would be generated by the development for which the applicant did submit a noise assessment. This had been reviewed by the Council's Environmental Health Officer and it was felt that this could be mitigated by the submission of a Noise Management Plan.

It was felt that the proposal's nature and scale would, on balance, be acceptably absorbed into the landscape without any significant harm to the baseline landscape of what was there already considering there were other industrial developments nearby. There was also a considerable economic benefit as the proposal would lead to the creation of 20 employment opportunities and had the full support of the Council's Economic Development Officer. The Environment Agency and Environmental Health had no objections in terms of contamination on the site as long as agreed conditions were adhered to.

The site was adjacent to the existing Anchor Vans premises to the north-east, and other commercial development to the south-west, including Porsche and vacant land which had permission for B2 and B8 uses.

Mr Dray referred to the update report produced after the agenda pack which addressed two issues:

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

1. The delivery start time to be brought forward from 08:00 to 07:00 from Monday to Friday at the request of the applicant which was considered to be a reasonable request.
2. Referring to the previously approved application for the site – 18/003343/COND1, there were some important changes between that and the current application, notwithstanding of course that the proposed site use was now changed. The most important of these changes was the proposed off-site discharge into the existing ditch between the site and the A4. Previously the discharge rate was agreed at 3.6litres/sec whereas it was now proposed to increase that to 5.54l/s or 6.52l/s depending on which scenario was being assessed. One of the LLFA's concerns with the 2018 Application was the effect off-site discharge would have on the wider drainage system particularly in respect of Oak End Way immediately south of the A4 roundabout which was vulnerable to flooding from surface water. As such the discharge rate from the current proposals should be no greater than the previously agreed figure – 3.6l/s.

The update report proposed an alternative condition which still required adjustment since the update report had been published but essentially reference to infiltration in that condition needed to be removed because the site was former landfill and infiltration was not acceptable. If the recommendations were accepted, it was proposed that Members delegate to Officers to make some very minor amendments to that condition.

In accordance with the Council's Constitution, Peter McEwen, Objector, and Mr Chris Jesson (Agent), addressed the Committee on this application.

Objector Representation:

- Mr Peter McEwen said he lived in Beenham Village and was a member of the Parish Council.
- Mr McEwan overlooked the industrial area and did not think the analysis of the application took allowance of the fact that when there was a south wind, sound came straight up the hill into his and neighbouring houses which significantly impacted on the quality of life in Beenham.
- Mr McEwan said when he had had a building site near to his property, he had noted that the scaffolding had made an awful banging noise and he felt that the proposed scaffold hire depot would contrast with section 6.38 of the report which stated that 'one of the protected characteristics on the North Wessex Downs AONB was tranquillity' even though the report concluded that the site did not have tranquilly as one of the protected characteristics of an AONB due to its proximity to the A4 and existing commercial development.
- Mr McEwan said the noise assessment report did not look at this factor but looked at the noise levels in neighbouring areas which were on the same level and did not consider how noise travelled up the hill or look at banging noises but had looked at sawing being the only industrial activity. The assessment had recommended saw work to be undertaken in the north of the site but that would be moving the operation nearer to Beenham Village. As such, Mr McEwan said he did not feel that the Noise Assessment had addressed his concerns. Mr McEwan said he hoped the Noise Management Plan would set guidelines for the proposed site which could be measured, which would be a better position than with other sites nearby over which there was no control or measurement.
- Mr McEwan said he was opposed to the proposed opening time of 07:00 Monday to Friday as that was the time he was just waking up and opposed Saturday hours of 09:00 to 18:00 which was not in line with other nearby sites which closed at 13:00. In relation to landscaping, Mr McEwan said that a hedge was not sufficient to change

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

the view overlooking the site and suggested planting tall trees which would, in time, build a visual barrier.

Councillor Pask thanked Mr McEwen for his views and for his time and said he was sure his views would be reflected upon by the Committee.

Agent Representation:

Mr Chris Jesson, Associate Town Planner at Planning & Design Group in addressing the Committee raised the following points:

- The applicant, Generation (UK) was part of the Altrad Group who were a world leader in the provision of industrial services. Generation (UK) was the UK's largest supplier of access scaffolding, groundworks, hedge protection, safety and training products.
- Generation (UK) had a nationwide network of branches, none of which were currently within West Berkshire and provided full hire and sales service to the construction, events, industrial and utilities sectors.
- The application was for a wholesale site which would not be open to the general public, unless by prior appointment, but would serve the whole industry as an integral part of the supply chain with its delivery fleet. Traffic movements would therefore be much lower than had it been a fully public operation.
- Generation (UK) sites were professionally managed, neighbourly and considerate operations with permanent on-site management and security.
- The proposed site was the only one in West Berkshire that Generation (UK) considered suitable to meet its operational and commercial requirements as it expanded its branch network.
- The provision of scaffolding and industrial services was a critical component of the supply chain which was known to be currently capacity-constrained through a shortage of resource and materials.
- It was essential that sufficient geographical coverage was provided for the supply of these services to avoid delays further in the sequence. At a time of moving forward out of the pandemic in this context, future investment in the supply chain was critical.
- Economic growth was a matter that the National Planning Policy Framework attached great importance to and according to paragraph 80 of the policy, decisions should help create the conditions in which businesses could invest, expand and adapt and significant weight should be given to the need to support economic growth and prosperity.
- The proposal was supported by the Council's Economic Development Team and would deliver 20 full-time jobs and the further reach and implications of the supply chain and jobs within the industry would be in addition to that.
- The proposal from Generation (UK) had the support of Grondon Waste Management Facility as the key employer and land owner of the site, allowing the land to have a diversification of uses in the location.
- The layout had been holistically designed to respond to the surrounding character and land uses, specifically the scheme had been designed to contain and discharge surface water at a controlled rate, avoiding implications off site.
- The submitted Noise Assessment had been scoped throughout to exactly the same requirements specified by the Environmental Health Officer and demonstrated there would be no anticipated harmful impacts and would be controlled by condition. This considered the impacts upon the village of Beenham and also took into account the existing effects of the Beenham Industrial Estate and those effects would take precedence over the likely impacts of noise of the application itself.

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

- The Agent had worked with West Berkshire Council and consultees to ensure there were no residual technical situations that existed and prevented the positive determination of this application.
- The application had the support of Natural England in the context of the AONB as well as the Environment Agency lead of the local authority, the Highways Authority, Parklands Authority and the Environmental Health Officer.
- The Officer's report agreed that the scheme was located in a sustainable location within the context of the adjacent industrial estate so it had responded to the need to protect the North Wessex Downs AONB and included the landscaping buffer by diversity enhancements resulting in the support that had been given.
- The economic benefits and policy support were considered to outweigh any residual limited harm as concluded in the report and all of the above attributes delivered a balanced and sensitively considered employment proposal.
- There were wider economic benefits to the industry and supply chain beyond that and the report justified that the proposal, on balance, fulfilled the Council's objectives and met adopted Local Plan policy. It embodied what planning was about – sustainable growth, supporting business in a manner that did not materially create harm and good planning solutions to long-term vacant sites.

Member Questions to the Agent:

Councillor Woodhams referenced a view of the application site from the earth bund joining Pips Way and looking south, which showed some tall, sparse trees with foliage in between. Councillor Woodhams asked if consideration could be given to a stronger, higher bund to muffle some of the sound – particularly from lorry reversing-alarms – to help the neighbouring properties across the other side of the A4. Mr Jesson said the application was within the submitted drainage strategy and there was a proposal for a part of a bund structure that would in parts contain surface water so that would have a double impact in being able to create a landscape scheme. Notwithstanding that, there was a proposal in the conditions to submit a full landscaping and ecology management scheme and the details of how the southern part of the site was addressed would be entirely contained within that.

Councillor Macro said he shared Mr McEwan's concerns about noise, particularly from scaffold poles which made a loud ringing sound when they banged on the ground or against each other. It was mentioned that the site was wholesale but the description of the site in the report and on the application form described it as a 'hire' site. Councillor Macro was unclear as to how the site could be both wholesale and hire and sought reassurance that there would not be the possibility of individual scaffold poles being moved around which might cause significant noise. Mr Jesson said the proposal was supported by a number of conditions that would control the management and manoeuvring of operations on the site and the implications of that on noise and a number of other contexts. The delivery fleet of Generation (UK) would take equipment off-site to the purchaser/consumer so it would be public appointment only as to whether anybody else went to the site. Mr Jesson added that scaffold poles would be put within the storage area on site securely on pallets. The proposed planning conditions in place were very thorough as to what the operational and management implications of this site would be. Councillor Macro asked if scaffolding was hired out on pallets would it be returned in the same way or come back as individual poles, which would raise concerns about the noise that may be generated. Mr Jesson said he believed scaffolding would be returned to site in the manner it left the site but would raise it as a point for clarification.

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

Member Questions to Officers:

Councillor Linden requested to see the photograph of the entrance to the site from the roundabout as he had noticed on the hatching on the road a loose or raised cover which he was concerned was a road-safety issue/hazard. The Highways Officer, Paul Goddard, said he would look into it but it could be a splitter island that would normally be seen on the entrance from a roundabout to separate traffic streams, or perhaps an inspection chamber or the site of a keep-left bollard. Councillor Pask said the question as to whether it was something detrimental to the application would be put to Officers to look at under conditions.

Councillor Somner said in relation to the issue of noise, he had incorrectly assumed from reviewing the paperwork and from being on site that the biggest issue for noise would be for those properties on the A4. As Mr McEwan's statement had contradicted that, Councillor Somner sought clarity from Officers with regard to what mitigation could be added, for example, acoustic barriers along the A4 Bath Road in Calcot, and what mitigation could be put in for the affected residents of Beenham. Ms Attwood said the Environmental Health Officer had reviewed the two objections received in relation to noise and had looked at the Noise Assessment report before making their comments and it was their professional opinion that there was limited harm, as there was noise from Bath Road and other industrial processes there and it was therefore felt the site would not add anything substantially more harmful to what was there already. There was also a condition which looked at putting a Noise Management Plan in place which meant there would be extra noise mitigations on top of those already suggested in the report. In addition, there was clear guidance in the PPG in relation to AONB tranquillity as an important characteristic, that you had to look at what was already there and tranquillity was normally relatively undisturbed by noise from human sources that would undermine the intrinsic character of the area. The on-site visit had shown that the area had noise from human sources already and the Noise Assessment found that those would be part of, but not substantially harmful, as supported by the Environmental Health Officer.

Councillor Mayes sought confirmation as to what the site surface would be. The original surface of the fill material was gravel or soil but in one of the drawings was marked as concrete, during the site visit Members had been told it was going to be compacted hardcore and on the update sheet it mentioned tarmac. All of this had an effect on the run-off figures which were also mentioned in the update sheet. Ms Attwood said she believed the surface would be concrete as stated on the plans. Mr Dray said that as part of the materials condition Officers would look to confirm what surface material would be used and added that the critical factor in relation to drainage, according to the drainage engineers, was the discharge rate from the site. Because the site was landfill there was no discharge within the site so it had got to be held and discharged at an acceptable rate which the engineers were happy with. There would be an impervious surface and the water would be collected, stored and released at an acceptable rate; these issues were covered by the materials condition and the drainage condition.

Councillor Mayes asked Mr Dray if he was referring to infiltration rates from the building's downpipes and sought clarification as to the run-off from the hardstanding area which did not appear to be included in the 3.6 litres/sec that was quoted in the report. Mr Dray said his understanding was that figure related to the discharge rate off the whole site and reiterated the information and figures from the update report. As stated previously, there would need to be an impervious surface layer, water would need to be stored on site in crates and the rate at which it went off-site would need to be managed so that it did not overload those systems. Mr Dray said it had been achieved on the extant consent and all parties involved had been content that it could be dealt with on the current proposals by condition and plan. Mr Dray asked if the Committee would support the Officer's

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

recommendation to appropriately adjust that condition. Councillor Pask asked Councillor Mayes if he was in support of that recommendation. Councillor Mayes replied that he had sent an email the previous day about this to Mr Dray and asked if it had been received. Mr Dray confirmed that it had and added that Stuart Clark had agreed the condition.

Councillor Macro said he was very surprised there had been no objections from any of the residents along the Bath Road and sought confirmation that the original notice had been prominently displayed. Alice Attwood said she believed a notice had been positioned facing the residents as well as a notice placed in the newspaper but she would seek clarification on this point.

Debate:

Councillor Somner said, on balance, he was prepared to accept Officer's recommendation on the application but thought very careful wording and actions were needed with regard to noise. Councillor Somner said he was content that it appeared the SuDS issue had been addressed. Councillor Somner said A4 Metal Recycling, located nearby, did not open until 08:30 and did not open on Sundays or Bank Holidays and he felt that consistency was required in terms of opening hours at the units in the area. Councillor Somner said he was not content with the proposed opening time of 07:00 and thought 08:00 would be sufficient.

Councillor Macro concurred with Councillor Somner's view and felt that an opening time of 08:00 would be more acceptable. Councillor Macro said he was still very worried about the noise aspect and felt that ideally Environmental Health Officers would have visited another depot to measure the noise. Generation (UK) had a depot in Frimley and Councillor Macro proposed deferring a decision until such visit could take place to assure those with concerns that the operation would not cause unacceptable noise.

Councillor Woodhams said he shared the same view as Councillors Somner and Macro in respect of the opening hours and felt 08:00 would be acceptable. He also queried whether Saturday closing time of 18:00 was too late and the necessity of opening hours of 08:00 to 13:00 on Sundays and public holidays and felt this too could be refined in order to reassure the large number of residents across the road and those affected up the hill in Beenham.

Councillor Mackinnon said there were no objections from AONB or Natural England and he understood why having visited the site but very much understood the objections made in relation to noise. Councillor Mackinnon shared the concerns of Councillors Woodhams, Macro and Somner in regard to opening hours and was disappointed that acceptance appeared to have been given to the proposed opening hours without question and felt an 08:00 start was far more civilised. Councillor Mackinnon also agreed with the points made about opening hours on Sundays and public holidays. Councillor Mackinnon felt the noise of reversing vehicles would carry up the hill and he had not appreciated from the site visit that it was from there that the main objections would arise from so he would appreciate seeing some mitigation against that. However, he did not feel his concerns were enough to go against the Officer's recommendation, in the main because there were other industrial units right next to the site on both sides. Councillor Mackinnon said he had every sympathy with Mr McEwan's point about noise and if this was the first industrial site in that area and there was no other noise there, it would be a different matter. In conclusion, Councillor Mackinnon said he would like to see stronger restrictions on opening hours but in light of the economic, employment and supply chain benefits, he was in favour of agreeing to the Officer's recommendations.

Councillor Park asked Mr Dray what he felt his guidance could be if a proposal was to be made in regard to imposing time restrictions. Mr Dray said Members could consider

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

altering the recommended opening hours but also bear in mind whether it was a reasonable condition to impose on the site in order for it to be a viable business. With regard to the Noise Management Plan, Mr Dray said the Environmental Health Officer had assessed the noise report and had considered it to be robust having taken into account the objections that had been raised. The purpose of the Noise Management Plan was to give some specific operational and management guidelines or parameters within which the site could operate and something the applicant would submit in order to support how they intended to manage the site. The wholesale nature of the operation should give some comfort as to the tight restrictions that could be imposed through the Management Plan which would help minimise individual poles clanking around and hopefully avoid an operation like that which would be a reasonable constraint to be included in conditions. Councillor Pask said if such a condition was considered by the applicant to be unreasonable, they could always go to Appeal but Members would try to be reasonable and reach a compromise.

Councillor Somner said he was happy to propose the acceptance of the Officer's recommendation with the caveat that the condition on the Noise Management Plan needed to be stringent. With regard to opening hours, Councillor Somner said they must not be seen as an outlier for the industry along that stretch of road and the proposal therefore was that the hours as printed were not acceptable. Councillor Somner's proposal was that either the opening hours were changed to be in line with the original plan or the issue was dealt with within the Noise Management Plan.

Mr Dray suggested two approaches that could be adopted:

- Either as part of the Committee's proposal to amend the conditions and specify the hours thought to be acceptable and amend conditions 18, 19 and 20 in the report respectively, or
- Delete those conditions and add a requirement into the Noise Management Plan which was condition 11 and specifically state that reduced hours were requested then delegate to Officers to agree to reduced hours based on the debate.

Councillor Somner said he was content to go with the second option and for Officers to have the ability to give it due diligence and make sure the Noise Management Plan was sufficient. Councillor Pask suggested to Councillor Somner to add words such as in conjunction with/in consultation with the Chairman or the Ward Member. Councillor Somner was grateful for Councillor Pask's guidance and was happy with the suggestion.

Mr Dray clarified therefore the proposal would be to accept Officer recommendation with the caveat about delegating the conditions on drainage to Officers, as in the introduction, and deleting conditions 18, 19 and 20 but factor them into the Noise Management Plan and add clauses into condition 11 to say the Noise Management Plan would cover these hours restrictions and when it came to agreeing that detail by condition, Officers would consult with the Chairman, Vice-Chairman, proposer, seconder or Ward Member.

The Chairman said as this had engendered quite a lot of very reasonable and well-intended debate he felt there should be wide consultation and believed the Agent would have heard the very genuine concerns that had been expressed around the table and understand that the remit was to look at the employment benefits but also to protect the interests of the local residents and adopt the most reasonable approach possible.

Councillor Pask invited Members to vote on the proposal by Councillor Somner. At the vote the motion was carried.

RESOLVED that the Head of Development and Planning be authorised to grant planning permission subject to the conditions set out below, and as amended during the

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

discussion, which would be delegated to Officers to negotiate in conjunction with various Members.

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:

- Application Form received 17.08.2020
- Site Location Plan received 02.09.2020
- Amended Site Plan drawing number 20.061/02h received 05.04.2021
- Proposed Elevation received 01.09.2020
- Proposed Floor Plans received 01.09.2020
- Roof Specification received 01.09.2020
- Initial Flood Risk Assessment and Drainage Strategy from Encon Associates received 25.08.2020
- Summary Statement of Flood Risk and Sustainable drainage received 17.08.2020
- Drainage sketch received 17.08.2020
- Flood Risk Assessment and Drainage Strategy from Encon Associates received 23.02.2021
- Phase 1 Desk Study Report Reference Number: D10076/01 received 02.02.2021
- British Standards 5837:2012 Tree Survey: Arboricultural Impact Assessment, Method Statement and Tree Protection Plan Report Reference: RSE_4034_01_V1 received 17.08.2020
- Landscape and Ecology Management Plan report reference RSE_4034_02_V2 received 17.08.2020
- Landscape And Visual Appraisal report reference 20.076-01 LVA received 27.01.2021
- Landscaping Plan drawing number 20.076/LA01 Rev C received 27.01.2021
- Letter addressing consultee comments received 22.12.2020
- Noise impact Assessment Rev A received 19.02.2021
- Supporting Planning, Design and Access Statement received 02.09.2020
- Transport Technical Note Rev A Report Reference: A4712 received 22.12.2020

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

3. Schedule of materials (prior approval)

No development shall 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 respect the character and appearance of the area. 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

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

2006). A pre-commencement condition is required because the approved materials will be used throughout construction.

4. Construction method statement

No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved CMS. The CMS shall include measures for:

- (a) A site set-up plan during the works;
- (b) Parking of vehicles of site operatives and visitors;
- (c) Loading and unloading of plant and materials;
- (d) Storage of plant and materials used in constructing the development;
- (e) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing;
- (f) Temporary access arrangements to the site, and any temporary hard-standing;
- (g) Wheel washing facilities;
- (h) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;
- (i) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- (j) Hours of construction and demolition work;
- (k) Hours of deliveries and preferred haulage routes.

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 construction operations.

5. Contamination remediation strategy

No development shall take place until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. Any changes to these components require the written consent of the Local Planning Authority. Thereafter the development shall not be carried out except in accordance with the approved strategy. This strategy will include the following components:

- a) A site investigation scheme, based on the preliminary risk assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- b) The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework. The

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

site overlies a landfill which has the potential to cause pollution if disturbed. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is applied in accordance with paragraphs 170, 178, 179 and 180 the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required to ensure that adequate investigation and a suitable remediation and monitoring is agreed before it may be implemented throughout the demolition and construction phase.

6. Construction and Operations Management Plan (Oil Pipeline)

No development shall take place until a Construction and Operations Management Plan (COMP) has been submitted to and approved in writing by the Local Planning Authority. The COMP shall include a scheme detailing a layout confirming the means of safeguarding the Exolum Pipeline outside of the operational works but within the application boundary, including a zone of potential excavation material, protection of easement, means of communication between the site operator and pipeline authority (including out of hours) and routes free of obstruction to the pipeline, including in the event of an emergency. The approved plan shall be adhered to throughout the construction and operational period. The development shall then be carried out in accordance with the COMP as approved.

Reason: To ensure the implementation of a satisfactory Construction and Operations Management Plan (COMP) to ensure access and maintain to the Oil Pipe Line. This condition is applied in accordance with the NPPF, Policy CS5 of the West Berkshire Core Strategy 2006-2026.

7. Construction Environmental Management Plan

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- (a) Risk assessment of potentially damaging construction activities.
- (b) Identification of "biodiversity protection zones".
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- (d) The location and timing of sensitive works to avoid harm to biodiversity features.
- (e) The times during construction when specialist ecologists need to be present on site to oversee works.
- (f) Responsible persons and lines of communication.
- (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- (h) Use of protective fences, exclusion barriers and warning signs.
- (i) Plan of ecology enhancements.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: Insufficient detail has been received in the course of the application in regard to how ecology will be protected through the construction period. This condition is applied in accordance with the National Planning Policy Framework, and

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

Policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.

8. Sustainable drainage

No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with best practice and the proposed national standards;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include details of how the existing flood plain will be sustained or mitigated (any measures for loss of flood plain shall not increase flood risk elsewhere);
- d) Include a drainage strategy for surface water run-off from the site that ensures that no discharge of surface water from the site will be directed into the public system;
- e) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than Greenfield run-off rates;
- f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- g) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +30% for climate change;
- h) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- i) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines;
- j) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
- k) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the premises;
- l) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

All sustainable drainage measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained in the approved condition thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner. To prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policy CS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design – Part 4 Sustainable Design Techniques (June 2006). A pre-commencement condition is required because the SUDs needs to be implemented during construction.

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

9. No infiltration drainage

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework. To protect groundwater quality from water leaching through a historic landfill.

10. 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.

11. Noise mitigation

The permitted use of the site shall not commence until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be informed by the recommendations of the Noise Impact Assessment (Rev A, received 19/02/2021). Thereafter, the permitted use shall not take place except in accordance with the approved Plan, or any replacement plans approved by the Local Planning Authority pursuant to this condition.

Reason: To protect future occupiers of the development from excessive noise levels from scaffold hire depot, to ensure a good standard of amenity. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Quality Design SPD.

12. Parking and turning

The permitted use of the site shall not commence until 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 1991-2006 Saved Policies 2007.

13. Electric vehicle charging points

The permitted use of the site shall not commence until two 22kw 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.

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

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 P1 of the Housing Site Allocations DPD 2006-2026.

14. Cycle parking/storage

The permitted use of the site shall not commence until 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 TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

15. Soft landscaping

All soft landscaping works shall be completed in accordance with the submitted plans, schedule of planting and retention, programme of works and other supporting information including Robing Lines Landscape drawing number 20.076/LA01 rev C dated 7/1/21, within the first planting season following completion of building operations / first use of the site (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: Landscaping is an integral element of achieving high quality design. 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 the Quality Design SPD.

16. Lighting strategy (AONB)

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, isolux contour diagram(s), an operation strategy (e.g. details of any timed operation) 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.

17. Use restriction

The land (as identified on Site Location Plan received 02.09.2020) shall be used solely for the scaffold hire depot, comprising open storage area, ancillary modular office building and ancillary car parking. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and/or the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order(s) revoking, re-enacting or modifying those Orders with or

EASTERN AREA PLANNING COMMITTEE - 2 JUNE 2021 - MINUTES

without modification), the land shall be used for no other purpose.

Reason: Any other use may not be acceptable on the site due to the compatibility with surrounding land uses, and the potential landscape and visual impact within the AONB. This condition is applied in accordance with the National Planning Policy Framework, and Policies ADPP5, CS13, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

18. **Customer opening hours**

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

Mondays to Fridays: 08:00 to 19:00

Saturdays: 08:00 to 18:00

Sundays and public holidays: 08:00 to 13:00

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. **Delivery hours**

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

Mondays to Fridays: 08:00 to 19:00

Saturdays: 08:00 to 18:00

Sundays and public holidays: 08:00 to 13:00

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. **Operating hours (machinery/processes)**

No machinery shall be operation or any ancillary industrial processes take place outside of the following hours:

Mondays to Fridays: 8:00 to 19:00

Saturdays: 9:00 to 17:00

Sundays and public holidays: 10:00 to 13:00

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 amplified music**

No amplified or other music shall be played externally on the premises.

Reason: To safeguard the amenities of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

(The meeting commenced at 6.30pm and closed at 8.48pm)

CHAIRMAN

Date of Signature

.....
.....