

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	20/01264/FULMAJ Lambourn Parish Council	25 th February 2021 ¹	Equine pre-training, rest, rehabilitation and recuperation facility for racehorses, including removal of existing building, erection of new three bedroom managers house, garage store building with overnight/temporary accommodation above, conversion of existing building to form 28no. stables, new horse walker, new lunge pen, all weather turn out and canter track and associated parking and landscaping Fognam Farm, Upper Lambourn, Hungerford Kingsdown Estate Ltd
¹ Extension of time agreed until 14 th October 2021.			

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/01264/FULMAJ>

Recommendation Summary:

To **DELEGATE** to the Service Director, Development and Regulation to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.1 of the report)

Ward Members:

Councillor Howard Woollaston

Reason for Committee determination:

More than ten letters of objection received

Committee Site Visit:

N/A

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1. Introduction

- 1.1 This application seeks full planning permission for the erection of an equine pre-training, rest, rehabilitation and recuperation facility for racehorses. The proposal includes removal of an existing farm building. The site area covers approximately 5.8 hectares of existing agricultural land.
- 1.2 The proposed development will include the following elements:
- removal of existing building
 - erection of new three bedroom manager's dwelling
 - erection of garage store building with overnight / temporary accommodation above
 - conversion of existing building to form 28No. boxes/stables
 - new horse walker
 - new lunge pen
 - all weather turn out and canter track
 - associated parking and landscaping
- 1.3 The site comprises Fognam Farm which includes a large agricultural barn and a smaller storage barn surrounded by an area of hard standing. There are a number of trees within the site and along site boundaries to the north, north west and south east. There is a tree belt located to the west which encloses the grass field to the west of the site. To the north of the site there is a row of 3 dwellings and a utility building (pumping station) set between the site and the B4000. The application site is located on gently sloping ground with site levels at the entrance to the site at approximately 142m AOD rising to approximately 147m AOD on the western boundary of the farmstead and rising further across the grass field to the southern boundary of the site to approximately 160m AOD. A Public Rights of Way Footpath LAMB/55/2 is located on this elevated landscape to the south and west and Public Rights of Way Lamb/56/3 runs along the B4000 to the north.
- 1.4 Fognam Chalk Quarry Site of Special Scientific Interest (SSSI) is located to the south west of the site sharing a boundary with the development site. The site is outside of a defined settlement boundary, and therefore in the open countryside and North Wessex Downs Area of Outstanding Natural Beauty: a national landscape designation
- 1.5 Upper Lambourn, Lambourn, and surrounding areas are nationally important for the horse racing industry. The local area therefore has a significant concentration of racing and associate equestrian related facilities.
- 1.6 A similar application on the same site under reference 08/01880/FULD, was granted planning permission on 19th May 2009. The full proposal is outlined below:

“Change of use of existing land and buildings from agricultural to equestrian use, involving the conversion of a redundant cattle shed into 40 stables, the demolition of a disused limeworks and the erection of temporary (3 years) managers accommodation. Demolition of a general storage barn and erection of

temporary (3 years) staff accommodation, a 500 m all-weather canter, a waste storage area, associated car/horse box parking and the creation of a new footpath.”

- 1.7 Despite approval of conditions under a discharge of condition application (reference 10/00935/COND1) on 05th August 2010, the planning permission was never implemented. The latest application reduces the layout and the size of the equine development on the site when compared to the previously approved scheme.
- 1.8 Another similar application (reference 09/01880/FUL) was also granted planning permission for the following proposal:
- “Erection of Indoor Schooling Ring, Horsewalker and Conversion of Existing Barn to form Fodder/General Store and Ancillary Office Space.”***
- 1.9 The above application was also never implemented.
- 1.10 It is outlined that the racehorse training facilities will be enhanced by converting the existing larger barn to stables, demolishing the existing second building and the construction of a new manager's dwelling and a garage storage building with accommodation above.
- 1.11 A Rural Enterprise Appraisal has been prepared and the projected business plan has also been submitted. The applicant has agreed for the documents to be made publicly available and the report has been considered as part of this application.
- 1.12 In addition, at the pre-application advice stage, Officers advised the applicant that a Landscape Visual Impact Assessment (LVIA) would be required to address the effect of the scheme on the AONB landscape, along with demonstrating any landscape enhancements and improvements the scheme will provide.

2. Relevant Planning History

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

Application	Proposal	Decision / Date
08/00322/FULD	Change of use of existing land and buildings from agricultural into equestrian use, including the conversion of a redundant cattle shed into an American barn, the demolition of disused limeworks and the erection of a managers house, the demolition of a general storage barn and the erection of a staff hostel, a 500m all-weather gallop, a waste storage area, associated car/horse box parking and the creation of a new footpath.	Refused in May 2008
08/01880/FULD	Change of use of existing land and buildings from agricultural to equestrian	Approved in May

	use, involving the conversion of a redundant cattle shed into 40 stables, the demolition of a disused limeworks and the erection of temporary (3 years) managers accommodation. Demolition of a general storage barn and erection of temporary (3 years) staff accommodation, a 500 m all-weather canter, a waste storage area, associated car/horse box parking and the creation of a new footpath.	2009
09/01880/FUL	Erection of Indoor Schooling Ring, Horsewalker and Conversion of Existing Barn to form Fodder/General Store and Ancillary Office Space	Approved in November 2009
10/00935/COND1	Application for approval of details reserved by Conditions 4, 10, 11, 12, 13, 14, 19 and 23 of planning permission reference 08/01880/FULD.	Approved in August 2010

3. Procedural Matters

- 3.1 The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In accordance with regulation 7 the local planning authority is required to adopt a screening opinion as to whether the proposal constitutes EIA development, and therefore whether an environmental statement is required as part of the application, where it is considered to be schedule 2 development. Having regard to the nature and scale of the proposed development, it is not considered to constitute schedule 2 development and it is considered that there are no exceptional circumstances to indicate that an environmental statement is required.
- 3.2 An amended plans site notice was displayed on 18 January 2021 and the deadline for representations expired on 08 February 2021.
- 3.3 Amended plans and additional supporting information were received in December 2020, January 2021, June 2021, July 2021 and August 2021 in response to officer-level feedback. According to the Planning Practice Guidance, where an application has been amended it is up to the local planning authority to decide whether further publicity and consultation is necessary, taking into account a number of considerations including previous objections, and the significance of the changes. These amendments have been to address specific technical concerns raised by consultees and the amendments have been made publically available via the Councils planning website. Given that these amendments have been in response to technical issues and altered the originally proposed scheme, it has been necessary for an amended plans site notice to be displayed. An amended plans site notice was displayed on 18 January 2021 and the deadline for representations expired on 08 February 2021.

- 3.4 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development. The development is CIL liable and chargeable for the residential development.
- 3.5 More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

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

Lambourn Parish Council:	Objection – traffic survey and inadequate protection of the AONB and the SSSI. Lack of proper information provided regarding the site e.g. Transport survey and Design and Access statements
WBC Highways Authority:	No objection subject to recommended conditions
WBC Ecology Officer	No objection subject to recommended conditions
WBC Archaeology Officer	No objection subject to recommended condition
WBC Tree Officer	No comments
WBC Local Lead Flood Authority	No objection subject to recommended conditions
WBC Environmental Health	No comments
Natural England:	No objection subject to recommended condition
WBC Waste Management	No objection
WBC Public Rights Of Way	No objection
WBC Housing Development	No comment response
WBC Landscape Consultant	No objection subject to recommended conditions
North Wessex Down	No comments received

AONB	
The Jockey Club	Support
Environment Agency	No objection subject to recommended condition and informative
Royal Berkshire Fire and Rescue Service	No objection
Thames Water	No objection subject to recommended informatives

Public representations

- 4.2 Representations have been received from 18 contributors in objection (including repeat and multiple letters) and 3 letters of support.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following points have been raised:

Objection points:

- Concerns with regard to inadequate drainage in this area.
- Concerns with regard to inadequate visibility splays at the access.
- suggested sightlines are unrealistic and need to be fully reassessed - Impact on road safety
- Automatic Traffic Count Survey (ATC) statistics were completed in 2017 and therefore out of date
- Development will harm the character of the North Wessex Downs AONB
- Impact on neighbouring amenity
- Overlooking and extreme loss of privacy from canter track
- Noise and disturbance from activities
- Impact of odour from activities
- Increase in light pollution
- Location of the canter track away from the development site
- Loss of the residential amenity of adjacent houses and gardens
- Impact of muck and dust on SSSI
- Impact on wildlife
- The whole area is subject to groundwater flooding so soakaways could prove inadequate
- Impact on water table and concerns of groundwater contamination
- Users of the yard be barred from using the Kingsdown Gallops so that horses are not ridden along or across the B4000
- Access to B4000 makes access unsuited for active racehorses
- No justification for speculative commercial development
- Further development in AONB from Upper Lambourn towards Ashbury.
- Alternative accommodation already available which has been on the market for some time

- Mature tree on the site should be retained
- Impact on users of the Fognam Down arena and the use of a private facility by its owners.
- Race horing industry has significant spare capacity including available development space
- Development industrialises the countryside for profit at the expense of community and environment.
- Fognam Farm is remote from any immediate equine community
- Lambourn has a significant number of stables up for sale which suggests that the industry is struggling
- No clear public benefit.
- Horsecwalker will impact on neighbouring amenity
- Concerns regarding the future occupants
- Site is unsuitable to get a British Horse Society licence for use as a training yard.

Support points:

- Location is suited to equine use
- Specialist spelling businesses are an increased feature of ancillary services expected by racehorse trainers and owners
- Interest from clients wishing to rent or develop race horse industry ancillary facilities
- Increase of racehorses trained in Lambourn has strengthened local need for spelling yards.
- Site can be transformed into pre-training facility, a bonus to local racehorse training centre.

5. Planning Policy

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

- Policies NPPF, ADPP1, ADPP5, CS1, CS5, CS9, CS10, CS12, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies: C1, C3, C5 and P1 of the Housing Site Allocations Development Plan Document (HSA DPD).
- Policies ENV.29, OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2019-2024

- North Wessex Downs AONB Position Statement: Housing (October 2012)
- Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- West Berkshire Council Landscape Character Assessment
- Manual for Streets
- The Wildlife and Countryside Act 1981 (as amended)
- The Conservation of Habitats and Species Regulations 2010
- Lambourn Parish Plan
- British Horse Society's guidelines for the keeping of horses: stables, pasture acreages and fencing.

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Design, character and appearance of the AONB area
- Onsite equestrian amenity and facilities
- Impact on quality of life
- Highways
- Flooding and drainage
- Biodiversity
- Green infrastructure

Principle of development

- 6.2 The site is outside a defined settlement boundary. Policy ADPP1 of the West Berkshire Core Strategy allows for limited development within the countryside focused on addressing identified needs and maintaining a strong rural economy.
- 6.3 Policy ADDP5 (North Wessex Downs Area of Outstanding Natural Beauty) of the adopted Core Strategy sets out the strategy for development within the AONB, identifying opportunities for limited development to accommodate local needs including housing and employment, within service villages. The policy supports the equestrian and racehorse industry, recognised as contributing to both the local and national economy. Any form of development is expected to conserve and enhance the local distinctiveness, sense of place and remote setting of the AONB.
- 6.4 The North Wessex Downs AONB is home to racehorse trainers and the Lambourn area is a nationally important centre of activity for the horseracing industry second only to Newmarket. In relation to the racehorse industry within the North Wessex Downs AONB, the policy aims to prevent pressure for redevelopment of existing facilities to other uses, and fragmentation of existing sites. These pressures could lead to the decline of the industry locally, threaten the character and form of settlements, and increase pressure for replacement facilities in environmentally sensitive areas. The conservation and enhancement of the natural beauty of the landscape is the paramount consideration in assessing the site.
- 6.5 Policy ADDP5 states that there is particular emphasis in the Lambourn valley area on the needs of the equestrian industry and that the equestrian and racehorse industry will continue to be supported as a nationally and locally important part of the district's

economy, including Lambourn's role as a nationally important centre for the racehorse industry. West Berkshire Core Strategy Policy CS10 further states that proposals to diversify the rural economy will be encouraged, particularly where they are located in or adjacent to Rural Service Centres and Service Villages. The site is reasonably located near Upper Lambourn and the Lambourn settlement and the proposed use will compliment the racehorse industry services within the area.

- 6.6 Existing small and medium sized enterprises within the rural areas will be supported in order to provide local job opportunities and maintain the vitality of smaller rural settlements. There are benefits from the development as it will ensure the provision of important spelling equine facilities supportive of the rest and recuperation of race horses within the Lambourn Valley of the Race Horse.
- 6.7 The Jockey Club were consulted and they have indicated that they would support the proposal on the basis of creating ancillary facilities to help strengthen and sustain the wider racing and racehorse training industry in the Lambourn Valley in line with Policy CS12.
- 6.8 Policy CS12 states that equestrian activities, related development, and the racehorse breeding and training industry are characteristic features of West Berkshire, and are of particular importance to the rural economy. The policy goes on to say development associated with equestrian activities is in keeping with the location in terms of the scale, form, impact, character and siting. The proposed facilities are considered acceptable for the type of equestrian facility.
- 6.9 The development proposed would result in investment, the expansion of the existing offer of supporting yards and help maintain and provide for the sensitive growth of a racehorse use in the AONB and on the edge of Lambourn, a nationally important centre for the racehorse industry.
- 6.10 Housing Site Allocations DPD Policy C1 indicates planning permission for new housing will not be granted where a proposal harms or undermines the existing relationship of the settlement within the open countryside, where it does not contribute to the character and distinctiveness of a rural area, including the natural beauty of the AONB. New housing development in the countryside is restricted and resisted by development plan policies, one of the exceptions is new dwellings associated with a rural worker. A racing complex is likely to require accommodation on site and the submitted assessment is considered to justify the level of accommodation proposed on the site. A needs assessment for rural workers' accommodation has been submitted with the application. A pre-training, rest or rehabilitation yard is likely to require accommodation on site and the submitted assessment is considered to justify the level of accommodation proposed on site in the form of a Manager's dwelling and a temporary overnight accommodation above the garage. These accommodation facilities would ensure the health and safety needs of the horses are met by a 24 hour presence on site. It would be expected that additional staff would be accommodated within the local Lambourn settlements and surrounding areas. Whilst normally it would be required that a temporary dwelling is approved, in this case the need for onsite accommodation is clear and to ensure the dwelling is related to the facility, Officers have recommended a condition that ensures the equestrian facilities on the site are completed before development can commence on the dwelling. This would ensure that the dwelling is only constructed once the equestrian facilities have been built. In order

to maintain the whole site as one enterprise, conditions are considered necessary and the occupation of the new accommodation will be restricted by condition to rural workers associated with the yard. In addition a condition can be attached to ensure the whole of the site will remain a single equestrian use or planning unit. The proposal is considered to comply with Policy C5 (Housing related to Rural Workers) of the HSADPD

- 6.11 The proposed development is therefore considered acceptable in principle having regard to the provisions of Core Strategy Policies ADDP1, ADDP5, CS10, CS12, Saved Local Plan Policy ENV29, The National Planning Policy Framework and the AONB Management Plan, subject to the detailed considerations.
- 6.12 The specific impacts of the development on the character and appearance of the area and how it functions, amenities and highway safety, green infrastructure and biodiversity must also be considered and fully justified. These are material planning considerations that carry significant weight in determining the planning application.

Design, character and appearance of the AONB area

- 6.13 The NPPF states that the Government attaches great importance to the design of the built environment and that in relation to design, Councils should always seek to secure high quality design which respects and enhances the character and appearance of the area.
- 6.14 The NPPF further outlines that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.15 Policy CS14 of the Core Strategy supports the aims and objectives of the NPPF and provides the design principles for new development within West Berkshire. It is clear that developments must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. It emphasises that design does not only relate to the appearance of the development but also the way in which it functions. The Policy has a list of criteria that developments are expected to provide which includes creating safe environments; make efficient use of land whilst respecting the character, landscape and biodiversity of the surrounding area; conserve and enhance historic and cultural assets; and provide, conserve or enhance biodiversity opportunities.
- 6.16 Policy CS 19 seeks to conserve and enhance the functional components of the landscape character and environment. Particular regard has been given to the sensitivity of the area to change, and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. Policy ADPP5 seeks to preserve local distinctiveness, sense of place and setting of the North Wessex Down AONB.
- 6.17 In respect of the special landscape designations, the NPPF indicates that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection.

- 6.18 Policy C3 of the HSADPD is concerned with the design of housing in the countryside. It states that the design of housing must have regard to the impact individually and collectively on the landscape character of the area and its sensitivity to change. The final designs have been considered having regard to the character of the area in which they are located taking account of the local settlements and building character. The policy also advocates that development should have regard to Quality Design – West Berkshire Supplementary Planning Document and the design principles set out in the North Wessex Downs AONB Management Plan.
- 6.19 The site is also considered appropriate for the type of development in the context of the Lambourn race horse industry. The manager's dwelling replaces one of the barns to be demolished. Officers consider that there would be less bulk of built form in terms of overall length and height looking into the site from the south west. The design of the stable barn and the final amended dwelling will be traditional. Given the existing low ground level and the amended built form the impact on the rural character of the area from the amended layout and design is considered acceptable under development plan policies. The proposed group of buildings would be of small scale and the general approach taken is to develop the scheme with the dwelling and single storey outbuilding using traditional designs and forms.
- 6.20 Where development would affect the AONB, the impact on its special qualities and natural beauty of the landscape would have been the overriding consideration. The size, location and nature of the final proposed manager's dwelling is commensurate with the needs of the enterprise; and well related to onsite buildings and the development has no adverse impact on the rural character and its setting within the wider AONB landscape.
- 6.21 The proposed development includes a stabled barn converted to include 28 loose boxes as well as the manager's dwelling, temporary overnight accommodation above the car port/store, parking and horses training structures. The level of development could significantly alter the character of the site. The introduction of necessary lighting for security and operational reasons could have a further adverse impact on the character of the area and the general tranquillity that is expected in the AONB.
- 6.22 A Landscape and Visual Impact Assessment (LVIA) has been submitted and reviewed by the Council's Landscape Consultant.
- 6.23 There are long views into the site and beyond from the elevated Public Rights of Way Lamb/55/2 which runs along the southwest and western boundaries. There are also views of the site from Public Rights of Way Lamb/56/3 which runs along the B4000 to the north, this footpath is at lower level and the site's barns and trees can be seen from the footpath. According to the West Berkshire Council Landscape Character Assessment, the site lies within the Landscape Character Area 1B Lambourn (LCA1B) of the North Wessex Downs AONB. LCA1B Lambourn Downs is described as part of the main chalk plateau of the AONB dominated by arable farming with gallops and rides, a strong structural landform with a series of flat topped or gently rounded hills and ridgelines and intersected by wide dry valleys.
- 6.24 The Landscape Consultant concluded that the location of the manager's dwelling is in a very visible location, along with its design, orientation of the garden, it will urbanise this open edge. It was recommended that the proposed dwelling should be moved or

the design revised. The design was subsequently revised and following the submission of amended plans, the Landscape Consultant stated that the manager's dwelling was more acceptable and low impact. The amended manager's dwelling was reduced in size and the design features were also amended to include timber cladding and tapered gable ends (which slope down in height). In addition the size of the outer windows on the dwelling were also reduced to avoid unnecessary light glow on the immediate adjacent landscape of the AONB. It is concluded that the design features will reduce the visual prominence of the manager's dwelling within the AONB landscape. The proposed development will cut into the slope such that the proposed structures will be level surface set within the slope. Additionally, proposed tree planting has been increased on the development's southern edge, which will reduce the visibility of the dwelling from the Public Rights of Way further to the south. The large beech tree on the site is now shown to be retained which is also welcomed by Officers. To further preserve the views to the south, the revised scheme now proposes hedgerows as field boundaries, this will improve the design and character of the scheme within the AONB landscape and reduce any urbanising effects. The proposed staff accommodation and area of staff car parking originally presented with the application were removed following concerns from Officers. These structures were considered as highly visible at the entrance to the site. The Public Right of Way officer has no objection.

- 6.25 The proposed development would have a comparable form and amount of development to similar facilities within the area. Furthermore, whilst an indication of external materials are provided in the design and access statement, and the layout scheme indicates new hedge planting and gabions on the site boundaries no specific materials, fence elevations, or planting details have been submitted, these matters can be secured by condition.

North Wessex Downs AONB Management Plan 2019 – 2024

- 6.26 The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2019 – 2024 describes the AONB's sense of remoteness and tranquillity associated with the North Wessex Downs as fundamental to the character of the AONB and vital to the enjoyment and appreciation of the landscape. The North Wessex Downs' vision seeks to make the North Wessel Downs AONB a place where development is low-impact. Darkness at night makes the countryside so different from surrounding urban areas. Darkness allows the majesty of the skies and stars to be seen away from the orange glow of our major urban areas. The applicant has submitted a comprehensive lighting assessment, which outlines sensitive lighting design with downward facing lighting which is recommended by the AONB Management Plan. The AONB Management Plan emphasises the need to conserve and enhance the remoteness and expansive open scale of the downland landscape and to maintain the pattern of discreet villages set within a quiet rural landscape, ensuring that the views to the surrounding dramatic scarps are undamaged. Due to the assessment as described above the proposals are considered acceptable in protecting and enhancing the character of the AONB.

Heritage Impact

- 6.27 Policy CS.19 of the Core Strategy seeks the conservation and, where appropriate, enhancement of heritage assets and their settings. This approach is supported by the NPPF. The Councils Archaeology Officer has assessed the proposal and confirms that subject to attaching a planning condition to secure a written scheme of archaeological investigation the proposal is considered acceptable.

- 6.28 The proposed development is therefore considered to comply with Policies ADPP1, ADPP5, CS12, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026. The proposal also complies with the West Berkshire Supplementary Planning Document Series: Quality Design, and the Housing Site Allocations Development Plan Document's Policies C3 and C5 in terms of location, design and appearance.

Onsite equestrian amenity and facilities

- 6.29 Saved Local Plan Policy ENV.29 requires equestrian development to be provided with sufficient space for the ancillary storage of food stuffs, bedding, tack and related equipment on a scale appropriate to the number of horses being accommodated. It also requires that there be sufficient land with the stable to accommodate the number of horses proposed. As a rehabilitation facility, the site has sufficient facilities for rotational turnout and exercise associated with the proposed use. A canter track, lunge pen and horse walker will also add to variety of facilities and these are considered sufficient facilities for the proposed use. The proposed new stables are considered to be of an adequate size, in line with horse welfare guidance. As such the proposed new built form is considered to be appropriate development within the countryside.

Impact on quality of life

- 6.30 Planning Policies CS14 and CS19 of the West Berkshire Core Strategy are of importance with regard to the potential impact upon neighbouring amenity. Policy CS14 requires new development to make a positive contribution to the quality of life in West Berkshire.
- 6.31 The Royal Berkshire Fire and Rescue Service have advised that provision needs to be made on site for private fire hydrants as there is no public mains to effectively fight a fire. A condition requiring that details of private fire hydrants are submitted as a discharge of condition has been recommended by Officers.
- 6.32 The site shares a boundary with three dwellings. There are two dwellings to the northern boundary (Fognam House and Fognam Down), the dwellings are separated by a pumping station, which also shares the northern boundary with the site.

Fognam Bungalow

- 6.33 Fognam Bungalow is the third dwelling which is located along the access to the site and shares the eastern boundary with the site. Fognam Bungalow is more likely to be affected by the proposed vehicle movements.

Fognam House

- 6.34 Fognam House is a detached dwelling located along the northern boundary to the site. The dwelling itself is approximately 18 metres from the shared boundary and approximately 42 metres to the existing barn to be converted to stables. Fognam House is also set in grounds characterised by mature trees, with these trees providing a boundary barrier.

Fognam Down

- 6.35 Fognam Down is a detached dwelling with garden, outbuildings, grass paddock and an all-weather manege located to the north west end of the row of dwellings. Fognam

Down's garden, outbuildings, grass paddock and the private all-weather manege are visible from the surrounding landscape.

- 6.36 To address potential impacts on residential properties along the northern boundary, the canter track has been turned 90 degrees and additional landscape planting along the boundary has been added by the applicant. It is considered that these amendments would also mitigate any visual impacts from the development. With regard to noise the proposed use is synonymous in character with this part of rural West Berkshire and is considered a use in keeping with the rural character of the area. It is also not unusual for equestrian yards to be neighbouring residential properties in the rural areas and in this location. The noise from the canter track and lunge pen from horses will be minimal and to further offset any noise, the canter track has been turned 90 degrees, such that only a limited part will be closest to the site boundary to the north. The lunge pen is also enclosed and which will limit any noise output. In addition it is not considered that as a rehabilitation yard, the noise from the canter track would be as significant as normally associated with training gallops.
- 6.37 As discussed further below the Highways Officer considers that the vehicle movements associated with the development would be similar to the existing and historic site uses. Given the scale and use, it is therefore not considered that the vehicular movements to and from the site access would result in an undue level of noise and disturbance that would materially affect the living conditions of the neighbouring properties.

Manure management

- 6.38 Any potential loss of amenity from odours has been considered, and the most likely source would be from horse manure storage. To safeguard the amenity of neighbouring properties a condition has been attached to ensure that mitigation measures are provided to mitigate any odour. The applicant would be required to submit further details for manure management and removal.

Plant, machinery and equipment

- 6.39 There are potential noise impacts from machinery and equipment associated with the type of development such as the horsewalker and any pumps. All plant, machinery and equipment installed or operated in connection with the carrying out of the development shall be enclosed and attenuated that any noise that may be generated does not exceed at any time a level of 5dB (A) below the existing background noise level, or 10dB (A) if there is a particular tonal quality when measured in accordance with BS4142:2014 at a point one metre external to the nearest residential or noise sensitive property. These measures are considered as model standards to protect the occupants of nearby residential properties from any potential noise generation.
- 6.40 Overall the impact on neighbouring amenity of the proposed development is considered minimal and would not have a materially harmful impact on nearby residents such that the proposal is considered to accord with Policy CS14 and the SPD on Quality Design.

Highways

- 6.41 Policies CS13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan relate to Highways. Road safety in West Berkshire is a key consideration for all development in accordance with Core Strategy Policy CS13.

- 6.42 The proposal shows a primary access on to the B4000 of 5.5 metres in width and surfaced with a bonded material for the first 15 metres. A speed survey was undertaken during 2017. The results of the Automatic Traffic Counter (ATC) with a wet weather factor identified the following:
- 44.9 mph westbound
 - 43.0 mph eastbound
- 6.43 Highway Officers were consulted and have considered the application including reviewing of the speed survey, access arrangements and parking provision, amongst other elements.
- 6.44 The table at paragraph 3.7 of the Transport Statement summarises vehicle movements for the existing permitted use as 11 average daily movements. There is also a disused quarry that utilised the existing access – adding circa 9.4 average daily movements. This would total around 20 daily vehicle movements. Highway Officers do not raise any objections on this basis. Given the existing permitted uses at the site and the vehicle movements that could be generated the proposed plays are accepted by Highway Officers.
- 6.45 The Highway Officers have also indicated that the improvements to the access are acceptable and can be secured by a condition.
- 6.46 Given the scale and use of the proposed activities, it is considered that the vehicular movements to and from the site would not result in an intensification of the site given the existing permitted uses.
- 6.47 Policy P1 of the HSADPD provides new standards for residential parking for new development. The new parking policy sets minimum standards for residential parking provision based on location. The site is located within Zone 3 for parking purposes and the parking provided and marked out on the site plan is considered adequate to cater for the mixed use nature of the site. Electric vehicle charging points are required for the residential uses and these must be a minimum of 7kw and can be secured by a condition.
- 6.48 Overall, it is considered that the proposed development would not have a material impact on highway safety. The application is therefore considered to comply with Core Strategy Policies CS13 and TRANS.1 of the Saved Policies of the Local Plan.

Flooding and drainage

- 6.49 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Core Strategy Policy CS16 (Flooding) applies across the district and highlights the cumulative impacts of development on flooding within the district.
- 6.50 The application site is located within Flood Zone 1, which has the lowest probability of flooding. It is essential that Sustainable Drainage Methods (SuDS) are adopted to mitigate the cumulative impacts of development on flooding within the area and the wider district. An amended Flood Risk Assessment has been submitted and has been reviewed by the Local Lead Flood Authority (LLFA) and Environment Agency.

- 6.51 The application site lies within a Source Protection Zone 1 and adjacent to a pumping station, as such it is highly sensitive from the perspective of groundwater quality given that this represents the inner source protection zone of a public water supply. Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS).
- 6.52 The Environment Agency were consulted and they have reviewed the site investigation report and confirm that the report does not highlight any particular contaminants that would be expected other than those expected from within a farm setting. Overall the Environment Agency have no objections if the proposed development proceeds as outlined in the documents submitted.
- 6.53 Following numerous revisions and considerations, the LLFA Officers have no objection to the proposal subject to conditions. The LLFA Officers agree in principle with the mitigation measures outlined in the amended Flood Risk Assessment (FRA) and the amended drainage strategy. The LLFA Officers consider the final updated drainage strategy and hydraulic calculations to be acceptable. It was agreed that the final drainage strategy would utilise a small drainage basin to manage surface and rain water runoff. It is considered that the basin would not impact on the yard facilities, as sufficient turnout and exercise areas will be retained in the scheme. The LLFA Officers have recommended a pre-commencement condition which stipulates that infiltration testing and groundwater monitoring should be undertaken throughout the winter months, in the location of the proposed SuDS features, in accordance with the recommendations of the Council's SuDS SPD.
- 6.54 Based on the considerations by the LLFA Officers and the Environment Agency and subject to the recommended conditions, it is considered that the proposal could comply with the NPPF and Policy CS16.

Water / Sewerage infrastructure capacity

- 6.55 The application site lies within a Source Protection Zone 1 and adjacent to a water utility pumping station. Thames Water have mains assets underground crossing the site in the area of the canter track. Thames Water is the statutory sewerage undertaker responsible for maintaining the water and waste water infrastructure in the local area. Thames Water do not raise any objections to the proposed development subject to a condition and informatics. The recommended condition will require the submission of a Source Protection Strategy detailing, how the developer intends to ensure the water abstraction source is not detrimentally affected by the proposed development both during and after its construction. Overall, it is considered that the development could comply with Policy CS5 of the WBCS.

Biodiversity, Geodiversity and Green Infrastructure

- 6.56 Core Strategy Policy CS17 (Biodiversity and Geodiversity) states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. Harm to biodiversity and geodiversity has been identified with the proposed development and inadequate mitigation is provided.

- 6.57 Policy CS17 also states that, in order to conserve and enhance the environmental capacity of the District, new development should maximise opportunities to achieve net gains in biodiversity and geodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan.
- 6.58 The site is adjacent to the Fognam Chalk Quarry Site of Special Scientific Interest (SSSI). The SSSI is notified for its geological interests, including its Chalk Rock, unusual rock sequence and ammonite fossils.
- 6.59 Natural England recommend biodiversity enhancements to include a barn owl nest cavity and bat bricks or tiles to be included within the new constructions. The SSSI area is outside the application site and will not be used by the horses for exercise or rough grazing, as this could cause damage. The Council's Ecologist has recommended a natural buffer between the SSSI and the areas which will be accessed by horses.
- 6.60 The Council's Ecologist has liaised with the applicant's Ecologist throughout the consideration process. A number of ecological assessments, amendments and mitigation strategies have been submitted by the applicant through an amended Ecology Report in order to overcome the ecological concerns. The Council's Ecologist has reviewed the submissions and has recommended that conditions could be attached to secure protected species mitigation and habitats. An ecological area will be created between the canter track and the SSSI to prevent horses from grazing near the SSSI. In addition planting to the southern site boundary will create additional habitats for wildlife as Biodiversity Net Gain. A Landscape and Ecological Management Plan will provide the finer details of how the ecological areas will be managed and will be secured by a recommended condition.
- 6.61 Natural England state that pollution from demolition or construction of the development may impact the special interest features for which the SSSI is designated, as the development site is close to the SSSI boundary. Natural England have outlined that it is important that construction does not have an adverse impact on the SSSI site. Due to the topography of the land, there is no risk of damaging runoff or pollution from the equine proposal to the SSSI. However Natural England require assurances that no heavy machinery will use the SSSI land, and no materials will be stored within its boundaries. Overall Natural England have no objection, subject to a condition being attached that will outline mitigation measures to ensure the impact on the adjacent Fognam Chalk Quarry SSSI is minimised. A condition has been recommended by Officers.
- 6.62 Policy CS18 of the West Berkshire Core Strategy requires the retention of valued green infrastructure which contribute to the character of the landscape and the area. Policy CS18 outlines that the district's green infrastructure will be protected and enhanced, that developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted.
- 6.63 The development will have a potential impact on the trees on site. A comprehensive arboriculture report sets out the trees to be retained on the site. The large beech tree and the trees to the northern boundary will be retained and protected during construction, this is welcome. A tree protection condition has been recommended which will ensure these trees are protected. Additional landscaping is proposed to the

northern and southern boundaries to further mitigate the development and protect the landscape character and neighbouring amenity. A condition is also recommended to secure the landscaping scheme.

- 6.64 The development is therefore compliant with the NPPF, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

Objections

- 6.65 The Parish Council and members of the public have submitted representations objecting to the proposal as outlined at Section 4 of this report. The relevant planning matters raised by objectors, supporters and the Parish Council have been addressed within this report, as such these have not been repeated here.

The Chairman of the Lambourn Trainer's Association has also submitted a letter in support of the proposal, which has been considered by Officers.

Permitted development

- 6.66 According to the NPPF, planning conditions should not be used to restrict permitted development rights unless there is clear justification to do so. The proposed dwelling has been designed as a modest dwelling that has been reduced in size and scale to limit the impact on the AONB. In addition the rear amenity areas are at the minimum required sizes. If further extensions are allowed the design, size, scale and massing of the dwelling may present a detrimental impact upon the character of the AONB area and present an overdevelopment of the site. A condition restricting permitted development rights is considered reasonable and necessary.

7. Planning Balance and Conclusion

- 7.1 The policies of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system and emphasises that a presumption in favour of sustainable development should be the basis for every plan, and every decision. Planning applications must result in sustainable development with consideration being given to the economic, social and environmental sustainability aspects of the proposal.
- 7.2 Officers consider that the proposal will make a contribution to the wider economic dimensions of sustainable development and will support the race horse industry. The development will improve on the provision of existing race horse industry facilities. With regard to the environmental role of fundamentally contributing to protecting and enhancing our natural, built and historic environment, the impact on the character and appearance of the surrounding AONB area has been assessed as part of this application. Officers considered that the proposal sufficiently respects and preserves the existing natural environment through measures to protect and enhance green infrastructure, the SSSI and biodiversity habitats. The proposal will also be in keeping with the prevailing pattern of development within the area. Officers consider that the proposal makes no significant contribution to the wider social dimensions of sustainable development. However social aspects include the provision of amenity. As

the landscape amenity and neighbouring amenity aspects have been found to be acceptable the proposed development would constitute sustainable development.

- 7.3 For the above reasons, Officers consider that the proposed development is supported by the presumption in favour of sustainable development.
- 7.4 Having taken account of all the relevant development plan policy considerations and the other material considerations referred to in this report and the expert consultation provided, Officers consider that the development proposed is considered acceptable and is recommended for approval subject to the conditions listed at Section 8.1 of the report.
- 7.5 This decision has been considered using the relevant policies related to the proposal. These are; NPPF, ADPP1, ADPP5, CS1, CS5, CS9, CS10, CS12, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006 - 2026 and the Supplementary Planning Document Quality Design (June 2006).

8. Full Recommendation

DELEGATE to the **Service Director, Development and Regulation** to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.1).

8.1 Schedule of Conditions

1.	<p>Time Limit for commencement</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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).</p>
2.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the following approved documents and plans:</p> <ul style="list-style-type: none"> • Heritage Statement received on 04 June 2020 • Applicant justification of uses received on 10 August 2020 • Amended proposed main barn plans and elevations Received on 12 March 2021 <p>Received on 28 July 2020:</p> <ul style="list-style-type: none"> • Applicant - Fognam Farm Instruction - Highways Automatic Traffic Counter • Applicants Highway Technical note response to objections • Phase 1 Land Contamination Assessment • Applicant - Lynchets Instruction - Highways Automatic Traffic Counter • Lynchets Automatic traffic counter Location • Frognam Farm Automatic traffic counter Location <p>Received on 09 December 2020:</p>

	<ul style="list-style-type: none"> • Amended preliminary ecological assessment • Amended Landscape and Visual Appraisal • Amended drainage statement • Amended Arboriculture Statement • Amended Transport Statement • Amended Enterprise Justification report • Amended land contamination report • Amended site plan • Amended proposed lunge pen • Amended horse walker plan and elevations • Amended managers dwelling • Amended Lighting Assessment • Amended Residential receptor locations plan • Amended Assessed Scheme of Lighting sheet 1 • Amended Assessed Scheme of Lighting sheet 2 • Amended light spill assessment sheet 1 • Amended scheme of Lighting sheet 2 • Amended light spill assessment sheet 2 • Amended ATC data Appendix 1 • Amended sight line splays <p>Received on 19 July 2021:</p> <ul style="list-style-type: none"> • Applicant response to LLFA • Amended Flood Risk Assessment dated July 2021 • FRA Appendix A - Correspondence with EA • FRA Appendix B1- Thames Water Response Email 01042021 • FRA Appendix B2- Thames water email 18062021 <p>Received on 05 January 2021</p> <ul style="list-style-type: none"> • Amended Design and Access Statement • Amended Proposed Outbuilding • Amended Field View of the site <p>Received on 12 August 2021:</p> <ul style="list-style-type: none"> • Applicant response to LLFA - 12.08.2021 • Amended Ground Water details <p>Received on 26 August 2021:</p> <ul style="list-style-type: none"> • Amended Drainage Calculations • Amended combined drainage plan <p>Reason: For the avoidance of doubt and in the interest of proper planning</p>
3	<p>Schedule of the materials</p> <p>The construction of the buildings and hard surfaced areas shall not take place until a schedule of the materials to be used in the construction of the external surfaces of the buildings and hard surfaced areas hereby permitted has been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the</p>

	<p>current application. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.</p> <p>Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and the Supplementary Planning Document Quality Design 2006.</p>
4	<p>Construction of the residential accommodation</p> <p>The construction of the residential accommodation hereby permitted (Manager's Dwelling and temporary overnight accommodation) shall not commence until the rest of the equestrian yard facilities have been completed as the first phase of development. Thereafter the residential accommodation shall be used in the operation of the pre-training, rest and recuperation establishment for racehorses at Fognam Farm, Upper Lambourn, Hungerford.</p> <p>Reason: To ensure the accommodation is constructed once the equestrian yard has been constructed. To protect against an isolated dwelling. The dwelling shall then be used in association with the needs of the pre-training, rest, rehabilitation recuperation yard for race horses. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS12 and CS14 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.</p>
5	<p>Dwelling occupation</p> <p>The occupation of the dwellings hereby permitted (Managers Dwelling and temporary overnight accommodation) shall be limited to a person solely or mainly working (or retired through old age or ill health) in the operation of a pre-training, rest, rehabilitation and recuperation facility for racehorses at Fognam Farm, Upper Lambourn, Hungerford, or a widow or widower of such a person and to any resident dependants.</p> <p>Reason: A dwelling in this location is only acceptable because it provides essential accommodation for a rural worker in the locality. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP5, CS1 and CS12 of the West Berkshire Core Strategy 2006-2026, and Policies C1 and C5 of the Housing Site Allocations DPD 2006-2026.</p>
6	<p>Site use</p> <p>The whole site known as Fognam Farm, Upper Lambourn, Hungerford, including all buildings hereby permitted shall remain for use as a pre-training, rest, rehabilitation and recuperation facility in conjunction with the racehorse industry. The buildings shall not be used as a separate residential unit, offices or any other uses within Use Class E (Use Class Order 2020), sold/leased/rented or used as a separate unit or commercial yard, and no separate curtilage shall be created other than permitted in this approval shall be created.</p> <p>Reason: Any other use may not be acceptable on the site. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP5, CS12, CS13, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007 and Supplementary Planning Document Quality Design 2006.</p>

7	<p>Restriction on externally stored equestrian paraphernalia</p> <p>No materials, goods, plant, machinery, equipment, storage containers, waste containers or other items of equestrian paraphernalia shall be stored, processed, repaired, operated or displayed in the open land on the site.</p> <p>Reason: To ensure the scale and intensity of the development is appropriate to its location in the interests of visual amenity in AONB and highways safety. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS12, CS13, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Policy ENV.29 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
8	<p>Scheme for the protection of trees</p> <p>No development shall take place (including site clearance and other preparatory works) until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a detailed plan showing the location of the protective fencing, and shall specify the type of protective fencing. 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.</p> <p>Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.</p> <p>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 objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
9	<p>Scheme of landscaping</p> <p>No development shall take place (including site clearance and other preparatory works) until a detailed scheme of hard and soft landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation program and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:</p> <ul style="list-style-type: none"> a) Completion of the approved landscaping scheme within the first planting season following completion of development. b) Any trees, shrubs or plants that die or become seriously damaged within five years of the completion of this development shall be replaced in the next planting season by plants of the same size and species. <p>Thereafter the approved scheme shall be implemented in full.</p> <p>Reason: To ensure the implementation of a satisfactory scheme of landscaping. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.</p>

10	<p>Boundary treatments details</p> <p>No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatments to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the use hereby permitted is commenced. The approved boundary treatments shall thereafter be retained.</p> <p>Reason: The boundary treatment is an essential element in the detailed design of this development and the application is not accompanied by sufficient details to enable the Local Planning Authority to give proper consideration to these matters. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and Supplementary Planning Document Quality Design 2006.</p>
11	<p>Sustainable drainage measures</p> <p>The use hereby permitted shall not commence until the sustainable drainage measures have been implemented in accordance with the details identified in the following documents:</p> <p>Received on 19 July 2021:</p> <ul style="list-style-type: none"> • Applicant response to LLFA • Amended Flood Risk Assessment dated July 2021 • FRA Appendix A - Correspondence with EA • FRA Appendix B1- Thames Water Response Email 01042021 • FRA Appendix B2- Thames water email 18062021 <p>Received on 12 August 2021:</p> <ul style="list-style-type: none"> • Applicant response to LLFA - 12.08.2021 • Amended Ground Water details <p>Received on 26 August 2021:</p> <ul style="list-style-type: none"> • Amended Drainage Calculations • Amended combined drainage plan <p>The sustainable drainage measures shall be implemented in full, maintained, retained and managed in accordance with the approved details thereafter.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner in accordance with the details approved by the Local Lead Flood Authority. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).</p>
12	<p>Infiltration testing and groundwater monitoring</p> <p>No development shall take place until details of infiltration testing and groundwater monitoring undertaken throughout the winter months in the location of the proposed SuDS features have been submitted and approved in writing with the Local Planning</p>

	<p>Authority. Thereafter the sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner and 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. Insufficient details have been submitted with regard to infiltration testing and groundwater monitoring. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy 2006-2026, and Part 4 of Supplementary Planning Document Quality Design 2006</p>
13	<p>Unforeseen Contamination and remediation (water pollution)</p> <p>If unforeseen contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall thereafter be implemented in accordance with the approved details.</p> <p>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 from previously unidentified contamination sources at the development site. This condition is imposed in 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 2006 and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
14	<p>Spoil management</p> <p>No development shall take place until full details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:</p> <ul style="list-style-type: none"> (a) Show where any spoil to remain on the site will be deposited; (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels); (c) Include measures to remove all spoil (not to be deposited) from the site; (d) Include timescales for the depositing/removal of spoil. <p>All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.</p> <p>Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the AONB area. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and Supplementary Planning Document Quality Design 2006.</p>
15	<p>Method of manure removal</p> <p>The development shall not be first brought into use until full details of the method of storage of manure and its removal has been submitted to and approved in writing by the Local Planning Authority. Thereafter the methods of storage of manure shall be implemented in accordance with the approved details.</p>

	<p>Reason: To prevent the proliferation of manure which would detract from the quality of the AONB and in the interests of amenity and to avoid any possible water/land contamination. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and Policy OVS5 of the West Berkshire District Local Plan 2007.</p>
16	<p>Plant, machinery and equipment</p> <p>All plant, machinery and equipment installed or operated in connection with the carrying out of the development hereby approved shall be so enclosed and attenuated that noise therefrom does not exceed at any time a level of 5dB[A] below the existing background noise level, or 10dB[A] if there is a particular tonal quality when measured in accordance with BS4142:2014 at a point one metre external to the nearest residential or noise sensitive property</p> <p>Reason: To protect the occupants of nearby residential properties from noise. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.5 and OVS.6 of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).</p>
17	<p>Access and visibility splays before occupation</p> <p>The use shall not commence until the access has been provided and the visibility splays at the access have been provided in accordance with drawing number 01/20 dated 28/01/20. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.</p> <p>Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
18	<p>Parking and turning in accord with plans</p> <p>The use shall not commence until the vehicle parking and turning space have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
19	<p>Construction Method Statement</p> <p>No development shall take place until a Construction Method Statement 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. The statement shall provide for:</p> <ul style="list-style-type: none"> (a) The parking of vehicles of site operatives and visitors (b) Loading and unloading of plant and materials (c) Storage of plant and materials used in constructing the development

	<ul style="list-style-type: none"> (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing (e) Wheel washing facilities (f) Measures to control the emission of dust and dirt during construction (g) A scheme for recycling/disposing of waste resulting from demolition and construction works (h) A site set-up plan during the works <p>Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
20	<p>Electric Charging Point</p> <p>The development shall not be first brought into use until details of an electric vehicle charging point have been submitted to and approved in writing by the Local Planning Authority. The use shall not commence until the electric vehicle charging point has been provided in accordance with the approved details. The charging point shall thereafter be retained and kept available for the charging of electric vehicles.</p> <p>Reason: To promote the use of electric vehicle. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
21	<p>Landscape and Ecological Management Plan</p> <p>No development shall take place on the site until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP should be based on the Ecological Assessments by Ethos Environmental Planning dated September 2020 received on 07 October 2020 and the approved SuDS and Landscaping documents and plans. Such a Plan shall include:</p> <ul style="list-style-type: none"> a) Detailed habitat creation and management prescriptions (including costings) for the retained and newly created habitats meeting all the needs of biodiversity net gain timeframes, monitoring and reviews. b) Provision of features for protected and priority fauna as outlined within the Amended Ecological Assessment by John Wenman Ecological Consultancy dated November 2020 received on 19 December 2020 and deliver the recommendations of this Assessment to ensure the appropriate protection and conservation of protected habitats and species. c) Include (but not necessarily be limited to) details of management, maintenance and long-term protection of the hard and soft landscaping, and ecological mitigation area. d) Submit a green phasing plan to interact with the CEMP and LEMP. Include the planting list, hard and soft infrastructure shown and boundary treatments and species and habitat enhancements and protections. e) May incorporate any/all mitigation measures secured by other planning conditions attached to this permission, including SuDS and Landscaping. <p>The approved LEMP shall be implemented in full upon commencement of development.</p>

	<p>Reason: The LEMP is necessary to ensure the adequate protection and conservation of protected species and habitats on the site, and to achieve the specific recommendations of the submitted Ecological Assessment. A comprehensive LEMP will also ensure that interrelated landscape and ecological proposals are delivered and managed in a holistic manner. To ensure that habitats are protected and enhanced in the best way possible and that the planting can become as established as possible. The detailed LEMP is required before commencement of development because insufficiently detailed information has been submitted at the application stage, and it may include measures that require implementation during the construction phase. This condition is applied in accordance with the NPPF, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
22	<p>Construction Environmental Management Plan (CEMP)</p> <p>No development shall take place (including 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;</p> <ul style="list-style-type: none"> (a) A risk assessment of potentially damaging construction activities (b) Identification of biodiversity protection zones and a green phasing plan (c) Practical measures to avoid and reduce impacts during construction (d) The location and timing of sensitive works to avoid harm to biodiversity features including protected species and tree protection measures (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 of the ecological clerk of works or similarly competent person (h) Use of protective fences, exclusion barriers and warning signs (i) Any temporary lighting that will be used during construction (j) A scheme of works or such other steps to minimise the effects of dust during construction (k) The implementation of these measures prior to the commencement of each phase. <p>The development shall not be constructed otherwise than in accordance with the approved CEMP.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
23	<p>Updated Ecological Appraisal</p> <p>In the event that development has not commenced 3 years from the date of this permission, no development shall take place until an updated Ecological Appraisal has been submitted to and approved in writing by the Local Planning Authority, together with any additional surveys recommended by the updated Ecological Appraisal. The updated surveys shall be used to inform the mitigation measures for this development.</p> <p>Reason: If the development has not been commenced by November 2023 the ecological appraisal should be updated. This is because the latest ecology assessment report was dated November 2020 and many of the species considered</p>

	<p>during the current survey are highly mobile and the ecology of the site is likely to change over this period. This condition is applied in accordance with the statutory provisions relating to the protected species and habitats on the site, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
24	<p>Biodiversity Monitoring construction and post works</p> <p>The proposed development shall not be brought into use until a report has been submitted outlining progress made in achieving biodiversity establishment and management objectives as agreed within other conditions listed in this permission. Thereafter further monitoring reports by a licenced Ecologist must be provided at years 1, 3, 5, 10, 15, 20, 25, 30 of the management plan as per Biodiversity Net Gain (BNG) requirements.</p> <p>Reason: To ensure the adequate protection and conservation of protected species and habitats on the site, and to achieve the specific recommendations of the submitted Ecological Assessment and to ensure the net gains are achieved as projected in the long term. This condition is applied in accordance with the statutory provisions relating to the protected species and habitats on the site, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
25	<p>Site of Special Scientific Interest (SSSI)</p> <p>No development shall commence until a statement outlining the mitigation measures to protect the interest features of the Fognam Chalk Quarry Site of Special Scientific Interest (SSSI) during construction has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved SSSI mitigation measures. The mitigation measures shall include:</p> <ol style="list-style-type: none"> 1) Protection from pollution, dust, disturbance and other impacts upon the site. 2) No materials, machinery or work should encroach onto the SSSI either before, during or after demolition, construction or ongoing use; and 3) No pollution from demolition or construction of the development must adversely affect the SSSI. <p>All works must then proceed in accordance with the approved statement with any future amendments agreed and approved in writing by the Local Planning Authority in consultation with Natural England.</p> <p>Reason: The construction of the development so close to the SSSI boundary could cause pollution, dust, disturbance and other impacts upon the SSSI site. Measures are required to ensure the SSI features are protected. This condition is applied in accordance with the National Planning Policy Framework, Policy CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
26	<p>Habitats enhancements</p> <p>No development shall take place until details of habitat enhancements have been submitted to and approved in writing by the Local Planning Authority. The submitted details must include:</p> <ol style="list-style-type: none"> 1) A barn owl nest cavity and bat bricks or tiles to be included within the new constructions. 2) Measures to ensure the SSSI experiences some controlled disturbance such

	<p>as grazing, control of weeds, some scrub management and creation of bare chalk (e.g. where there are currently weeds or nettles).</p> <p>3) Details of how the SSSI will be fenced off from horses as unregulated grazing could cause harm to the SSSI.</p> <p>Reason: To ensure the protection and enhancement of protected species and their habitats. This condition is applied in accordance with the statutory provisions relating to the protected species and habitats on the site, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
27	<p>External lighting</p> <p>Irrespective of the submitted lighting details, no external lighting shall be installed until further details of the assessment and mitigation of potential lighting impacts on biodiversity and proposed biodiversity mitigation has been submitted to and approved in writing by the Local Planning Authority. The assessment and mitigation shall:</p> <ul style="list-style-type: none"> (a) Identify those areas on the site that are particularly sensitive for identified protected species that are likely to cause disturbance. (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species from accessing commuting and foraging pathways. (c) Include an isolux diagram of the proposed lighting in relation to any biodiversity mitigation secured in the planning permission. (d) Demonstrate and ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers. <p>Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, no external lighting shall be installed except in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. Bats are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed or discouraged from using their breeding and resting places, established flyways or foraging areas. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies ADPP5, CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
28	<p>Thames Water - Source Protection Strategy</p> <p>No development shall take place until a Source Protection Strategy detailing, how the developer intends to ensure the water abstraction source is not detrimentally affected by the proposed development both during and after its construction has been submitted to and approved by, the local planning authority in consultation with the water undertaker (Thames Water). Thereafter the development shall be constructed and implemented in accordance with the recommendations of the approved strategy.</p> <p>Reason: To ensure that the groundwater resource is not detrimentally affected by the development. This condition is applied in accordance with the National Planning</p>

	Policy Framework, Policy CS5 and CS16 of the West Berkshire Core Strategy 2006-2026, Part 4 of Supplementary Planning Document Quality Design 2006 and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
29	<p>Programme of archaeological work</p> <p>No demolition, site clearance or other development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.</p> <p>Reason: To ensure that any significant archaeological remains that are found are adequately recorded. The condition is imposed in accordance with the National Planning Policy Framework and Policy CS19 of the West Berkshire Local Plan (2006-2026).</p>
30	<p>PD Removal – extensions, outbuildings</p> <p>Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no extensions, alterations, buildings or other development to the residential buildings hereby approved, which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, C and 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.</p> <p>Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding AONB area. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and Supplementary Planning Document Quality Design 2006.</p>

Informatives

1.	<p>Approval - Objections/Support received</p> <p>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.</p>
2.	<p>Access construction</p> <p>The Highways Manager, West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 519887, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of</p>

	underground services on the applicant's behalf.
3.	<p>Damage to footways, cycleways and verges</p> <p>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.</p>
4.	<p>Damage to the carriageway</p> <p>The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.</p>
5.	<p>Thames Water - discharging groundwater permit</p> <p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk.</p> <p>Please refer to the Wholesale; Business customers; Groundwater discharges section.</p>
6.	<p>Thames Water - discharge to a public sewer</p> <p>Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.</p> <p>https://developers.thameswater.co.uk/Developing-a-large-site/Apply-andpay-for-services/Wastewater-services</p>
7	<p>Thames Water - existing water mains</p> <p>There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes</p> <p>The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-</p>

	<p>development/Working-near-or-diverting-our-pipes.</p> <p>Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk</p>
8	<p>Thames Water - Water supply capacity</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p> <p>Mains water for construction</p> <p>If the developer is planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/building water.</p>
9	<p>Thames Water - Source Protection Zone</p> <p>The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at https://www.gov.uk/government/publications/groundwater-protection-position-statements)</p> <p>and may wish to discuss the implication for their development with a suitably qualified environmental consultant.</p>
10	<p>Thames Water - easements and wayleaves</p> <p>There are easements and wayleaves running through the site. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development. On the Map (previously sent with comments) yellow dashed lines show the easements and wayleaves and the proposed development area is identified by a red outlined box.</p>
11	<p>Environment Agency - Groundwater protection</p> <p>The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at https://www.gov.uk/government/publications/groundwater-protection-position-statements) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.</p> <p>The proposed development must fully comply with the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013. Environmental good practice advice is available in The Code of Good Agricultural Practice (COGAP) for the protection of water, soil and air (produced by DEFRA). The applicant is advised to review the existing on-farm slurry and manure storage and ensure compliance with</p>

	the SSAFO Regulations.
12.	<p>Environment Agency - Slurry and manure storage</p> <p>The applicant is advised to review the existing on-farm slurry and manure storage and ensure compliance with the SSAFO Regulations. You must inform the Environment Agency, verbally (Tel: 03708 506 506) or in writing, of a new, reconstructed or enlarged slurry store, silage clamp or fuel stores at least 14 days before starting any construction work. The notification must include the type of structure, the proposed design and construction, and once an agreed proposal has been constructed we will ask you to send us a completed WQE3 notification form before you start using the facility. Further guidance is available:</p> <p>https://www.gov.uk/guidance/storing-silage-slurry-and-agricultural-fuel-oil</p> <p>https://www.gov.uk/government/publications/protecting-our-water-soil-and-air</p>
13	<p>Construction noise</p> <p>The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to West Berkshire Environmental Health.</p> <p>For more information: email ehadvice@westberks.gov.uk, call 01635 519192, or visit http://info.westberks.gov.uk/environmentalhealth.</p>
14	<p>Royal Berkshire Fire and Rescue Service</p> <p>The development will need to be designed and built in accordance with the functional requirements of current Building Regulation requirements. Full assessment of the proposed development in respect of 'Building Control' matters will be undertaken during the formal statutory Building Regulations consultation. For more information, the applicant is referred to the following web link:</p> <p>https://www.gov.uk/government/publications/fire-safety-approved-document-b</p>