

Notice of Meeting



Scan here to access the public documents for this meeting

Western Area Planning Committee Wednesday 18 January 2023 at 6.30 pm in the Council Chamber Council Offices Market Street Newbury

This meeting will be streamed live here: [Link to Western Area Planning Committee broadcasts](#)

You can view all streamed Council meetings here: [Link to West Berkshire Council - Public Meetings](#)

If members of the public wish to attend the meeting they can do so either remotely or in person. Members of the public who wish to attend must notify the Planning Team by no later than 4.00pm on 17 January 2023 by emailing planningcommittee@westberks.gov.uk.

Members Interests

Note: If you consider you may have an interest in any Planning Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Tuesday, 10 January 2023

Further information for members of the public

Plans and photographs relating to the Planning Applications to be considered at the meeting can be viewed by clicking on the link on the front page of the relevant report.

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact the Planning Team on (01635) 519148 or email planningcommittee@westberks.gov.uk.

Further information, Planning Applications and Minutes are also available on the Council's website at www.westberks.gov.uk

Any queries relating to the Committee should be directed to the Democratic Services Team by emailing executivecycle@westberks.gov.uk.



Agenda - Western Area Planning Committee to be held on Wednesday, 18 January 2023
(continued)

To: Councillors Clive Hooker (Chairman), Tony Vickers (Vice-Chairman), Adrian Abbs, Phil Barnett, Jeff Beck, Dennis Benneyworth, Jeff Cant, Carolyn Culver and Howard Woollaston

Substitutes: Councillors James Cole, Lynne Doherty, David Marsh, Steve Masters, Andy Moore, Erik Pattenden, Garth Simpson and Martha Vickers

Agenda

Part I

Page No.

2. **Minutes**

5 - 16

To approve as a correct record the Minutes of the meeting of this Committee held on Wednesday 23rd November 2022.

Background Papers

- (a) The West Berkshire Core Strategy 2006-2026.
- (b) The West Berkshire District Local Plan (Saved Policies September 2007), the Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.
- (c) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Sarah Clarke.

Sarah Clarke
Service Director – Strategy & Governance
West Berkshire District Council

If you require this information in a different format or translation, please contact Stephen Chard on (01635) 519462.



West Berkshire
C O U N C I L

DRAFT

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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 23 NOVEMBER 2022

Councillors Present: Clive Hooker (Chairman), Tony Vickers (Vice-Chairman), Adrian Abbs, Carolyne Culver, Howard Woollaston, James Cole (Substitute) (In place of Claire Rowles), Lynne Doherty (Substitute) (In place of Dennis Benneyworth) and Andy Moore (Substitute) (In place of Phil Barnett)

Also Present: Cheyanne Kirby (Senior Planning Officer), Kim Maher (Solicitor), Simon Till (Development Control Team Leader), Stephen Chard (Democratic Services Manager) and Phil Lomax (Nutrient Neutrality Officer)

Apologies for inability to attend the meeting: Councillor Phil Barnett, Councillor Dennis Benneyworth, Councillor Jeff Cant and Councillor Claire Rowles

PART I

18. Minutes

The Minutes of the meeting held on 21 September 2022 were approved as a true and correct record and signed by the Chairman.

19. Declarations of Interest

Councillors Howard Woollaston and Adrian Abbs declared that they had been lobbied in relation to Agenda Item 4(1).

20. Schedule of Planning Applications

(1) Application No. and Parish: 21/01097/COMIND Land at New Barn Farm, Wantage Road, Lambourn

Councillor Howard Woollaston (Ward Member) declared that he had been lobbied by the applicant for Agenda Item 4(1). He also stated that while he was predisposed to reject the officer recommendation of refusal, he had not predetermined the application. He would listen to the debate with an open mind and vote accordingly.

Councillor Adrian Abbs declared that he had been lobbied by members of the public in relation to Agenda Item 4(1).

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 21/01097/COMIND in respect of the proposed construction of woodchip surfaced gallop with rails and associated landscaping, and mitigation planning (part retrospective) on land at New Barn Farm, Wantage Road, Lambourn.
2. Cheyanne Kirby, Senior Planning Officer, introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report recommended that planning permission be refused for the reasons listed in the main and update reports.
3. Phil Lomax, Council Ecologist, made the following comments on the application:

WESTERN AREA PLANNING COMMITTEE - 23 NOVEMBER 2022 - MINUTES

- The main ecology issue with the application was the proposed loss of woodland priority habitat. Mitigation measures and conditions largely resolved other ecological concerns.
 - Priority habitats were identified, by the Secretary of State, as being of principal importance for ecological diversity. This was in line with the Natural Environment and Rural Communities Act 2006 (the Act).
 - The Act included a duty to restore or enhance habitats. The Council's Core Strategy also contained a policy to prevent harm from development to such habitats. Development in these cases should only be permitted if there were no reasonable alternatives and the benefits of a scheme clearly outweighed safeguarding requirements of a habitat. Compensation and mitigation should be offered/made available.
 - Mr Lomax noted that an area of priority woodland had already been cleared and so this was a retrospective consideration. To align with the requirements of the Act, the cleared area could be restored.
 - A restocking notice had been served by the Forestry Commission and this placed a duty on the land owner to restock trees that had been felled without the required licence. Restocked trees would need to be maintained for a ten year period. Enforcement action could take place if this was not complied with. Any further felling of trees would be contrary to the notice.
 - The notice should be considered as a material planning consideration and, as a result of the notice, the Committee could consider the land as still being woodland.
 - It was understood that the landowner had appealed the notice but this could take some time before it was resolved.
 - Compensation planting had been proposed (aside from the requirements of the Forestry Commission). This had been proposed for land within a Countryside Stewardship Scheme. Such schemes were legally binding with conditions attached and had financial incentives for landowners to keep the land for the benefit of wildlife.
 - Mr Lomax concluded by stating that the Committee needed to consider if the mitigation and compensation proposed were acceptable.
4. In accordance with the Council's Constitution, Mr Harry Dunlop, supporter, and Mr Jamie Osbourne, applicant, addressed the Committee on this application.

Supporter Representation

5. Mr Dunlop in addressing the Committee raised the following points:
- He had been a trainer in the Lambourn area for the past 15 years. Unfortunately, due to economic difficulties, he had made the decision to close his training yard. Mr Dunlop explained that Lambourn had much to offer to the horse racing industry, but had yet to attract high profile owners/trainers. He therefore felt there was an economic risk if the application was not supported.
 - Woodchip surfaced gallops were becoming more widely used by the industry. The surface helped to avoid injuries and fatalities among horses, it was considered easier to manage and more durable, and was used by many successful trainers.
 - This was a well thought out proposal. Approval of the application would result in the build of a high standard gallop that would become a genuine asset to Lambourn.

WESTERN AREA PLANNING COMMITTEE - 23 NOVEMBER 2022 - MINUTES

Member Questions to the Supporter

6. In response to a question from Councillor Tony Vickers, Mr Dunlop confirmed that a woodchip surface worked better on flat ground.
7. Councillor Vickers then asked if there was a risk that trainers could move to a different area if the woodchip facility did not become available. Mr Dunlop stated that Lambourn needed to improve to keep pace with the Newmarket training centre.
8. Councillor Lynne Doherty sought to understand if the gallops could be used by many trainers. Mr Dunlop expected this to be the case, but suggested it be confirmed with the applicant.
9. Councillor Abbs queried whether it was likely that all training facilities would convert to woodchip within the near future. Mr Dunlop felt that cost could be a limiting factor in this regard.

Applicant/Agent Representation

10. Mr Jamie Osbourne in addressing the Committee raised the following points:
 - This proposal, if approved, would be very important for Lambourn and West Berkshire. It was the aim to create a world class facility within Lambourn. He wanted to see the village thrive.
 - He apologised for errors that had been made in the process. This was not a disregard of the process, rather he had been poorly advised. Mr Osbourne had wrongly understood that a planning amendment was sufficient and the felling that had taken place was permitted as part of an existing licence. This felling had initially been agreed to verbally by the Forestry Commission, but this had since (18 months later) been replaced by the restock notice.
 - Mr Osbourne explained that the proposal had economic, social and environmental benefits. It would support a growth in jobs and provide greater access to woodland.
 - The woodchip gallop would be a state of the art facility which held horse welfare at its heart. His business would become vulnerable without this facility.
 - Environmental mitigation would improve biodiversity and increase the canopy of trees by five hectares (5.6 hectares would be planted). 0.57 hectares of trees had been felled, however 70% of those had degrees of diseased ash. This figure came from a Forestry Commission survey. Mr Osbourne stated that the proposal would provide environmental benefit and not just mitigation.
 - It was acknowledged that replacement planting would take time to mature, but the results of a visual impact assessment found this proposed scheme to be preferable to the previous application. It was also the case that much of the remaining woodland contained diseased ash and this would be managed over time.
 - The Forestry Commission notice would be appealed and the mitigation planting would be outlined as part of that process. If the appeal was lost then the requirements of the notice would be followed.
 - The scheme would deliver a larger and healthier forest area that could be enjoyed by the community. It would provide significant economic benefits including the protection and creation of jobs.

WESTERN AREA PLANNING COMMITTEE - 23 NOVEMBER 2022 - MINUTES

- A woodchip surfaced gallop would ready the area for the coming change in the industry.

Member Questions to the Applicant/Agent

11. Councillor Doherty queried if the changes made between the approved and this application were for business reasons. In response, Mr Osbourne reiterated his intention to build the best gallop possible. Referring to the approved scheme, it was recognised that the gallop would be compromised by the bend. This carried a greater injury risk for the horses and their safety was the greatest priority. This straight gallop would greatly reduce those risks.
12. In response to Councillor Doherty's follow up question, Mr Osbourne advised that it would be necessary for him to sell up if the application was not approved. He could only continue if the business was generating income. Mr Osbourne stated his view that synthetic training surfaces would be phased out in the coming years.
13. Councillor Clive Hooker sought to understand if the changed application for a straight line gallop came about as a result of greater awareness of the benefits of this, in terms of horse safety etc. Mr Osbourne advised that this was something he had become more aware of and acknowledged he should have realised it at an earlier stage. He had been inspired by viewing Aiden O'Brien's facilities and realising how important a straight line gallop was to training horses in the safest way possible. It had not been possible to withdraw the original application as it had been approved by that time.
14. In response to a linked question from Councillor Abbs, Mr Osbourne explained that a bend in a gallop carried a cumulative risk to a horse's safety. The optimum was for straight line.
15. Councillor Vickers sought to understand more fully the communication with the Forestry Commission and the verbal approval given. Mr Osbourne explained that Wessex Woodland managed the woodland and they applied for the felling licence. They advised that an extraction track would be needed to help manage the woodland that could be used for no other purpose. They advised of the verbal approval from the Forestry Commission to fell trees.
16. Mr Osbourne advised that it had been difficult to engage in any dialogue with the Forestry Commission with regard to the restock notice. Mr Osbourne believed he had a good case at appeal when taking into account the mitigation planting and would also advise of the verbal approval that had been given.
17. In noting Mr Osbourne's points about a potential need to sell up if this application was refused, Councillor Carolyne Culver queried the additional economic benefits when comparing this scheme with the extant one. Mr Osbourne reiterated that this scheme largely followed the facilities used by Aiden O'Brien (which had proved highly successful). If developed this would be a significant selling point for the business in attracting trainers and in generating income. The extant scheme would not be built out.
18. Mr Osbourne clarified that the footpath that crossed the gallop was rarely used. However, access to the footpath would be closed off when the gallop was in use.
19. Councillor Cole referred back to the point made by the Ecologist that restocked trees would be maintained for a ten year period. He did not view this as an adequate time period. Councillor Cole asked if the applicant would be willing to extend this time period and accept a condition for the woodland to be inspected annually by a consultant. Mr Osbourne confirmed that he would be willing to do so.

WESTERN AREA PLANNING COMMITTEE - 23 NOVEMBER 2022 - MINUTES

Ward Member Representation

20. Councillor Howard Woollaston in addressing the Committee raised the following points:

- He emphasised the high importance of the racing industry to the Lambourn Valley and beyond. It was the most important economic sector in his Ward and generated a significant sum to the local economy. The industry also employed a high number of local residents. The economic benefits were clear.
- Councillor Woollaston was passionate about supporting this key industry which was also supported by planning policy.
- Approximately 1800 horses were trained in the area which was second only to Newmarket.
- As had been acknowledged, the applicant had been poorly advised, but he was seeking to establish a world class facility that would enhance Lambourn as racing and training location.
- Only three objections had been received to the application, with 26 letters of support. The Parish Council had no objection.
- He felt that the mitigation planned for the trees that had been felled, with replanting at ten times the existing amount, was the best solution. A maintenance plan would also be in place.
- Councillor Woollaston felt that the applicant and his application should be supported to help keep Lambourn as one of the two main training centres nationally.

Member Questions to the Ward Member

21. Councillor Woollaston made the following points in response to Member questions:

- The woodland was well used by walkers/dog walkers. There were three to four access points to the wood from the village. The footpaths were permissive paths rather than public rights of way.
- He did not believe the number of walkers across the gallop to be high.
- He acknowledged the concern of setting a precedent if this application was approved as the applicant had taken action ahead of permission, albeit this was done in error. However, he felt that the importance of the application for the community and the industry outweighed this point.

Member Questions to Officers

22. Councillor Doherty made reference to the report which she felt highlighted the environmental impacts of the application but less so the economic and social benefits it would bring. She felt that the fact that one in three working age adults were employed by the industry was a significant social benefit. Councillor Doherty also made the point that the refreshed Economic Development Strategy (post Covid) allowed for additional weight to be given to commercial planning decisions that benefited the economy. This application would have a significant economic benefit to the District. She therefore queried whether further information could have been given to this matter in the report.

23. Cheyanne Kirby clarified that economic benefits were noted. However, it was initially understood that the application was for private use. If this was to be widened, as had been suggested, then the economic benefit would increase. The applicant had an

WESTERN AREA PLANNING COMMITTEE - 23 NOVEMBER 2022 - MINUTES

already permitted fall-back position that he could revert to and therefore the impact on the AONB, ecology and trees was felt to be of more concern than the economic benefits of this new application.

24. In terms of public access, this was via permissive paths and therefore in the applicant's control.
25. Both the extant permission and the application before the Committee included the public right of way.
26. Simon Till (Development Control Team Leader) felt that the report explained well the planning balance. It did state the economic benefits of the application which were similar to those in the extant permission. However, these benefits needed to be balanced with the harm that had been caused by the woodland that had been lost and would be lost from further development. The landscape consultant had expressed concern that mitigation planting would result in a change to the landscape character.
27. Additional social benefit was questionable. The woodland could already be accessed by walkers and the Forestry Commission had placed a requirement on the landowner to manage public access.
28. The benefits of protecting and creating jobs, and enhancing the local industry aligned more closely with economic rather than social benefits. Planning policy already gave weight to the horse racing industry and no additional weight could be afforded beyond that.
29. Councillor Cole queried if there was any issue with some of the land that was currently within the Countryside Stewardship Scheme becoming woodland. Mr Lomax explained that any such change would require a change to the scheme. Landowners subject to a scheme were paid to manage the land to benefit the environment and wildlife. If land was turned to woodland then some of those benefits would be lost. There was however a balance to consider as woodland brought its own benefits.
30. Councillor Vickers sought clarification on whether the gallop would be for private or business use. Cheyanne Kirby explained that there had been a differing position on this. It had been indicated that this would be for private use (used by this specific stable yard and the applicant's horses) and this had been confirmed by the agent. However, there had been reference to use by other trainers and if this proved to be the case and the gallop was rented out, a reassessment would need to take place. Highways would be asked to assess increases in traffic if horses were to be transported in from elsewhere.
31. In response to a query from Councillor Abbs, Mr Till advised that the officer recommendation was a strong one of refusal due to the ecological impact following the work already undertaken and to be further undertaken if permission was granted. If the application was approved then the debate would determine if this became a matter for the District Planning Committee. Mr Till felt that appropriate justification for approval would not result in the application being referenced up. Members needed to consider the planning balance between the loss on environmental grounds with the gain to the economy. He did not feel it likely that approval would fundamentally undermine policy.
32. Councillor Abbs then referred back to the matter of private use. If, as seemed likely, the gallop was available beyond private use then traffic could be generated from other trainers to this top facility. Was this a point of concern? Cheyanne Kirby explained that if traffic movements were to increase, particularly for sizeable vehicles,

WESTERN AREA PLANNING COMMITTEE - 23 NOVEMBER 2022 - MINUTES

then this would be a matter for Highways to consider. This had not been considered to date as only private use had been anticipated.

33. Councillor Andy Moore sought clarity on the Forestry Commission's sanction and how it would impact on the Committee's decision making. Mr Till explained that if approval was granted, no development could proceed without the applicant breaching the restocking notice. The material consideration for Members was to consider the woodland as untouched and not subject to any works. Councillor Moore queried if deferral could be appropriate while awaiting the outcome of the appeal to the Forestry Commission. Mr Till reiterated the point that the appeal would likely be time consuming and so deferral on that basis could also result in heavy delays.

Debate

34. Councillor Cole opened the debate by referring to the woodland and the felled trees. The majority of the lost trees were diseased ash and were therefore not of any particular value. The applicant was going to plant ten times the amount of trees that had been felled. It would take time for these new trees to become established but this would also be the case if only replacement trees were to be planted.
35. It was the case that access to the land was via permissive paths that could be removed, but proposed improvements would benefit local residents.
36. Councillor Abbs noted from the plans that the straight line gallop could be achieved at a slightly different point whilst having a lesser impact on the trees. There were therefore alternatives to what was being proposed. As a result of this and the strong officer recommendation of refusal, Councillor Abbs was currently minded to support the officer recommendation.
37. Councillor Woollaston commented on the traffic concern that had been highlighted. He explained that the majority of racing yards were in Upper Lambourn and they were linked by horse walks. They were also located relatively close to the proposed gallop. He therefore felt that traffic impact would be minimal.
38. Councillor Doherty stated that she would generally be opposed to a retrospective application. However, in this case the applicant had recognised and apologised for their error.
39. Councillor Doherty then referred Members to policy CS12 of the Core Strategy which focused on supporting the equestrian/horse racing industry. It was important to recognise the economic benefit of the industry to West Berkshire and the employment it generated, particularly in difficult economic times. There was a risk, voiced by the applicant, that he might need to close his business without this approval. She understood that the application was supported by the Parish Council.
40. This application was also about enhancing animal welfare and safety.
41. The mitigation measures proposed were positive and would do much to offset environmental concerns. Councillor Doherty agreed with the point made about not deferring a decision on the application due to the expected delays with the Forestry Commission.
42. Councillor Doherty proposed to reject Officer's recommendation and grant conditional planning permission.
43. Councillor Culver reiterated the clear steer from officers that the Committee should consider this application as if the felled trees were still in place. She felt it doubtful that the Committee would vote to remove these trees.

WESTERN AREA PLANNING COMMITTEE - 23 NOVEMBER 2022 - MINUTES

44. Councillor Culver would have expected evidence of significant economic benefits in order to go against officers' recommendation, i.e. that the gallop would be available for use by other trainers. However, the agent had indicated this would be for private use only. Animal welfare was noted but local wildlife needed to be a consideration as well as horses.
45. The loss of woodland would result in the loss of nature recovery areas (for which the Council was responsible). Councillor Culver felt that approval of the application could set a concerning precedent. She supported the officers' recommendation.
46. Councillor Vickers explained that concerns he had with the application were largely lifted when attending the site visit. He had expected a greater loss of woodland and a greater landscape impact than was the case. Councillor Vickers felt that the location of the gallop next to woodland was a benefit and the mitigation planting would help to screen views of the gallop from the surrounding area. He did not consider there to be significant landscape harm. Economic benefit from the industry was a key factor and the industry was supported by the Council's planning policy. He seconded the proposal to approve planning permission.
47. Councillor Cole queried whether a condition could be added to ensure that the gallop was made available for use by other trainers. He also felt that a condition was needed to ensure that newly planted trees were maintained and subject to an independent inspection for a 20-30 year period.
48. In considering conditions, Councillor Hooker queried if a view needed to be sought from Highways Officers should the gallop be accessed by other trainers. Mr Till felt that further information would be needed from the applicant on this matter in order to form a view and, as this could impact on the permission, Mr Till suggested that Members might want to consider deferral of the application.
49. Councillor Doherty restated her concern with the delays that could be caused by deferral. She supported a condition to allow other trainers to use the gallop and suggested this be restricted to the local community (Lambourn based trainers). Councillor Hooker added that should use go wider than the local area then it would be necessary to reconsider the application taking into account views from Highway Officers.
50. Councillor Abbs felt deferral to be a sensible approach, particularly when no development could take place until the Forestry Commission matter was resolved. This could result in an amended and improved plan coming back to Committee.
51. Mr Till outlined conditions should Members grant planning permission:
 - Works carried out as per approved plans.
 - Mitigation Strategy to be implemented within the first planting season following the development.
 - Details of the gated access to the footpath crossing the gallop.
 - Archaeological investigation.
 - Tree protection to ensure trees were retained pre works taking place.
 - Provision of a construction ecology management plan.
 - Provision of a landscaping ecology management plan.
 - Track materials to be as specified.
 - Provision of a plan detailing use by other trainers.

WESTERN AREA PLANNING COMMITTEE - 23 NOVEMBER 2022 - MINUTES

- A 30 year plan for the maintenance of trees to include inspection and monitoring.
52. The Chairman invited Members of the Committee to vote on the proposal by Councillor Doherty, seconded by Councillor Vickers to grant planning permission. At the vote the motion was carried.

RESOLVED that the Service Director for Development and Regulation be authorised to grant planning permission subject to the following conditions:

Conditions

- Approved plans

The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

- o Flood Risk Assessment dated March 2021 received 19th April 2021;
- o Archaeological Desk Based Assessment dated April 2021 received 19th April 2021;
- o Ecological Assessment dated March 2021 received 19th April 2021
- o Site Plan P20-0131_01 received 19th April 2021;
- o Mitigation Strategy P20-0131_02 received 19th April 2021;
- o Gallop Profile & PRow Crossing Gate Elevation P20-0131_03 Rev B received 27th May 2021;
- o Mitigation Woodland Planting Scheme received 5th October 2021;
- o Location Plan P21-0131_07 Rev B received 5th October 2021.

Reason: For the avoidance of doubt and in the interest of proper planning. Mitigation Strategy to be implemented within the first planting season following the development.

- Mitigation strategy

All mitigation works shall be completed in accordance with the approved mitigation strategy (P20-0131_02 received 19th April 2021) and the Mitigation Woodland Planting Scheme (Appendix A Mitigation Woodland Planting Scheme received 5th October 2021); within the first planting season following completion of building operations or such other timescale as to be agreed in writing by the Local Planning Authority. Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within 30 years of completion of the approved mitigation strategy scheme and mitigation woodland planting scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved except where agreed in writing as part of the requirements for maintenance and monitoring under condition 10 of this planning permission.

Reason: Landscaping is an integral element of achieving high quality design; mitigation is required to reduce the visual impact and improve biodiversity. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD. Archaeological investigation.

- PRow gate crossing

The gates for the public right of way crossing shall not be installed until details have been submitted to and approved in writing by the Local Planning Authority. Thereafter the

WESTERN AREA PLANNING COMMITTEE - 23 NOVEMBER 2022 - MINUTES

gallop shall not be brought into use until the gate crossings have been provided in accordance with the approved details.

Reason: To protect users of the public right of way. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy (2006-2026). Provision of a construction ecology management plan.

- Archaeology

No further development including site clearance shall take place within the application area until a Stage 1 written scheme of investigation (Wintertree Software Inc.) has been submitted to and approved by the local planning authority in writing. For land that is included within the Wintertree Software Inc. no further development shall take place other than in accordance with the agreed Wintertree Software Inc., and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by Stage 1, then for those parts of the site which have archaeological interest a Stage 2 Wintertree Software Inc. shall be submitted to and approved by the local planning authority in writing. For land that is included within the Wintertree Software Inc. no site clearance work or development shall take place other than in accordance with the agreed Wintertree Software Inc., which shall include:

A. The Statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 Wintertree Software Inc..

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 199 of the National Planning Policy Framework (2019) and is in accordance with the requirements of Policy CS19 of the West Berkshire Local Plan (2006-2026).

- Tree Protection

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

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the National Planning Policy Framework, and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. Provision of a plan detailing use by other trainers.

WESTERN AREA PLANNING COMMITTEE - 23 NOVEMBER 2022 - MINUTES

- CEMP

No further development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not take place without the full implementation of the CEMP, and the incorporating of all measures prescribed therein. As a minimum the CEMP shall include:

- (a) Risk assessment of potentially damaging construction activities;
- (b) Identification of biodiversity protection zones;
- (c) Practical measures to avoid and reduce impacts during construction;
- (d) The location and timing of sensitive works to avoid harm to biodiversity features;
- (e) The times during construction when professional ecologist supervision is required;
- (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

Reason: To conserve and enhance local biodiversity. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

- LEMP

No further development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not take place without the full implementation of the LEMP, and the incorporating of all measures prescribed therein. As a minimum, the LEMP shall include:

- (a) Measures required in connection with the approved ecological enhancement plan, together with associated landscaping;
- (b) Landscaping of approved sustainable drainage features;

Reason: To ensure the conservation and enhancement of local landscape and biodiversity assets affected by the proposed development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

- Materials

The materials to be used in the development hereby permitted shall be as specified on the plans and/or the application forms.

Reason: To ensure that the materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

- Gallop use

The development shall not to be taken into use until details have been provided of how the gallop track will be made available for the use of other trainers in the local area.

Reason: In order to reduce highways impact from the use of horseboxes arriving and leaving the site and to bring economic benefit to the wider area. This condition is applied

WESTERN AREA PLANNING COMMITTEE - 23 NOVEMBER 2022 - MINUTES

in accordance with the National Planning Policy Framework, Policies CS12, CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

- Monitoring and maintenance of trees

The development shall not be taken into use until a strategy for the monitoring and maintenance of trees on the site and included within the mitigation strategy and mitigation woodland planting for a period of 30 years has been provided. Thereafter monitoring and maintenance shall be carried out in accordance with the approved strategy.

Reason: To ensure the protection and longevity of trees identified for retention and planting at the site in accordance with the National Planning Policy Framework, and Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

(The meeting commenced at 6.37pm and closed at 8.30pm)

CHAIRMAN

Date of Signature