

Notice of Meeting



Scan here to access the public documents for this meeting

Western Area Planning Committee

Wednesday 4 April 2018 at 6.30pm

**in the Council Chamber Council Offices
Market Street Newbury**

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.

Further information for members of the public

Note: The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded. Those taking part in Public Speaking are reminded that speakers in each representation category are grouped and each group will have a maximum of 5 minutes to present its case.

Plans relating to the Planning Applications to be considered at the meeting can be viewed in the Council Chamber, Market Street, Newbury between 6.15pm and 6.30pm on the day of the meeting.

No new information may be produced to Committee on the night (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they must provide such material to planning officers at least 5 clear working days before the meeting (in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).

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

Email: planapps@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 Rachel Craggs on (01635) 519441 Email: rachel.craggs@westberks.gov.uk

Date of despatch of Agenda: Friday, 23 March 2018



Agenda - Western Area Planning Committee to be held on Wednesday, 4 April 2018
(continued)

- To:** Councillors Jeff Beck, Dennis Benneyworth, Paul Bryant (Vice-Chairman), Hilary Cole, James Cole, Billy Drummond, Adrian Edwards, Paul Hower, Clive Hooker (Chairman), Anthony Pick, Garth Simpson and Virginia von Celsing
- Substitutes:** Councillors Howard Bairstow, Jeanette Clifford, James Fredrickson and Mike Johnston
-

Agenda

Part I

Page No.

1. **Apologies**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 7 - 38
To approve as a correct record the Minutes of the meeting of this Committee held on 21 February 2018 and 14 March 2018.
3. **Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
4. **Schedule of Planning Applications**
(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications).
 - (1) **Application No. and Parish: 18/00223/FULD - Chieveley** 39 - 58

Proposal:	Erection of a detached dwelling, garaging and associated works
Location:	Land adjacent to Morphe, Downend, Chieveley
Applicant:	Charles Manly and Jane Parkin
Recommendation:	The Head of Planning and Countryside be authorised to APPROVE PLANNING PERMISSION
 - (2) **Application No. and Parish: 17/02772/FULC - Hampstead Norreys Parish Council** 59 - 84



Agenda - Western Area Planning Committee to be held on Wednesday, 4 April 2018
(continued)

Proposal:	Change of use of a grain storage building to B8 use class.
Location:	The Grain Store, Wyld Court Farm
Applicant:	Empire State Land Company
Recommendation:	To DELEGATE to the Head of Development and Planning to APPROVE PLANNING PERMISSION subject to conditions

(3) **Application No. and Parish: 17/01550/FULEXT - Greenham**

85 - 110

Proposal:	Change of use of agricultural land to land for siting 40 additional holiday lodges, construction of access road, parking spaces and hard standing bases and associated landscape planting and infrastructure
Location:	Land South of Lower Farm, Hambridge Lane, Newbury
Applicant:	West Berkshire Council
Recommendation:	To DELEGATE to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the schedule of conditions (Section 8.1) and the completion of a planning obligation (Section 8.2) by 30 th April 2018. OR If the planning obligation is not completed by 30 th April 2018, DELEGATE to the Head of Planning and Countryside to REFUSE PERMISSION , given the failure of the application to mitigate the impact of the development on the local Infrastructure and services as set out in Section 8.3, where expedient.

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.

Andy Day
Head of Strategic Support

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.

This page is intentionally left blank

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, 21 FEBRUARY 2018

Councillors Present: Howard Bairstow (Substitute) (In place of Virginia von Celsing), Jeff Beck, Dennis Benneyworth, Paul Bryant (Vice-Chair, in the Chair), Hilary Cole, James Cole, Adrian Edwards, Anthony Pick and Garth Simpson

Also Present: Sharon Armour (Solicitor), Derek Carnegie (Team Leader - Development Control), Linda Pye (Principal Policy Officer) and Jo Reeves (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Billy Drummond, Councillor Paul Hewer, Councillor Clive Hooker and Councillor Virginia von Celsing

PART I

40. Minutes

The Minutes of the meeting held on 17th January 2018 were approved as a true and correct record and signed by the Chairman.

41. Declarations of Interest

There were no declarations of interest received.

42. Schedule of Planning Applications

(1) **Application No. and Parish: 17.02916 Glendale Manor, Cold Ash, RG18 9PB**

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 17.02916 in respect of a proposed first floor extension to the current bungalow and associated alterations. The entire property would be rendered and the existing access widened.
2. Derek Carnegie introduced the report and update sheet to Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report set out that the development was acceptable and conditional permission was justified due to the large plot and site characteristics. The proposal would not cause demonstrable harm to neighbouring amenity or the character of the area. The proposal accorded with the NPPF (2012) and Policy CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).
3. Amendments to the development had been secured on 18th December 2017 which included reducing the height of the south wing of the dwelling by 0.9 metres. The windows on both the north and south elevation would be obscure glazed and obscure glazed privacy screens would be erected at both ends of the balcony to ensure that there was no overlooking on neighbouring amenities. The decking and raised terrace had been removed from the proposal.
4. Collaroy Road was characterised by detached two-storey dwellings in a variety of styles. Dwellings on the east of Collaroy Road predominantly had low hedges and

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

boundary walls on the front boundary. The bungalow was located on a large plot – this plot had been divided into two as planning permission had been granted in 2017 for a new dwelling to the south of Glendale Manor (16/03610/FULD).

5. The Planning Officer stated that this was a complex design but the application site was in a mixed use area and the dwelling would sit back 2.6m from the road. The land sloped downwards and therefore would not intrude on the street scene. Concerns raised around overdevelopment were unfounded as this was a large plot and two storey developments were common in Collaroy Road. It was considered that the TPO trees on the site would not be affected by the development. The SuDS Officer was confident that the provision would be sufficient.
6. The Planning Officer felt that all concerns raised in the letters of objection had been resolved. The Committee might want to consider amending Condition 4 in respect of the window on the northern side so that it was fixed closed.
7. In accordance with the Council's Constitution, Councillor Gillian Hall, Parish Council representative, Mr. Philip Greatrix, objector, and Mr. Stephen Hammond, applicant, addressed the Committee on this application.
8. Councillor Gillian Hall in addressing the Committee raised the following points:
 - Changing a bungalow into a house would not be successful;
 - The roof was a jumble of elevations – it should complement the neighbouring properties but it did not and was an ugly mixture;
 - The large window to the front of the house would be close to the road and there would therefore be a loss of privacy;
 - The balcony would mean that there would be a loss of privacy to Alamein and to the house yet to be built;
 - The weight of the Village Design Statement had not been taken seriously where it stated that extensions should be in keeping and in proportion to the existing building;
 - Councillor Hall referred to the protection of the trees and queried who would check that the roots of the two trees with a TPO would not be damaged. The village of Cold Ash valued all of its trees;
 - Councillor Hall stated that when a nearby development had been constructed then construction vehicles had blocked the highways.
9. Councillor Garth Simpson asked if Councillor Hall could elaborate in respect of her concerns for the trees on the property and the style of the roof. Councillor Hall stated that Cold Ash was a wooded parish and in particular the two trees with Preservation Orders were fine specimens and it would cause distress to the community if the trees were damaged during construction. In terms of the roof style she had not expected to see twelve changes in roof height which would create an unacceptable melee.
10. Councillor Adrian Edwards noted that the Tree Officer referred to two trees which had Tree Preservation Orders (an oak and an ash) and he asked Councillor Hall if those were the trees she was referring to. She confirmed that that was the case and her concerns were around building materials and vehicles using the site damaging the roots.
11. Mr. Philip Greatrix in addressing the Committee raised the following points:

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

- Mr. Greatrix confirmed that he lived next door to the development site in Alamein and had moved into the property in June 2015;
 - Mr. Greatrix was also objecting on behalf of existing neighbours. It was unfortunate that Mr. John Cleator had not been able to attend to speak as he was a long standing resident;
 - Mr. Greatrix was also objecting on behalf of future owners and in particular those neighbours who would be occupying the new house to the south of the site;
 - The Parish Council had been unanimous in its objection to this proposal;
 - No-one would object to a development which was thoughtful. The bungalow was in need of renovation but the current design had received so many objections in respect of being out of character with the surrounding area, design, effects on neighbours and road safety;
 - An extension would normally be subservient to the existing building but this was not the case in respect of this application;
 - The proposed development included three flat roofs with no additional bedrooms added and therefore it was a poor use of space;
 - The design of the dwelling would be out of keeping with the street scene as although a number of houses in Collaroy Road were partially rendered this dwelling would be fully rendered in a champagne colour;
 - The style of window at the front of the dwelling was large and dominating and would force people who were walking by to look in;
 - The balcony to the rear of the property would impact on the privacy of Mr. Greatrix's property and garden as shown on the drawings attached to the Update Sheet;
 - In respect of Bedroom 2 it was proposed that the window should be obscure glazed. Mr. Greatrix felt that this type of glazing was not suitable for a bedroom window and that skylights should have been considered instead.
12. Councillor Anthony Pick noted that it mentioned in the report that neighbouring properties were partly brick and partly rendered and he therefore asked why Mr. Greatrix was objecting to the design of this dwelling. Mr. Greatrix responded that if the property was part rendered it would be more in keeping with the street scene.
13. Councillor Jeff Beck noted that Mr. Greatrix had mentioned the potential obscure glass not being acceptable in Bedroom 2. Mr. Greatrix said that it would be unfair to the current or any future occupiers of the property to have a window in the bedroom which they would not be able to look out of or to potentially open. He could understand the need for obscure glass in a bathroom but not the bedroom. He also mentioned that the obscurity glass at each end of the balcony offered no protection in terms of privacy and it would have been better if the balcony had been brought back a bit. Councillor Garth Simpson queried whether the balcony mitigation was sufficient for the new house as that would be closer to the development site. Mr. Greatrix confirmed that the visibility splays had been taken from the other end of the balcony and therefore the obscure glass screens would in effect be useless.
14. Councillor Adrian Edwards noted that Mr. Greatrix had mentioned the height of the windows at the front of the property. Mr. Greatrix confirmed that there would be a number of large windows above the front door and that people walking by would be able to look directly into the property. Privacy went both ways and it was not fair to

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

- force people to look in. If the proposal was to include a requirement that these windows should be obscure glazed then that would be fine but if it was left to the applicant to put up curtains then this would probably not happen.
15. Councillor James Cole noted that Mr. Greatrix did not like the idea of obscure glazing at either end of the balcony and he asked if it would be better if it was bricked up. Mr. Greatrix stated that this would not help due to the visibility splays. He had no issue with a balcony but he questioned why it needed to be so big.
 16. Councillor Cole asked if the render in the rest of the road was grey or white? Mr. Greatrix replied that the render was white. However, render often hid some issues underneath.
 17. Mr. Stephen Hammond in addressing the Committee raised the following points:
 - In 2012 Mr. Hammond had bought Glendale Manor as his forever home. The property had rear inspiring views across the paddock and was a special place to live;
 - However, the property was run down and still was to a certain extent. Significant work had had to be undertaken in order to ensure that the property was functional;
 - He had submitted a planning application for a proposed additional dwelling on the site which had been approved in 2017 and he had consequently sold the land in order to fund improvements to his property;
 - He had asked his architect to design a modern property and the design before Committee that evening was modern and took advantage of the views from the site;
 - The proposed design was in keeping with the property to be developed to the south;
 - Six letters of objection had been received and amendments had been made to the drawings to accommodate concerns whilst satisfying planning guidance;
 - In respect of concerns around overlooking from the balcony – he and his wife had looked out of the loft window. Due to high fencing between his property and the neighbouring property all that could be seen was a stack of wood 6-8ft tall. He had submitted a photo and drawing but it had not been included in the Update Sheet as it was outside of the five day deadline;
 - There had to be a presumption around some degree of overlooking;
 - Mr. Hammond's bungalow was next to a two storey dwelling and it was therefore overlooked by their bedroom windows;
 - The issue around overlooking must have been acceptable when the new dwelling to the south had been approved in 2017.
 18. Councillor Anthony Pick noted that the single storey north wing of the property would remain the same but this was not the case for the southern wing which had three windows on the side elevation. He asked if those windows would be obscure glazed. Mr. Hammond confirmed that that was the case. Councillor Pick asked how high the balcony would be. It was noted that it was 1.8m high. Mr. Hammond stated that screening was irrelevant as when one stood at balcony level it was not possible to see over the neighbouring garden. However, on the southern side there would be an impact and he would include obscure glass on that side.

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

19. Councillor Jeff Beck raised the issue of the obscure windows and in particular the bedroom one which would also potentially be fixed closed. He queried whether it was a good idea to allow bedrooms like that to be built where it was not possible for the occupant to look out of or to get any fresh air. Mr. Hammond stated that both the architect and the regulations would prefer not to have bedroom windows of this nature but the property was overlooked significantly from all three neighbouring houses. Concerns raised by local residents had resulted in the amended drawing and obscure windows had been proposed to satisfy the requirements of privacy.
20. Councillor Garth Simpson asked why the decking and raised terrace had been removed from the proposal. Mr. Hammond replied that the architect had said that the back garden was something that could be addressed at a later stage. The Tree Officer had requested a detailed scheme of landscaping for the site in any event and therefore those issues would be dealt with in satisfying that condition. Councillor Simpson queried whether it was Mr. Hammond's intention to have a brick built terrace. Councillor Paul Bryant advised that the Committee could not consider what the applicant might do in the future and if an application came forward for the terrace then it would be considered on its own merits.
21. Councillor Adrian Edwards noted that the Parish Council had objected about potential damage to trees which had a Preservation Order and he queried whether the decking would impact the tree on the northern boundary. Mr. Hammond stressed that the decking had been withdrawn from the application. The Tree Officer had stated that he would require information to see whether any building materials would impact on the oak. He would be happy to comply with whatever was required in order to protect the trees. Councillor Edwards also referred to the objection around people being able to look in the large windows to the front of the property. Mr. Hammond stated that many town houses were close to the road and people would be able to look in. People overcame that by putting up net curtains but Mr. Hammond was considering using glass which became obscure at the flick of a switch but that was obviously dependent on cost.
22. Councillor Paul Bryant asked why it had been decided to render the front wall. Mr. Hammond replied that it was to ensure that the property was in keeping with neighbouring properties. Champagne rendering was also proposed for the new house to the south.
23. Councillor Garth Simpson, Ward Member, in addressing the Committee raised the following points:
 - Councillor Garth Simpson stated that Mr. Hammond was right to develop the property and the basis of the development was a conversion from a bungalow to a house. The development of the bungalow was historically long and convoluted and he had a number of concerns;
 - Councillor Simpson agreed with the Parish Council that this was an overdevelopment of the site;
 - The roof lines were too complex and the development was outside of policy SPG 2004;
 - The Village Design Statement favoured 1.5 storey architecture with dormer windows and with less complex roof lines;
 - The proposed development had little compatibility with the street scene and the large floor to ceiling window would be incongruous in the area;

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

- The property was only set back 6.2m from the street and therefore the frontage would be very visible and close to the road;
 - The size of the balcony would be over powering;
 - Councillor Simpson felt that the new building to the south would be adversely impacted from the proposed development and he had issues with the design as he felt that it was too ambitious;
 - If Members were minded to approve the application then Councillor Simpson would like to see stringent traffic management in place during the build period.
24. Councillor Hilary Cole noted that reference was made to SPG 2004 and she queried whether that was a saved policy. The Planning Officer confirmed that it was guidance and had been superseded by the DPD. Councillor Cole also asked if the Planning Officer had paid adequate notice to the Village Design Statement and whether it was a material consideration. Derek Carnegie felt certain that the Case Officer would have looked at what type of development the community would like to see in their area. However, it was not always possible to tick every box. He referred to the diagram showing the design of the new building to the south which had been included in the Update Sheet and this showed that the design of that building was similar. If the Committee refused this planning application then the Inspector at appeal would query why this one had been refused when the other had been allowed.
25. Councillor Anthony Pick queried the height of the balcony and whether the windows not opening was a fire risk. The Planning Officer stated that the architect would almost certainly design some form of ventilation and that the fire risk would be the subject of the Fire Regulations. Councillor Pick queried what was meant by Collaroy Road being an unclassified road. It was advised that there were three types of classified roads – A, B and C. All other roads were unclassified. Councillor Pick referred to the three windows to the south of the dwelling which it was proposed should be obscure glazed. He asked if Officers felt that this would be over dominant. The Planning Officer confirmed that in making a recommendation for approval the Case Officer would have taken into consideration the impact of the design on the new property to the south. If people lived in a rural village then there would always be some element of impact on privacy. Councillor Pick also asked about potential damage to trees on the site. The Planning Officer confirmed that the Tree Officer would state how close the materials should be to the trees and how the development would be managed. Sharon Armour advised that one of the conditions referred to obscure glazing but it was a decision for Members as to whether they would be non-opening or not. Councillor Jeff Beck said that obscure glazing was common in bathrooms but less so in bedrooms and he asked if there were other similar examples. The Planning Officer confirmed that there were other examples and there had been several in recent months. Most people in villages accepted that net curtains and blinds were a simple way to protect privacy. He admitted that it was not normal to have obscure glazing in bedroom windows but the applicant had offered this as an option.
26. Councillor Garth Simpson referred to the Village Design Statement and the comment that it was not a 'material consideration' – he asked the Planning Officer for clarification. The Planning Officer confirmed that Officers would take them into account but that they did not carry the same weight as planning policy. They were however, a material consideration.

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

27. Councillor Garth Simpson asked if the Case Officer had taken into account the fact that people used their back gardens and he asked if full consideration had been given in respect of overlooking. He contended that the amenity to application number 03610 had been understated. The Planning Officer advised that it was not possible to dictate to a resident that they could not use the full extent of their garden. Councillor Simpson still felt that the visual impact had not been considered properly.
28. In considering the above application Councillor Garth Simpson said that all Members had heard the concerns around the quality of the design. Mr. Hammond had the right to develop his property which was in the Settlement Boundary. However, there were a number of reasons why the application should be refused. The proposal created a visually overdeveloped property which looked compromised. Application number 03610 was more impacted than Alamein and he felt that the balcony should be less bulky and intrusive. Councillor Simpson therefore recommended refusal and this was seconded by Councillor Jeff Beck. Should the application be approved he would like to know when construction work would start as he felt that robust traffic management would need to be put in place. The road had no pavements and therefore children could be at risk when walking to the nearby school. This school was a religious school with about 200 pupils. Some of those pupils would come from outside the area and would therefore need to be driven to school by their parents. The risk of traffic was therefore serious and problems had been experienced when the last development of three houses had been built in the area. The Highways Officer responded that this development would be smaller, but if Members wished the condition on temporary parking and turning could be replaced with a stronger Construction Management Plan condition. While such a condition was often difficult to enforce, it did at least make applicants and builders plan their work better.
29. The Planning Officer noted the reasons for refusal put forward by Councillor Simpson but they would be difficult to defend at appeal. The design of a property was subjective and what one person liked another might not. Councillor Simpson referred to the impact on the new dwelling to the south of the site but no design had yet been submitted. It was also noted that Councillor Simpson felt that the elevation to Collaroy Road was unacceptable but a similar design had been approved next door. The application would be difficult to refuse on design grounds and it was not an overdevelopment as the site was large.
30. Councillor Hilary Cole agreed that design was always subjective. She lived on a busy road and people could look into her property if they so wished. That was life and it was not up to others to comment about what was acceptable and what was not. This application seemed to revolve around a neighbour dispute. Councillor Cole's concern was around the obscure glazing and fixed windows and she asked if the conditions could be amended so that there was not obscure glazing.
31. Councillor Anthony Pick stated that he would not be able to support Councillor Simpson's approach. Whatever plan was suggested then the same constraints would apply and he felt that the roof design was quaint. Large windows at the front of the property were fashionable and popular in order to provide light. He was also concerned about the windows to the bedroom being fixed closed.
32. Councillor James Cole would support Councillor Simpson's proposal as he felt that the application did not take into account the Village Design Statement and the extension was not subservient to the original property. Too much was being

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

- crammed into the site. He was not in favour of obscure glass but he could understand the need in this case.
33. In response to a query from Councillor Adrian Edwards on the design of the new build it was confirmed that the design was not as complex as the current application.
 34. Councillor Garth Simpson referred to a photograph of the site which illustrated the plot size of the dwelling the subject of application number 03610. He still felt that the visual impact of the balcony was a concern.
 35. Councillor Paul Bryant felt that it would be difficult to support refusal at appeal. This property had a large amenity space in modern standards and even if the design was complex then it would not necessarily be obtrusive in the street scene.
 36. Councillor Garth Simpson proposed refusal of the application and this was seconded by Councillor Jeff Beck although he stated that he was not in agreement with the obscure glazed windows.
 37. The motion for refusal of the application was put to the Committee and was lost on the vote. Councillor Hilary Cole made a counter proposal to accept the Officer Recommendation for approval of the application but that the condition around obscure glazing and the fixing closed of the windows be removed. This was seconded by Councillor Dennis Benneyworth.
 38. Councillor Dennis Benneyworth was sympathetic with the comments made by Councillor Garth Simpson but agreed that it would be difficult to defend at appeal. He asked if it would be possible to condition development traffic movements. The Highways Officer stated that Condition 8 could be strengthened to include construction management. It would be difficult to enforce but it might encourage the builder and the applicant to consider how the development would be built. Councillor Garth Simpson asked if he and the Parish Council could be informed when work started on site so that he could liaise with the school and ideally he would like some lead in time. Councillor Paul Bryant stated that this was not something that could be imposed on the developer but the Planning Officer confirmed that he would try and ensure that Councillor Simpson was advised of the start date as he would know when the discharge of application notice came in.
 39. The Chairman invited the Committee to vote on the proposal of Councillor Hilary Cole as seconded by Councillor Benneyworth to approve planning permission. At the vote the motion was carried.
 40. The Planning Officer thanked Gemma Kirk, the Case Officer, for all her hard work and demeanour on such a complex application.

RESOLVED that the Head of Development and Planning be authorised to grant planning permission subject to the following conditions:

Conditions:

1. The development hereby permitted shall be started within 3 years from the date of this permission and implemented in strict accordance with the approved plans.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved drawings listed below:
 - (i) Location Plan (1:1250) 2775-01C received on 04.12.2017;

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

- (ii) Block Plan (1:200) 2775-04E received on 18.12.2017;
- (iii) Proposed 2775-04E received on 18.12.2017.

Reason: To ensure that the development is constructed in accordance with the submitted details assessed against Policies CS14 and CS19 of the West Berkshire Core Strategy (2006 - 2026).

3. The materials to be used in the development hereby permitted shall be as specified on the approved plans.

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 (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006), Supplementary Planning Guidance 04/2 House Extensions (July 2004) and Cold Ash and Ashmore Green Village Design Statement (2002).

4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no development which would otherwise be permitted by Schedule 2, Part 1, Classes A, B, D, E of that Order shall be carried out, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overdevelopment of the site and in the interests of respecting the character and appearance of the surrounding area. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 of the West Berkshire Core Strategy (2006-2026), Supplementary Planning Document Quality Design (June 2006).

5. No demolition or construction works shall take place outside the following hours:

7:30am to 6:00pm Mondays to Fridays;
8:30am to 1:00pm Saturdays;
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026).

6. The gradient of private drives shall not exceed 1 in 8 or, where buildings are likely to be occupied by the mobility impaired, 1 in 12.

Reason: To ensure that adequate access to parking spaces and garages is provided. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

7. The development shall not be brought into use until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

8. 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. When appropriate, the statement shall provide for:
- (a) The parking of vehicles of site operatives and visitors
 - (b) Loading and unloading of plant and materials
 - (c) Storage of plant and materials used in constructing the development
 - (d) 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) Timing of deliveries

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 (March 2012), 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).

9. No development (including site clearance and any other preparatory works) shall commence on site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. 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.

Note: The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012.

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 NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

10. No development or other operations shall commence on site until a detailed scheme of landscaping for the site is 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 programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;
- a) Completion of the approved landscape scheme within the first planting season following completion of development.

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

- b) Any trees shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

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

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
- e) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than Greenfield run-off rates;
- f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- g) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- j) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;

The above sustainable drainage measures shall be implemented in accordance with the approved details before the building hereby permitted is occupied and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained in the approved condition thereafter/The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is 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 (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

Informatives:

1. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

development which improves the economic, social and environmental conditions of the area.

2. The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil
3. 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 underground services on the applicant's behalf.
4. 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.
5. The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
6. In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority.

(2) **Application No. and Parish: 17.03285 10-12 Old Station Business Park, Wilson Close, Compton, RG20 6NE**

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 17/03285/FUL in respect of a section 73A application for variation of Condition 4: External lighting, of planning permission 00/00964/FUL – Construction of three two storey light industrial units in one block of three units at 10-12 Old Station Business Park, Compton, Berkshire.
2. In accordance with the Council's Constitution, Mrs Alison Strong, Parish Council representative, Dr Stephen Knowles and Mrs Rashmi Knowles, objectors, and Mr Matt Fenton, applicant, addressed the Committee on this application.
3. Derek Carnegie introduced the report to the Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable.
4. Mrs Strong in addressing the Committee raised the following points:
 - Compton Parish Council welcomed the opportunity to review the application as there were additional requirements to protect residents from light pollution and encroachment.
 - There had been a number of retrospective applications over the 18 year site history.
 - The development would be detrimental to the village street scene.

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

- The access road had no road markings and a blind corner so the increased traffic would put school children walking to school at risk of harm.
 - The Parish Council requested:
 - A condition regarding the tilt and hours of operation for the external lighting.
 - Active involvement from Building Control
 - The prior screening condition to be enforced
5. Councillor Anthony Pick asked for more information regarding the risk of light pollution. Mrs Strong explained that there was light pollution from the existing units that had been built out on the site.
6. Dr and Mrs Knowles, in addressing the Committee, raised the following points:
- The site was positioned at a high elevation over the village and any external lighting would be highly visible from the High Street and Compton's conservation area.
 - They would like no lighting to be installed on the unit's western side as this would have the most significant impact on wildlife.
 - The lighting on the existing units was on outside of the hours of operation in the application before the Committee.
 - The landscaping and screening required by a previous condition had not been planted.
 - The access was a single lane on a blind bend and there was no footpath.
 - The development would lead to an increase in traffic volume. Traffic calming measures should be conditioned.
7. Councillor Beck asked what the difference in the number of parking spaces was between the original and amended application. Dr Knowles advised that 38 were originally proposed and it was now 48 spaces. Derek Carnegie advised that the application regarding parking spaces had been withdrawn.
8. Councillor Paul Bryant asked whether both bollard and passive infrared (PIR) would be unacceptable to the objectors. Dr Knowles advised that bollard lighting would be acceptable as it would be at a low level and not visible from the village. They objected to a fixed light on the side of the unit.
9. Mr Fenton in addressing the Committee raised the following points:
- The application was to vary the wording of condition four of the original permission in order to allow details of the lighting scheme to be submitted after commencement of the development instead of before. The development had been commenced by laying foundations in 2004.
 - The application was not to approve a particular lighting scheme.
 - The lighting scheme would be submitted to the Council before the units were brought into use.
 - There did not seem to be any objections to the application to vary the wording of condition four, although other concerns had been expressed.
10. Councillor Pick suggested that the lighting scheme included motion sensor lighting. He asked whether the landscaping condition would be fulfilled. Mr Fenton replied that he would comply with the condition.

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

11. Derek Carnegie clarified that technically the development had commenced without details of the lighting scheme. Mr Fenton advised he would take into account the views of residents when designing the lighting scheme.
12. Councillor Adrian Edwards asked what the external lighting was required for. Mr Fenton advised that it was for security purposes.
13. Councillor Garth Simpson asked how the historic complaints of residents could be addressed. Derek Carnegie advised that the original application was approved some 18 years previously so it too late to take enforcement action.
14. Councillor Bairstow expressed the view that there was no need for lights on the western side of the unit because the entrance was to the south. Mr Fenton agreed and would take this into account when designing the lighting scheme.
15. Councillor Bryant stated that he was surprised that the committee were able to add another recommendation regarding landscaping. Derek Carnegie advised he had confidence in the case officer that the condition was appropriate and enforceable.
16. Councillor Hilary Cole proposed that the Committee accept the officer's recommendation to grant planning permission. The proposal was seconded by Councillor Pick.
17. Councillor Pick expressed concern regarding the site history. Councillor Bryant stated that he hoped the applicant would take the residents comments on board.
18. At the vote the motion was carried unanimously.

RESOLVED that the Head of Development and Planning be authorised to grant planning permission subject to the following conditions:

Conditions:

Approved plans

The development shall be carried out in accordance with drawings 1391/50, 1391/52, 1391/53 rev B, 1391/54 rev B, 1391/56, 1391/57, 1391/58 received on 21 November 2017.

Reason: To ensure that the development is carried out in accordance with the submitted details assessed against the National Planning Policy Framework 2012, Policies ADPP1, ADPP5, CS 9, CS 13, CS 14, CS 18 and CS 19 of the West Berkshire Core Strategy 2006-2026, policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.

Materials

The materials to be used in the construction of the external surfaces of the building shall match the existing units within the Old Station Business Park.

Reason: To ensure that the external materials are visually attractive and respond to local character in accordance with the National Planning Policy Framework 2012, policies ADPP1, ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and the Quality Design Supplementary Planning Document 2006.

Landscaping

All landscape works shall be completed in accordance with the submitted plans, and supporting information. The approved landscape works shall be implemented within the first planting season following the first use of the development or in accordance with a programme submitted prior to the first use of the development and approved in writing by the Local Planning Authority.

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

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

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the National Planning Policy Framework 2012, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, and Supplementary Planning Document Quality Design 2006.

External Lighting

The use shall not commence until details of the external lighting to be used in the areas around and on the building, including details of their relationship to/impact on nearby residents have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved scheme before the use is commenced. No external lighting shall be installed except for that expressly authorised by the approval of details as part of this condition.

Reason: To protect the amenities of nearby land users and the character of the area. Inappropriate external lighting would harm the special rural character of the locality. This condition is imposed in accordance with the National Planning Policy Framework 2012, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and OVS.5 of the West Berkshire District Local Plan Saved Policies 2007.

Hours of Work

No construction works shall take place outside the following hours:

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

8:30am to 1:00pm Saturdays;

nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework 2012, Policy CS14 of the West Berkshire Core Strategy 2006-2026 and Policy OVS.6 of the West Berkshire District Local Plan Saved Policies 2007.

Land Contamination

Should any unforeseen contamination be encountered during the development, the developer shall inform the Local Planning Authority immediately. Any subsequent investigation/remedial/protective works deemed necessary by the Local Planning Authority shall be carried out to agreed timescales and approved by the Local Planning Authority in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the Local Planning Authority upon completion of the development.

Reason: To protect the amenities of future occupiers of the site in accordance with policy CS14 of the West Berkshire Core Strategy 2006-2026, policy OVS.5 of the West Berkshire District Local Plan Saved Policies 2007, and the National Planning Policy Framework 2012.

Parking

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

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

and turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework 2012, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007.

Plant Machinery

No plant shall be installed on site until details have been submitted to and approved in writing by the Local Planning Authority. The plant and measures to minimise the effect of noise shall be installed prior to the operation of the plant in accordance with the approved details. Details of the plant shall include:

(a) written details concerning any proposed air handling plant associated with the development including

(i) the proposed number and location of such plant as well as the manufacturer's information and specifications

(ii) the acoustic specification of the plant including general sound levels and frequency analysis under conditions likely to be experienced in practice.

(iii) the intended operating times.

(b) The findings of a noise survey to determine noise levels in the vicinity of the proposed development and calculations showing the likely impact of noise from the development;

(c) a scheme of works or such other steps as may be necessary to minimize the effects of noise from the development;

Reason: To protect the amenity of residents and nearby land users in accordance with the National Planning Policy Framework 2012, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5 and OVS.6 of the West Berkshire District Local Plan Saved Policies 2007.

Hours of Operation

The use of the premises shall not operate outside the following hours:

07:00 to 21:00 Mondays to Fridays, 08:00 to 18:00 on Saturdays and not at any time on Sundays and Bank or Statutory Holidays.

Reason: To protect the amenity of residents and nearby land users in accordance with the National Planning Policy Framework 2012, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and Policy OVS.6 of the West Berkshire District Local Plan Saved Policies 2007.

Informatives:

Public Rights of Way

(3) Application No. and Parish: 17.03427 Newbury Rugby Club, off Monks Lane, Newbury

1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 17/03427 in respect of the change of use of part of the car park at Newbury Rugby Club to commercial use for West Berkshire Transport Operations Team.

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

2. In introducing the report the Planning Officer stated that this was a major application by the Local Authority to make part of a parking area available for use by public service vehicles. It was considered that there would be limited impact on traffic flows. Greenham Parish Council had raised an objection in relation to the access road and that it was too small to take the additional traffic generated. However, the parking would be for around 25 minibuses and vans which would be leaving the site early in the morning and returning late in the afternoon and therefore there would not be a significant conflict in terms of traffic movement.
3. Councillor Paul Bryant noted that there was also a care home in the vicinity and he asked if consideration had been taken into account in relation to the cumulative effect. The Highways Officer stated that there were concerns about the junction onto Monks Lane but traffic movements would be in off peak hours and therefore it was felt that the impact would not be significant. Traffic volume for the nursing home was also low.
4. Councillor Hilary Cole asked why the red line included the grandstand if the proposal was only for parking of service vehicles. Sharon Armour confirmed that there would be some use of an office within that area.
5. Councillor Jeff Beck was disappointed that no-one from the Transport Officer Team was present at the meeting to answer questions. It gives the impression that the Committee would rubber stamp the application. Also neither of the Ward Members had felt that it was necessary to attend the meeting.
6. Councillor Adrian Edwards asked whether David Lloyd Leisure had been consulted on the proposal as that venue was open from 6.30am until 10.00pm and therefore there would be a conflict of traffic. The Highways Officer responded that traffic at off peak times would still be less. He confirmed that David Lloyd had been consulted but had not submitted any comments.
7. Councillor Howard Bairstow felt that this proposal benefitted both the Rugby Club and the Council. It gave the Rugby Club additional income and also provided a space for public vehicles to park. The site was remote and secure.
8. Councillor Anthony Pick supported the comments made by Councillor Edwards and that all neighbours should be consulted on the proposals.
9. Councillor Anthony Pick proposed that the Committee accept the officer's recommendation to grant planning permission. The proposal was seconded by Councillor James Cole. The Chairman invited the Committee to vote on the proposal; at the vote the motion was carried.

RESOLVED that the Head of Development and Planning be authorised to grant planning permission subject to the following conditions:

Conditions

1. The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.
Reason: To enable the Local Planning Authority to review the desirability of the development against the advice in the DMPO of 2015, should it not be started within a reasonable time.
2. No development shall commence until a scheme to indicate a physical barrier no more than 0.5m high to be constructed a minimum of 10m distance from the boundary of the woodland to the south of the application site along the south boundary has been submitted to and approved in writing by the Council. This

WESTERN AREA PLANNING COMMITTEE - 21 FEBRUARY 2018 - MINUTES

scheme shall then be implemented prior to the first use of the car park hereby permitted.

Reason: To protect the margins of the woodland to the south in accord with policy CS17 in the WBCS 2006 to 2026.

- 3 No development shall commence on the site until a scheme to improve the current hard surface of the application site has been submitted to and agreed in writing by the LPA. Before the car park is put to use, the hard surface shall be laid down to the satisfaction of the Council.

Reason: To ensure the parking surface is suitable for vehicle parking in accord with policy CS13 in the WBCS of 2006 to 2026.

43. Appeal Decisions relating to Western Area Planning Committee

Members noted the outcome of appeal decisions relating to the Western Area.

(The meeting commenced at 6.30 pm and closed at 9.10 pm)

CHAIRMAN

Date of Signature

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, 14 MARCH 2018

Councillors Present: Jeff Beck, Dennis Benneyworth, Paul Bryant (Vice-Chairman), Hilary Cole, James Cole, Billy Drummond, Adrian Edwards, Paul Hewer, Clive Hooker (Chairman), Anthony Pick, Garth Simpson and Virginia von Celsing

Also Present: Jake Brown (Senior Planning Officer), Derek Carnegie (Team Leader - Development Control), Paul Goddard (Team Leader - Highways Development Control), Jo Reeves (Principal Policy Officer) and Shiraz Sheikh (Principal Solicitor)

PART I

44. Minutes

Amendments were proposed to the Minutes of the meeting held on 21 February 2018 and it was concluded that they would be presented to the next meeting of the Committee for approval.

45. Declarations of Interest

Councillors Jeff Beck, Billy Drummond, Adrian Edwards and Anthony Pick declared an interest in Agenda Item 4 (1), but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

46. Schedule of Planning Applications

(1) Application No. and Parish: 17/03434/COMIND - Land South of Newbury College, Monks Lane, Newbury

(Councillors Jeff Beck, Adrian Edwards and Anthony Pick declared a personal interest in Agenda Item 4(1) by virtue of the fact that they were members of Newbury Town Council and in Councillor Beck and Pick's cases, members of the Planning and Highways Committee. They had previously considered the application, but reported that they would view the application afresh on its own merit. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.)

(Councillor Billy Drummond declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a member of Greenham Parish Council who had previously considered the application, but reported that he would view the application afresh on its own merit. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 17/03434/COMIND in respect of a proposal for the construction of a new on form entry single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping, construction of a temporary access to the school from the Newbury College site and a permanent access from

WESTERN AREA PLANNING COMMITTEE - 14 MARCH 2018 - MINUTES

the A339 to serve the allocated strategic housing site and form the permanent access to the school, construction of bunds adjacent to the temporary and permanent access roads to prevent access from the roads to private land at Land south of Newbury College, Monks Lane, Newbury.

2. In accordance with the Council's Constitution, Mr Peter Norman, objector, and Mr Jon Winstanley, Mr Bill Bagnell and Mr Greg Bowman, on behalf of the applicant (West Berkshire Council), addressed the Committee on this application.
3. Jake Brown introduced the report to the Members, which took account of all the relevant policy considerations and other material considerations. In conclusion the report detailed that the proposal was acceptable and a conditional approval was justifiable.
4. Councillor Clive Hooker noted that a previous application for a school on the site had been approved. The school itself proposed in the original application had not changed from the previous permission and the committee should focus on the changes in respect of the bunds, roads and fencing.
5. Paul Goddard was invited to make a comment on the highways matters. He advised that the traffic figures remained the same from the previous application. Also as per the previous application traffic would access the suite via the Newbury College for the first two years and by 2021 traffic would access via the new A339 access.
6. Mr Norman in addressing the Committee raised the following points:
 - It was accepted that Newbury needed a new school and the existing schools nearby were at capacity.
 - Although the land had been offered for a new primary school this did not mean the location was the right place for the new school.
 - The school's catchment area assumed 67% of school journeys would be made by car and this was in opposition to the objective in the National Planning Policy Framework to ensure facilities were in walking distance of properties.
 - The kiss and drop facility would be inadequate and the resultant traffic would cause congestion on the roads used by the traffic from the proposed Sandleford development.
 - The construction route and secondary access road would go past the Castle School post-16 facility.
 - The site of the school and its catchment area would increase use of the already strained road infrastructure.
 - The traffic figures were deemed inadequate for the Sandleford application but there had been no comment regarding the same figures for this application.
 - The school would not be able to meet the objectives of the Travel Plan as 67% of journeys would be made by car. The school would be more like Enborne in terms of access than nearby Falkland.
 - There was no nearby parking which would not expose children to air pollution and parents were likely to cause additional congestion on Monk's Lane by parking there.
 - The site would not enable a sense of community and the free space to be enjoyed by pupils would be reduced should the school become two-form entry.

WESTERN AREA PLANNING COMMITTEE - 14 MARCH 2018 - MINUTES

- The Committee should consider whether the plans had fully considered the needs of the children who attended the Castle School post-16 unit.
7. Councillor Hilary Cole stated that she appreciated Mr Norman's concerns and his views had been well documented. The issues for the Committee to consider were the bunds and access so while his points were valid, some were not relevant for the Committee's consideration. Mr Norman confirmed that at the site visit the Chairman had advised him that the Committee was considering the application in its entirety.
 8. Mr Winstanley, Mr Bagnell and Mr Bowman in addressing the Committee made the following points:
 - The changes to the previous application, which had been approved, were to include bunds and fencing to address security concerns raised by Newbury College.
 - The changes required meant that the application red line needed to be extended so the application was before the Committee on a technical point.
 9. Councillor Paul Bryant asked for confirmation that there had been a change to the kiss and drop arrangements. Mr Bagnell confirmed that under the previous application there had been no parking at the kiss and drop point. This had been revised and there was now provision for 12 parking spaces. Mr Bagnell also confirmed that sprinklers would be installed in the school.
 10. Councillor Jeff Beck expressed the view that the car parking had been grossly underestimated and sought a comment. Mr Bowman advised that the staff parking requirement had been calculated using the Council's policy and provided on space per full time employee and one space for every two part time employees. The school would set its own staffing levels. Councillor Hooker asked if an increase in pupil numbers would lead to an increase in staffing numbers. Mr Bowman confirmed that if the school were to become two form entry there would be additional staffing and schools sometimes chose to recruit additional support staff for children with high needs.
 11. Following a question from Councillor Adrian Edwards, Mr Bagnell confirmed the height of the bund would be one metre and a planting scheme was included in the application to replace the existing hedgerow along the A339.
 12. Councillor Pick enquired whether both collections from school and drop offs at school had been included in the traffic modelling. Mr Bagnell confirmed they had both been calculated.
 13. Councillor Billy Drummond sought clarification on the location of the footpath. Mr Winstanley indicated that it was on the eastern side of the A339.
 14. Councillor Garth Simpson asked how many parking spaces there would be on the site. Mr Bagnell advised there would be 24 staff car parking spaces and 12 spaces by the kiss and drop area. Councillor Simpson commented that he did not believe this to be adequate and predicted that there would be 78 cars dropping off their children.
 15. Councillor James Cole asked whether there would be any scope to increase the staff car park should the school expand. Mr Bagnell confirmed there were options should the school expand to two-form entry.
 16. Councillor Drummond in addressing the Committee as Ward Member made the following point:

WESTERN AREA PLANNING COMMITTEE - 14 MARCH 2018 - MINUTES

- The site was not ideal, particularly in respect of children walking to school, however the area badly needed a new school so he would support the application.
17. Councillor Pick asked if Councillor Drummond had a view on the issues the Committee had raised with the applicant. Councillor Drummond responded that he would like to see more parking spaces in the drop off area.
 18. Councillor Pick asked whether there would be sufficient parking for special events such as parent-teacher evenings. Paul Goddard explained that the education service had provided information regarding staffing and pupil numbers and Transport Policy estimated model share. From those the Highway Officers had deduced overall the expected traffic and parking numbers. The number of kiss and drop bays were increased from 6 to 13 from the previous application. At times, the 13 spaces would not be sufficient however parents could park on the access road to the West of the school if required. This would help to slow traffic on that road, but it will need to be widened to 7 metres in places to allow this parking and to enable two way traffic to pass.
 19. Councillor Pick further asked about modelling for arrivals and collections. Paul Goddard advised that it had not been done for parking accumulation purposes but rather for traffic movements in the am peak hours. There would be limited traffic generation from the school during the pm peak
 20. Councillor Pick questioned whether people walking to the school on Monks Lane would attempt to cross the road near Newbury College. Paul Goddard advised that with the Sandeford strategic site development, there would be required improvements to the junctions in the area, including pedestrian crossings at this location.
 21. Councillor Pick finally asked why the chestnut tree was being cut down to leave the stump. The report detailed that the tree was mainly dead.
 22. Councillor Hooker asked if there would be yellow lines on the access road. Paul Goddard advised there would be the usual markings immediately outside the school such as zig zag markings.
 23. Councillor Beck noted that on page 29 of the agenda a condition had been suggested by Royal Berkshire Fire and Rescue Service regarding fire hydrants and in the update sheet there was a request for a condition from Thames Water for a drainage strategy. He asked that these conditions be included should the Committee be minded to approve the application. Jake Brown noted that the existing permission for the school did not have those conditions but it was possible for the Committee to attach them for this application.
 24. Councillor Drummond asked what consideration had been given to air quality in the area. Paul Goddard advised that with any Sandeford planning application an Air Quality Assessment would be included and would be viewed by the Environmental Health Team.
 25. Councillor Edwards asked if it would be possible to have passing places on the access road. Paul Goddard advised the road would be widened to 7 metres in places to allow such parking.
 26. Councillor Beck noted figures on page 39 that traffic would tailback 466m on the A339 as a result of the application. Paul Goddard advised that a queue of that length already existed during peak times. It was a requirement of the Sandeford application to provide improvements at the A339 / Pinchington Lane junction. By

WESTERN AREA PLANNING COMMITTEE - 14 MARCH 2018 - MINUTES

way of mitigation, this planning application would provide a contribution of circa £143,000 towards the improvements.

27. Councillor Dennis Benneyworth noted that there was a hard sports court in the south east corner of the site which could be a temporary or overflow car park.
28. Councillor Bryant noted that the Committee had considered the application previously and while Members might consider the site to be the wrong place, they had to be led by education. He could not see an argument against the school per se and the main changes to the previous application were the bunds and drop off point. He proposed that the Committee accept officers' recommendations and approve the application. The proposal was seconded by Councillor Hilary Cole.
29. Councillor James Cole stated that he would support the motion and asked that officers continue to look into whether the parking provision could be improved. He did not see the parking to be a reason for refusal.
30. Councillor Pick noted that he had raised a number of issues and he was satisfied that enough had been done to allay his concerns.
31. Councillor Beck asked that conditions regarding fire hydrants and a drainage strategy be included. Councillors Bryant and Hilary Cole agreed.
32. The Chairman invited the Committee to vote on the proposal of Councillor Bryant, as seconded by Councillor Hilary Cole to approve planning permission. At the vote the motion was carried unanimously.

RESOLVED that the Head of Development and Planning be authorised to grant planning permission subject to the following conditions:

Conditions

1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2 Plans

The development hereby approved shall be carried out in accordance with drawing title numbers:

- Site Location and Existing Site Plan drawing number PL 002 rev. C;
- Proposed Site Plan drawing number PL003 rev. 5;
- Proposed ground Floor drawing number PL004 rev. 1;
- Roof Plan drawing number PL005 rev. 1;
- Sections drawing number PL007 rev. 1;
- Elevations drawing number PL006 rev. 1;
- Proposed Road Layout Signals drawing number PL011-27599-010 rev. B;
- Site Sections drawing number PL010 rev. 1;
- Tree Retention & Protection Plan drawing number LLD919/04 rev. 04;
- Landscape Masterplan Strategy drawing number LLD919/03 rev. 13 with respect to boundary treatments only;
- Site External Lighting Services Layout drawing number P15228-E97-00-01 rev. 12;
- Hard Surface Treatments drawing number LLD919-05 rev. 01;

WESTERN AREA PLANNING COMMITTEE - 14 MARCH 2018 - MINUTES

- Foul and Surface water Drainage (Sheet 1 of 3) drawing number 101:1 rev. P3;
- Foul and Surface water Drainage (Sheet 2 of 3) drawing number 101:2 rev. P1;
- Foul and Surface water Drainage (Sheet 3 of 3) drawing number 101:3 rev. P1;
- Site Sections drawing number PL010 rev.1.

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

3 Boundary treatment

The school hereby approved shall not be bought into use until the boundary treatments, to include external boundaries around the site and internal boundaries within the site, have been erected in accordance with the details shown on drawing number LLD919/03 rev.13 titled Landscape Masterplan Strategy. The boundary treatment shall thereafter be retained in accordance with the approved details.

Reason:The boundary treatments are an important element in the design of the scheme. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

4 Hard Surfacing

The school hereby approved shall not be bought into use until the areas of hard standing have been constructed in accordance with the details shown on drawing number LLD919-05 rev.01 titled Hard Surface Treatments. The areas of hard surfacing shall thereafter be retained in accordance with the approved details.

Reason: The areas of hardstanding are an important element of the design of the scheme. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

5 Materials

Construction of the school building shall not progress beyond the damp proof course level until samples and a schedule of materials to be used in the construction of the external surfaces of the proposed building have been submitted to and approved in writing by the Local Planning Authority. The building shall thereafter be constructed in accordance with the approved materials.

Reason: The materials are an important element in the design of the scheme. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

6 BREEAM

Evidence confirming that the development achieves a BREEAM Education rating of Excellent shall be submitted to the Local Planning Authority. The evidence required shall be provided in the following formats and at the following times unless otherwise agreed in writing by the Local Planning Authority:

WESTERN AREA PLANNING COMMITTEE - 14 MARCH 2018 - MINUTES

- 1) Evidence of Submission to the BRE for a Design Stage Assessment (or a copy of the Design Stage Certificate with Interim rating if available) shall be provided prior to First Occupation of the building.
- 2) Evidence of Submission to the BRE for a Post Construction Final Certificate shall be provided within 8 weeks of Occupation of the building.
- 3) A copy of the Final Certificate certifying that BREEAM Excellent has been achieved for the development, shall be provided within 12 Months of Occupation of the building.

Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

7 External Lighting

The school hereby approved shall not be brought into use until the external lighting to be used around the school has been installed in accordance with drawing number P15228-E97-00-01 rev 12 titled Site External Lighting Services Layout. No external lighting shall be installed on the building or across the site except for that expressly authorised by the approval of details as part of this condition. The approved external lighting shall thereafter be retained.

Reason: To have regard to the setting of the development and to protect the amenity of neighbouring occupiers and wildlife. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

8 Unforeseen contamination

Should any unforeseen contamination be encountered during the development, the developer shall inform the Local Planning Authority immediately. Any subsequent investigation/remedial/protective works deemed necessary by the Local Planning Authority shall be carried out to agreed timescales and approved by the Local Planning Authority in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the Local Planning Authority upon completion of the development.

Reason: In order to protect the amenities of futures users of the site in accordance with Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and the guidance within the National Planning Policy Framework.

9 Noise from services associated with new buildings

No plant as specified below shall be installed on the building until the following details have been submitted to and approved in writing by the Local Planning Authority:

- (a) written details concerning any proposed air handling plant, chillers or other similar building services including:

WESTERN AREA PLANNING COMMITTEE - 14 MARCH 2018 - MINUTES

(i) the proposed number and location of such plant as well as the manufacturer's information and specifications

(ii) the acoustic specification of the plant including general sound levels and frequency analysis under conditions likely to be experienced in practice.

(iii) the intended operating times.

(b) calculations showing the likely impact of noise from the development;

(c) a scheme of works or such other steps as may be necessary to minimise the effects of noise from the development;

The building shall not be used until written approval of a scheme under (c) above has been given by the Local Planning Authority and works forming part of the scheme have been completed.

Noise resulting from any other plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142, at a point one metre external to the nearest noise sensitive premises.

Reason : In the interests of the amenities of neighbouring occupiers in accordance with Policy OVS5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.

10 Hours of work

No construction works shall take place outside the following hours:

7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and no work shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.

11 Sport England

The school hereby approved shall not be bought into use until the playing fields within the school site have been provided in accordance with a construction and management plan that has first been submitted to and approved in writing by the Local Planning Authority.

The plan shall provide for:

(a) A detailed scheme which ensures that the playing field will be provided to an acceptable quality (in terms of soil structure, drainage, cultivation and other associated operations), informed by a detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field;

(b) Any community use arrangements;

(c) A programme of implementation.

The land shall thereafter be provided and maintained in accordance with the approved plan.

WESTERN AREA PLANNING COMMITTEE - 14 MARCH 2018 - MINUTES

Reason: To ensure the quality of the pitches is satisfactory, in accordance with Policy CS18 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.

12 Travel Plan

The school hereby approved shall not be brought into use until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented as approved on commencement of the use as a school and its provisions shall continue to be implemented thereafter.

Reason: To ensure the efficient function of the site and to promote sustainable forms of transport. 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).

13 Cycle Parking/Scooter Details

The school hereby approved shall not be brought into use until full details of the cycle and scooter parking and storage spaces have been submitted to and approved in writing by the Local Planning Authority. The school shall not be brought into use until the cycle and scooter parking and storage spaces have been provided in accordance with the approved details and the spaces shall be retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle and scooter storage spaces within the site. 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).

14 Tree Protection (scheme submitted)

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing number LLD919/04 rev. 04. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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.

15 Arboricultural supervision condition

The development (including site clearance and any other preparatory works) shall be carried out in accordance with the Arboricultural Supervision 'Watching Brief', dated 12th July 2017 produced by Lizard Landscape Design and Ecology and Supplementary letter reference - LLD1220/KM/14.08.2017.

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.

WESTERN AREA PLANNING COMMITTEE - 14 MARCH 2018 - MINUTES

16 Tree retention (plan)

No trees, shrubs or hedges shown as being retained on the Tree Retention & Protection Plan (drawing number LLD919/04 rev. 04) shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that die, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.

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.

17 Landscaping Scheme Condition

Prior to the school being bought into use, a detailed Landscaping Scheme and accompanying Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include an implementation programme, management responsibilities and maintenance schedules for a minimum period of 5 years following the completion of the planting, including the planting of a wildflower mix on the proposed bunds. The scheme shall also ensure that any trees, shrubs or plants that die, become seriously damaged or diseased within five years of this development shall be replaced in the following year by plants of the same size and species.

The Landscaping Scheme and Landscape Management Plan shall be implemented in full in accordance with the approved details and timescales.

Reason: A soft Landscaping scheme titled 'Landscape Master plan Strategy' has been submitted with the planning application. The basis of this scheme is acceptable however further details of the planting mix and management are required in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

18 Construction Management Plan

The demolition and construction works shall incorporate and be undertaken in accordance with the approved Construction Management Plan and addendum dated February 2018.

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, Policy CS14 of the West Berkshire Core Strategy 2006-2026 and Supplementary Planning Document Quality Design (June 2006).

19 Highway financial contribution

Prior to the new access from the A339 being brought into use, the applicant shall enter into a Legal Agreement to secure a contribution of £142,872 towards highways mitigation works.

WESTERN AREA PLANNING COMMITTEE - 14 MARCH 2018 - MINUTES

Reason: To ensure adequate mitigation to accommodate additional traffic on the A339. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.

20 Access to the school for first two years

As a first development operation, the vehicular, pedestrian/cycle access via Newbury College and associated engineering operations shall be constructed in accordance with the approved drawings.

Reason: To ensure that the access via Newbury College into the site is constructed before the approved buildings in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

21 Stopping up of initial access

Upon completion of the access onto the A339, the existing vehicular access serving the school via Newbury College shall be stopped up to all vehicles at a location south of Newbury College.

Reason: In the interest of avoiding excessive traffic congestion upon the Monks Lane / Newtown Road Roundabout. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

22 Access to the school after two years of opening

Within two years of the school opening, the vehicular, pedestrian and cycle access via the A339 and associated engineering operations shall be constructed in accordance with the approved drawings.

Reason: To ensure that the A339 access into the site is constructed before the school intake increases beyond an acceptable level capable of being served via the Newbury College access in the interest of highway safety and in the interest of avoiding excessive traffic congestion upon the Monks Lane / Newtown Road Roundabout. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

23 Vehicle parking

No development shall commence until details of the vehicle parking and turning space/areas have been submitted to and approved in writing by the Local Planning Authority. This includes a wider section of access road fronting the school to 7.0 metres to allow on street parking when required. All details shall show how the parking spaces are to be surfaced and marked out. The use of the school hereby approved shall not commence until the vehicle parking and turning spaces/areas have been provided in accordance with the approved details. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which 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-

WESTERN AREA PLANNING COMMITTEE - 14 MARCH 2018 - MINUTES

2026 and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

24. Electric Vehicle Charging Points

The school hereby approved shall not be brought into use until the electric vehicle charging points have been delivered in accordance with the EV Charging points data sheets received 13th February 2018 and shall remain available for the purpose of charging electric vehicles in association with the school.

Reason: To ensure the development provides for the use of ultra low emission vehicles by users of the development. This condition is imposed in accordance with Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD and policies LTP SC3, LTP P3 and LTP K5 all of the Local Transport Plan for West Berkshire (2011-2026).

25. Construction Traffic Access

No development shall take place until full details of a route for construction vehicles via the existing Newbury College access into the site of the proposed school have been submitted to and approved in writing by the Local Planning Authority. As a first development operation, the route for construction vehicles shall be provided in accordance with the approved drawings.

Reason: To ensure that the access for construction traffic is provided in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

26. Drainage scheme for the proposed access serving the school via Newbury College

The access serving the school via Newbury College shall not be brought into use until a surface water drainage scheme for the proposed access serving the school via Newbury College has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate 'sustainable urban drainage' (SUDS) methods and attenuation measures, to restrict run-off from the site to no more than the equivalent greenfield rate, based on a 1 in 100 year storm plus 40% for possible climate change. The scheme shall also include measures to prevent any contamination from entering the soil or groundwater and an associated maintenance plan.

The approved drainage scheme shall be implemented in accordance with the approved details before the proposed access serving the school via Newbury College is first brought into use or in accordance with a timetable to be submitted to and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The drainage scheme shall be maintained and managed in accordance with the approved details thereafter.

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

27. Drainage scheme for permanent school access from A339

Within one year of the school opening, a surface water drainage scheme for the proposed access into the site from the A339 to the western boundary shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall

WESTERN AREA PLANNING COMMITTEE - 14 MARCH 2018 - MINUTES

incorporate 'sustainable urban drainage' (SUDS) methods and attenuation measures, to restrict run-off from the site to no more than the equivalent greenfield rate, based on a 1 in 100 year storm plus 40% for possible climate change. The scheme shall also include measures to prevent any contamination from entering the soil or groundwater and an associated maintenance plan.

The approved drainage scheme shall be implemented in accordance with the approved details before the vehicular, pedestrian and cycle access via the A339 is first brought into use or in accordance with a timetable to be submitted to and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The drainage scheme shall be maintained and managed in accordance with the approved details thereafter.

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

28. Drainage scheme for the school

The school hereby approved shall not be brought into use until the sustainable drainage measures set out in drawing numbers 101:1 rev. P3, 101:2 rev.P1, 101:3 rev. P1 and 102 rev.P2, and the 'Impact Study on Existing Attenuation Basin' produced by Archibald Shaw have been implemented in full. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is 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 (June 2006).

29. Works in accordance with Preliminary Ecological Appraisal and Bat Survey

The development hereby approved shall be carried out in accordance with the recommendations contained within the Preliminary Ecological Appraisal by RSK dated October 2016 and the Bat Emergence Survey by Lizard Landscape Architecture dated 26th May 2016.

Reason: To ensure the works do not impact on any protected species in the event they are found during construction works in accordance with Policy CS17 of the West Berkshire Core Strategy 2006-2026.

Informatives:

Construction Noise

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 the Environmental Health and Licensing Manager.

Trees

WESTERN AREA PLANNING COMMITTEE - 14 MARCH 2018 - MINUTES

In relation to Tree T02, the applicant is asked to give consideration to retaining the trunk of the tree on site in as large a section as possible to allow it to decay naturally for the local wildlife.

(The meeting commenced at 6.30 pm and closed at 7.35 pm)

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(1)	18/00223/FULD Chieveley	16/03/2018	Erection of a detached dwelling, garaging and associated works Land adjacent to Morphe Downend Chieveley Charles Manly and Jane Parkin

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=18/00223/FULD>

Recommendation Summary: The Head of Planning and Countryside be authorise to APPROVE planning permission

Ward Member(s): Councillor Hilary Cole

Reason for Committee Determination: Called in by Cllr Cole - Neighbours concerned about effect on public footpath which is the only access to the site. Also, 10 letters of objection have been received.

Committee Site Visit: 29th March 2018

Contact Officer Details	
Name:	Catherine Ireland
Job Title:	Planning Officer
Tel No:	(01635) 519111
E-mail Address:	Catherine.Ireland@westberks.gov.uk

1. Relevant Site History

78/08238/ADD - Residential development - Approved

81/14989/ADD - Erection of detached house and garages complete with services access etc - Approved

86/26957/ADD - 2 bedroom bungalow - Refused, Appeal dismissed

89/35969/ADD - Single storey building to garage garden machinery - Approved

91/39817/ADD - One bungalow - Refused, Appeal dismissed

17/02846/FULD - Erection of a detached dwelling, garage and associated works - Unable to Determine

2. Publicity of Application

Site Notice Expired: 28/02/2018

Press Notice Expired: 01/03/2018

Ten notification letters sent to neighbouring properties.

3. Consultations and Representations

3.1 Consultations

Chieveley Parish Council	<p>No objection subject to the appropriate informatives and controls being covered by essential conditions in the permission should the application be approved.</p> <p>Due to the West Berkshire Council settlement boundary review this site is now within the village settlement boundary and it was agreed that on substantive planning grounds there are no material grounds of objection.</p> <p>However the Parish Council have become aware of concerns about whether there is an established right of access to this site over the PROW. Whilst this is a legal matter these need to be properly addressed by the relevant parties before any development occurs.</p> <p>Morphetts Lane is narrow in places and is not a through road. It is very important that any site, contractor or delivery vehicles visiting this site be appropriate in size to negotiate a narrow lane and a very tight corner from the lane to access the site. The site should have on site parking and an area for the contractors and delivery vehicles to turn within the site before exiting. Any parking or offloading in the lane will restrict access and cause inconvenience to neighbours, other PROW users and cause damage to the lane. Urge West Berkshire Council to ensure appropriate controls are imposed through planning conditions to ensure this is adhered to.</p> <p>The Parish Council fully endorsed the two Highways Development Control Officer informatives HI 3 and HI 4 in the email dated 15 February 2018 and see them as planning conditions. Can the Highways Development Control Officer confirm that he has checked the turning angle off Morphetts Lane into the site is suitable for building delivery trucks and HGV's?</p> <p>The Parish Council also fully endorsed the PROW informatives provided by the Senior Rights of Way Officer in the email dated 28 February 2018 and see them as planning conditions.</p> <p>Morphetts Lane and PROW has special historical interest and should be protected.</p> <p>Landscaping and Screening - request that the applicant is asked to</p>
---------------------------------	---

	<p>improve the screening and landscaping to reduce overlooking particularly along the boundaries of neighbouring properties to the east of the proposed house and south of this site.</p>
Public Rights of Way	<p>The 'unadopted lane' to which the applicant refers is a public footpath, number 16/1 Chieveley.</p> <p>The development is very large, and there could be some adverse impact on the surface of the footpath during construction. The District Council only maintains footpaths for pedestrian traffic, and requires residents to remedy any damage or wear and tear caused by private vehicular traffic. The footpath rural in character and must remain so.</p> <p>The use of a public footpath with vehicles is an offence without the possession of private rights of vehicle access. Would wish to see such proof of such rights.</p> <p>No objections subject to providing proof of possession of private rights for vehicle access is submitted, and providing improvement work to the surface of the footpath is undertaken prior to, during, and after construction, in a manner which is sensitive to the character of the footpath. Provide a condition and informatives to be attached to any planning permission granted.</p>
Rambler's	<p>Would like to point out that the track that will be used to carry construction traffic and access to the completed building is also a dedicated Public Footpath, named CHIE/16/1. There will be walkers using this path at all times of the day and we would request that signage be posted to warn construction traffic that there will be continuous use by vulnerable members of the public.</p>
Trees	<p>No objection subject to conditions.</p> <p>The submitted arboricultural information prepared by SJ Stephens Ltd ref 1075 dated 10/10/2017 is considered to be adequate for the purpose of determining this application as far as tree implications are concerned and the protection measures specified along with close arboricultural supervision should be sufficient to minimise the impact of the development on retained trees.</p> <p>Request conditions for tree protection, arboricultural supervision, tree retention and landscaping.</p>
Highways	<p>No highway objections.</p> <p>Believe Morphetts Lane is classified as footpath no. CHIE/16/1 and as such should only be used by vehicles accessing the dwellings that are located on the lane. Note, rights of access is not usually a planning issue.</p> <p>The proposed large house would be expected to generate circa eight vehicle movements per day (four in, four out). The point at which the path joins Downend Lane and the impact of the additional vehicle movements for one new dwelling are the primary highway considerations for this application. It is considered the additional impact of these eight trips in this location would be negligible and as such affords no consideration to substantiate a highway objection.</p> <p>Any matters concerning the footpath, such as the impact on the surface of these eight daily trips, plus the construction traffic, would be assessed by colleagues in Public Rights of Way (PRoW).</p>

	<p>Given the distance from the public highway, do not consider that parking or cycle conditions are required. Adequate provision has been proposed.</p> <p>Swept path of a fire tender has been checked and can make the tight left turn off of the track into the site.</p> <p>Request conditions for a construction method statement and public footpath survey and informatives for damage to footways, cycleways and verges and damage to the carriageway.</p>
SUDs	Application discussed and condition recommended.
Waste Management	<p>The proposed new dwelling is set much further back from the footpath chie/16/1 than the dwellings nearby, however the collection point for refuse and recycling will still be on the footpath. The footpath in question is Highway land and accessible for waste collection vehicles.</p> <p>The distance from the property to the road may cause a problem for elderly or disabled residents who may struggle to place their bins on the highway for collection, this can be mitigated by ensuring there is flat level access with a path free of gravel or grass as wheeled bins are difficult to manoeuvre over these surfaces.</p>
Environmental Health	No comments
Royal Berkshire Fire and Rescue Service	<p>Access requirements for Fire Fighting are required to meet the functional requirements of the Building Regulations 1991 and the relevant provisions of the Berkshire Act. Any gates required for emergency access should provide a minimum of 3.1m clear opening.</p> <p>Layout plans provided have not been reviewed for fire safety provisions. This is the responsibility of your Buildings Regulations Department or Approved Inspector in consultation with this Authority.</p> <p>Recommend consideration of making domestic sprinklers a requirement for this particular development.</p>
Ecology	Application discussed, recommended informatives for bird nesting and reptiles and amphibians.
Environment Agency, Thames Water, NWD AONB	No response received as of 20 th March 2018.

3.2 Representations

3.2.1 10 Letters of representation received. Comments include:

3.2.2 Character of the area - overdevelopment, siting, scale, precedent, impact on trees

3.2.3 Access - highways safety, use of PROW (footpath), condition/deterioration, width, visibility at junction, ownership. Rights of access.

- Amenity - Loss of privacy/overlooking, light, impact on outlook, overbearing on amenity space, noise disturbance from use of access. Impact from development on users of PROW.

3.2.4 Covenant on the site limits number of dwellings to one.

4. Policy Considerations

4.1 The statutory development plan comprises:

- West Berkshire Core Strategy (2006-2026)

- Housing Site Allocations DPD
- West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
- Replacement Minerals Local Plan for Berkshire (2001)
- Waste Local Plan for Berkshire (1998)

4.2 The following policies from the West Berkshire Core Strategy are relevant to this application:

- Area Delivery Plan Policy 1: Spatial Strategy
- Area Delivery Plan Policy 5: North Wessex Downs Area of Outstanding Natural Beauty
- CS 1: Delivering new homes and retaining the housing stock
- CS 4: Housing Type and Mix
- CS 5: Infrastructure requirements and delivery
- CS 13: Transport
- CS 14: Design Principles
- CS 16: Flooding
- CS 17: Biodiversity and Geodiversity
- CS 18: Green Infrastructure
- CS 19: Historic Environment and Landscape Character

4.3 The West Berkshire Core Strategy replaced a number of Planning Policies in the West Berkshire District Local Plan 1991-2006 Saved Policies 2007. However the following Policies remain in place until they are replaced by development plan documents and should be given due weight according to their degree of consistency with the National Planning Policy Framework:

- TRANS1: Meeting the Transport Needs of New development.
- OVS5: Environmental Nuisance and Pollution Control.
- OVS.6: Noise Pollution

4.4 The following Housing Site Allocations Development Plan document policies carry full weight and are relevant to this application:

- C1: Location of New Housing in the Countryside
- P1: Residential Parking for New Development

4.5 Other material considerations for this application include:

- The National Planning Policy Framework (March 2012) (NPPF)
- Planning Practice Guidance
- The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014-2019
- Quality Design Supplementary Planning Document (SPD)
- Chieveley: A Village Design Statement

5. Description of Development

5.1 The application seeks full planning permission to erect a two storey, chalet style dwelling on land off of a track known as Morphetts Lane, to the rear of Downend Farmhouse and to the north of Morphe. The site would be accessed via an existing track from Morphetts Lane between Downend Farmhouse and Morphe. It is within the settlement boundary of Chieveley, and is within the North Wessex Downs AONB. The access track along Morphetts Lane is a public footpath (CHIE/16/1).

5.2 The site is bordered on three sides by residential properties and to the north by agricultural land. The boundaries between the site and the property to the east of the site (Downend Farmhouse) and the agricultural land to the north are formed by mature Leyland cypresses. Those between the site and Downend Farmhouse have been cut back and now have clear stems which will not re-grow. Between the site and the dwelling to the north is a close board

fence 1.8 metres high, changing to a chain link fence just beyond the end of the driveway access. The western boundary is formed by a post and wire fence 1 metres high.

- 5.3 Currently on the site is a red brick garage building which would be removed to make way for the proposed development. The site is overgrown and contains a number of trees, most of which will be retained.
- 5.4 The properties immediately adjacent to the application site are large, two storey dwellings set back from the edge of Morphetts Lane.
- 5.5 The new dwelling will comprise an entrance hall, snug, office, living room, utility room, WC and open plan kitchen/dining/family area at ground floor. At first floor would be a master bedroom with dressing areas and en-suite, four further bedrooms, three with en-suites and a family bathroom. A detached one and a half storey garage would be set next to the dwelling, and would have two vehicle bays at ground floor level with a home office and en-suite bathroom above accessed via an external staircase.
- 5.6 The house would be almost directly to the west of Downend Farmhouse, approximately 27 metres from this neighbouring dwelling, and 13.5 metres from the shared boundary. The plot in which the property Morphe sits is to the south of the application site. The dwelling on this neighbouring plot sits approximately 37.5 metres away to the south east. The shared boundary with this neighbour is approximately 7.5 metres away from the proposed dwelling. The proposed dwelling has been sited to be more than 35 metres from the boundary with neighbouring properties to the west.

6. Consideration of the application

The main issues for consideration in the determination of this application are:

- 6.1 The principle of development
- 6.2 The impact on the character of the area including the NWD AONB
- 6.3 The impact on neighbouring amenity
- 6.4 Highway safety
- 6.5 Public rights of way
- 6.6 Drainage and flooding
- 6.7 Ecology
- 6.8 The assessment of sustainable development
- 6.9 Community Infrastructure Levy
- 6.10 Environmental Impact Assessment

6.1. The Principle of Development

- 6.1.1. The NPPF takes the development plan as the starting point for all decision making, and applications that accord with the development plan should be approved unless material considerations indicate otherwise. The current development plan for West Berkshire comprises several documents including the West Berkshire Core Strategy (adopted 2012), Housing Sites Allocation DPD and the Saved Policies of the West Berkshire District Local Plan 1991-2006.
- 6.1.2. The application site is within the identified settlement boundary of Chieveley. Area Delivery Plan Policy 1 of the Core Strategy directs development to areas within existing settlement boundaries, with consideration to be given to the scale and density of development in relation to the site character and surroundings. Policy CS1 states that new houses will be primarily developed on suitable previously developed land within settlement boundaries, or other suitable land within settlement boundaries. As there is currently a garage on the site, it could be considered to be previously developed land. Even if it were not to fall within this definition, as it is within the settlement boundary of Chieveley, it would be considered suitable land.

6.1.3. There is therefore a presumption in favour of development on the site subject to other material planning considerations which are addressed below.

6.2. **The Impact on the Character of the Area including the NWD AONB**

6.2.1. Planning Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant to this application. Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place. Proposals are expected to make efficient use of land whilst respecting the density, and character of the area.

6.2.2. Policy CS19 seeks to conserve and enhance the diversity and local distinctiveness of the landscape character of the District by considering the natural, cultural and functional components of its character as a whole. Particular regard will be given to the sensitivity of the area to change and to ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.

6.2.3. Paragraph 115 of the NPPF places great weight to conserving the landscape and scenic beauty in AONBs, which is also reiterated by Core Strategy Policy ADPP5.

6.2.4. The plot and footprint of the proposed are commensurate with others in the area, and whilst on the edge of the settlement boundary, with suitable landscaping the proposal is not considered to cause unacceptable harm to either the character of the area or the AONB. Whilst the development of this site would result in a tandem form of development, the impact is not considered to be sufficiently detrimental to the character of the area as to warrant refusal of this application.

6.2.5. The proposed dwelling would be set behind existing properties when viewed from Morphetts Lane and so would be largely hidden from public view points. Some views back to the site may be possible from north of the site when viewed from the public right of way, and the removal of the existing leylandii hedging would result in a loss of screening. However a condition securing additional planting could be attached to any permission to ensure that suitable, native planting as screening is implemented.

6.2.6. There are a variety of trees currently on the site many of which are to be retained as part of this application. As part of the application arboricultural information has been submitted. The Tree Officer has been consulted on this application, and raised no objections to the development subject to conditions for tree protection, arboricultural supervision, tree retention and landscaping.

6.2.7. Indications as to the materials to be used in the development have been provided in the application. To ensure that these are suitable to the local context a condition is recommended to be applied to any permission granted requiring a schedule of materials with the option for samples to be viewed on site if necessary.

6.2.8. It is considered that the proposed development would not adversely affect the character of the area, street scene or the NWD AONB. The development is therefore found to comply with development plan policies ADPP5, CS 14 and CS 19 and advice set out within the NPPF.

6.3. The impact on neighbouring amenity

- 6.3.1. Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. Policy CS14 of the Core Strategy states that new development must make a positive contribution to the quality of life in West Berkshire. SPD Quality Design - West Berkshire outlines considerations to be taken into account with regard to residential amenity, and Policy OVS.6 of the West Berkshire District Local Plan Saved Policies considers the potential noise impact of development.
- 6.3.2. The dwelling has been positioned so that the front elevation will face the house at Morphe. This would mean that openings on the south east elevation would have an oblique view of Downend Farmhouse to the east. There is a separation distance between the properties of approximately 27 metres. The separation distances involved between these, other neighbouring properties and the application site are considered sufficient so as to prevent unacceptable levels of the overlooking or a loss of privacy to neighbouring amenity. A condition to secure additional fencing along the boundary to the south could be attached to any permission to help to protect neighbouring amenity space.
- 6.3.3. The proposed dwelling is not considered to detrimentally harm neighbouring amenity in terms of loss of sunlight or daylight. Nor is it considered to have an overbearing impact on neighbouring amenity.
- 6.3.4. The siting of the proposed garage and separation distances is such that there will be no direct overlooking of any neighbouring properties.
- 6.3.5. The access to the site will be down the side of Morphe, and will increase the amount of vehicular traffic using this existing access. The Environmental Health Officer has been consulted on this application and raised no objections, and therefore any additional impact is not considered to be sufficiently detrimental as to warrant the refusal of the application. Conditions could be attached to any permission however restricting working hours during construction to protect neighbouring amenity.
- 6.3.6. It is noted that concern has been raised in representation letters regarding the use of the proposed outbuilding/garage block. The use of this building for ancillary purposes is not seen as harmful, and a condition could be attached to any permission ensuring that this building remain ancillary. This would ensure that the building could not be used separately by a business, however, could be used for home working by residents of the property.
- 6.3.7. The application is therefore found to be acceptable in terms of neighbouring amenity and is in accordance development plan policies CS14 and OVS.6 as well as guidance in SPD Quality Design and the NPPF.

6.4. Highway safety

- 6.4.1. The NPPF states that decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policies CS 13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan, set out highway requirements. Policy P1 of the Housing Site Allocations Development Plan Document sets out the residential car parking levels for the district.
- 6.4.2. Morphetts Lane is a classified footpath (CHIE/16/1) it should only be used by vehicles accessing the dwellings that are located on the lane.
- 6.4.3. The Highways Officer has raised no objections to the proposal. The development would be expected to generate circa eight vehicle movements per day (four in, four out). It is not considered that the additional trips would adversely affect highway safety.

- 6.4.4. The Highway Officer has requested a condition securing a Construction Method Statement and a photographic survey of the public right of way. This would help to ensure that any damage caused by the proposed development could be identified. Given the distance from the public highway, it was not considered that parking or cycle conditions are required. Informatives for damage to footways, cycleways and verges and for damage to the carriageway were recommended.
- 6.4.5. Concern was raised in a representation letter regarding access for emergency service vehicles. The Highways Officer has confirmed that the swept path of a fire tender would be able to make the tight left turn off of the track into the site.
- 6.4.6. It is therefore considered that the proposed development will comply with the criteria contained within Policy CS13, TRANS.1, P1 and advice contained within the NPPF and would not result in an adverse impact to highway safety.

6.5. **Public rights of way**

- 6.5.1. Policy CS18 of the Core Strategy covers green infrastructure, which is defined as including Public Rights of Ways. The District's Green Infrastructure should be protected and enhanced and developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted unless in exceptional cases a suitable replacement is proposed.
- 6.5.2. The application site would be accessed off of a public footpath, 16/1 Chieveley. The Public Rights of Way Officer has stated that it is an offence to use a public footpath with vehicles without the possession of private rights of vehicle access. The PROW Officer raised no objections, providing proof of possession of private rights for vehicle access is submitted, and providing improvement work to the surface of the footpath is undertaken prior to, during and after construction, in a manner which is sensitive to the character of the footpath. They suggested a condition to secure this as well as informatives which are to be attached to any permission granted.
- 6.5.3. It is noted that the use of the public right of way is a matter of concern raised in many of the representation letters. It is considered that with suitable conditions to ensure the repair of any damage caused during construction the application is appropriate in terms of policy CS 18.

6.6. **Drainage and flooding**

- 6.6.1. 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 CS 16 addresses issues regarding flood risk. The application site falls within flood zone 1, and is not within a critical drainage area. A flood risk assessment has not been required to be submitted with this application, however the Land Drainage Engineer recommended condition to secure details of sustainable drainage measures to manage surface water within the site.
- 6.6.2. The proposal is therefore considered to be in accordance with policy CS 16 of the Core Strategy and advice contained within the NPPF.

6.7. **Ecology**

- 6.7.1. Policy CS 17 of the Core Strategy states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced.
- 6.7.2. The Ecological Appraisal submitted with the application states that no legally protected or notable species were identified on site, although there is some limited potential to support

breeding birds and for small numbers of more widespread native reptile and amphibian species. Recommendations as to when works should be carried out, and suggestions for biodiversity enhancement, are set out in the Preliminary Ecological Appraisal undertaken by AE Ecology. A condition to ensure the works are carried out in accordance with these recommendations could be attached to any permission granted.

6.7.3. The proposal is therefore considered to be in accordance with policy CS 17 of the Core Strategy.

6.8. **The assessment of sustainable development**

6.8.1. The NPPF has introduced a presumption in favour of sustainable development, which paragraph 197 advises should be applied in assessing and determining development proposals. The NPPF identifies three dimensions to sustainable development: economic, social and environmental.

6.8.2. Economic - Future residents would make a contribution to the local economy, and the development would provide employment in construction for a short period. The financial requirements arising from additional infrastructure could be secured through the Community Infrastructure Levy unless exemption is agreed.

6.8.3. Social - The NPPF supports strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations. Whilst this proposal only represents a small addition to the housing supply, it would contribute towards meeting current and future housing needs.

6.8.4. Environmental - In achieving the social role of sustainable development it is also necessary to create a high quality built environment. This thread overlaps with the environmental role, where the built environment should be protected and enhanced. The environmental impact of the proposal has been assessed in terms of the impact on the character and appearance of the area and the North Wessex Downs AONB, neighbouring amenity and highway safety and has been found to be acceptable.

6.8.5. The development is therefore considered acceptable and meets the three threads of economic, social and environmental benefits, and therefore meets the requirements set out within the NPPF.

6.9. **Community Infrastructure Levy (CIL)**

6.9.1. Under the Community Infrastructure Levy Charging Schedule adopted by West Berkshire Council and the government Community Infrastructure Levy Regulations the proposal is liable for CIL. The CIL Charging Schedule sets out that the amount calculated is to be determined under the AONB Residential Rate of £125 per m² (plus indexation).

6.10. **Environmental Impact Assessment**

6.10.1. In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the Local Planning Authority is required to adopt a screening opinion as to whether the proposal constitutes 'EIA development', and therefore whether Environmental Impact Assessment (EIA) is required as part of the above application.

6.10.2. The proposed development falls within the column 1 description at paragraph number 10 (b) *Infrastructure Projects* if Schedule 2. It is within a sensitive area, namely the North Wessex Downs Area of Outstanding Natural Beauty. Having regard to the nature and scale of the proposed development it is not considered to be EIA development.

7. Conclusion

- 7.1. The application site is located within the identified settlement boundary of Chieveley, and as such there is a presumption in favour of development subject to other material planning considerations. These have been assessed as above, and the development has been found to be in accordance with current development plan policies and advice set out in the NPPF subject to relevant conditions.

8. Recommendation

The Head of Development and Planning be authorised to APPROVE Planning Permission subject to conditions:

- 8.1. Time
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 8.2. Approved Plans
The development hereby permitted shall be carried out in accordance with the approved drawings and other documents listed below:

Location and Block Plan 17067/002 P3
Site Plan 17067/001 Rev P3
Proposed Plans and Elevations 17067/003 Rev P2
Proposed Garage Plans 17067/004 Rev P1
Proposed Roof Plan and Sections 17067/005

Associated documents
Design Statement
Planning Statement
Arboricultural Impact Assessment by SJ Stephens Associates
Preliminary Ecological Appraisal
Site Levels 17067/006

All received with the application on 19th January 2018.

Reason: To ensure that the development is constructed in accordance with the submitted details assessed against Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026.

- 8.3. Materials
No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the dwelling 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 current application. Samples of the materials shall be made available for inspection on site on request. Thereafter the development shall be carried out in accordance with the approved materials unless alternative materials are first agreed in writing by the Local Planning Authority.

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 (March 2012), Policies CS 14 and CS 19 of the West Berkshire Core Strategy

(2006-2026), Supplementary Planning Document Quality Design (June 2006), and Chieveley: A Village Design Statement.

8.4. Tree protection

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing(s) numbered plan Tree Protection Plan within the Arboricultural Impact Assessment. Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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 NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

8.5. Arboricultural supervision

No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by 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 objectives of the NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

8.6. Tree Retention

No trees, shrubs or hedges shown as being retained on tree survey project no.1075 shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that dies, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.

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 NPPF and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

8.7. Landscaping

No development or other operations shall commence on site until a detailed scheme of hard and soft landscaping for the site is submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing (to incorporate the use of a porous material to any hard surfaced areas) and materials to be used, schedules of plants noting species, plant sizes and proposed numbers/densities, an implementation programme and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure;

- a) Completion of the approved landscape 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 this development shall be replaced in the following year by plants of the same size and species.
- c) Details of the carrying out of any earth moving operations concurrently with the carrying out of the building and other works.

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

8.8. SUDS

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

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- g) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- j) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- m) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;

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

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is 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 (June 2006). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

8.9. Construction method statement

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:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) 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.

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 (March 2012), 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).

8.10. Hours of work

No demolition or construction works shall take place outside the following hours:

7:30am to 6:00pm Mondays to Fridays;
8:30am to 1:00pm Saturdays;
nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

8.11. Public footway survey

No development shall commence until a written specification for the surveying of the public footpath, between Downend and the site access, so as to assess its condition, has been submitted to and approved in writing by the Local Planning Authority.

The public footpath, between Downend and the site access, must be surveyed in accordance with the approved details before work commences, and again after work has been completed on site. Details of both surveys shall be submitted to the Local Planning Authority, along with details of any repairs or making good of any damage caused by the works hereby approved, within 1 month of the completion of the development. The repairs and making good shall then be carried out within 1 month of approval in writing by the Local Planning Authority of the submitted details or in accordance with a timetable to be agreed with the submission of the details of repairs.

Reason: To enable the Local Planning Authority to determine whether any damage to the Public Right of Way is attributable to the works carried out by the developer. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS5, CS13 and CS 18 of the West Berkshire Core Strategy (2006-2026) and, Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

8.12. Finished floor levels

No development shall take place until details of the finished floor levels of the dwelling hereby permitted in relation to existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies ADPP5, CS 14 and CS 19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

8.13. Fencing

No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment 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 dwelling hereby permitted is

occupied or in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The approved boundary treatments shall thereafter be retained.

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 (March 2012), Policies CS 14 and CS 19 of the West Berkshire Core Strategy (2006-2026).

8.14. Use of outbuilding

The detached garage building hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the dwelling hereby permitted. The garage building shall not be used as a separate dwelling unit and no separate curtilage shall be created.

Reason: The creation of a separate planning unit has not been considered as part of this application, and may not be acceptable. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS 14 and CS 19 of the West Berkshire Core Strategy (2006-2026).

8.15. Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows (other than those expressly authorised by this permission) which would otherwise be permitted shall be constructed at first floor level of above on the east elevation of the garage building hereby permitted, without planning permission being granted by the Local Planning Authority on an application made for that purpose.

Reason: To prevent the overlooking of Downend Farmhouse in the interests of neighbouring amenity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (2006).

8.16. Gates

Any gates fitted to the entrance of the property must provide a minimum of 3.1m clear opening to allow for emergency access to the site.

Reason: To ensure the creation of a safe environment and community safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS 14 of the West Berkshire Core Strategy (2006-2026).

9. Informatives (to include):

9.1. Damage to footways, cycleways and verges

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

9.2. Damage to the carriageway

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

9.3. The applicant is advised that this planning permission does not in any way allow the public right of way to be obstructed at any time during the course of the development.

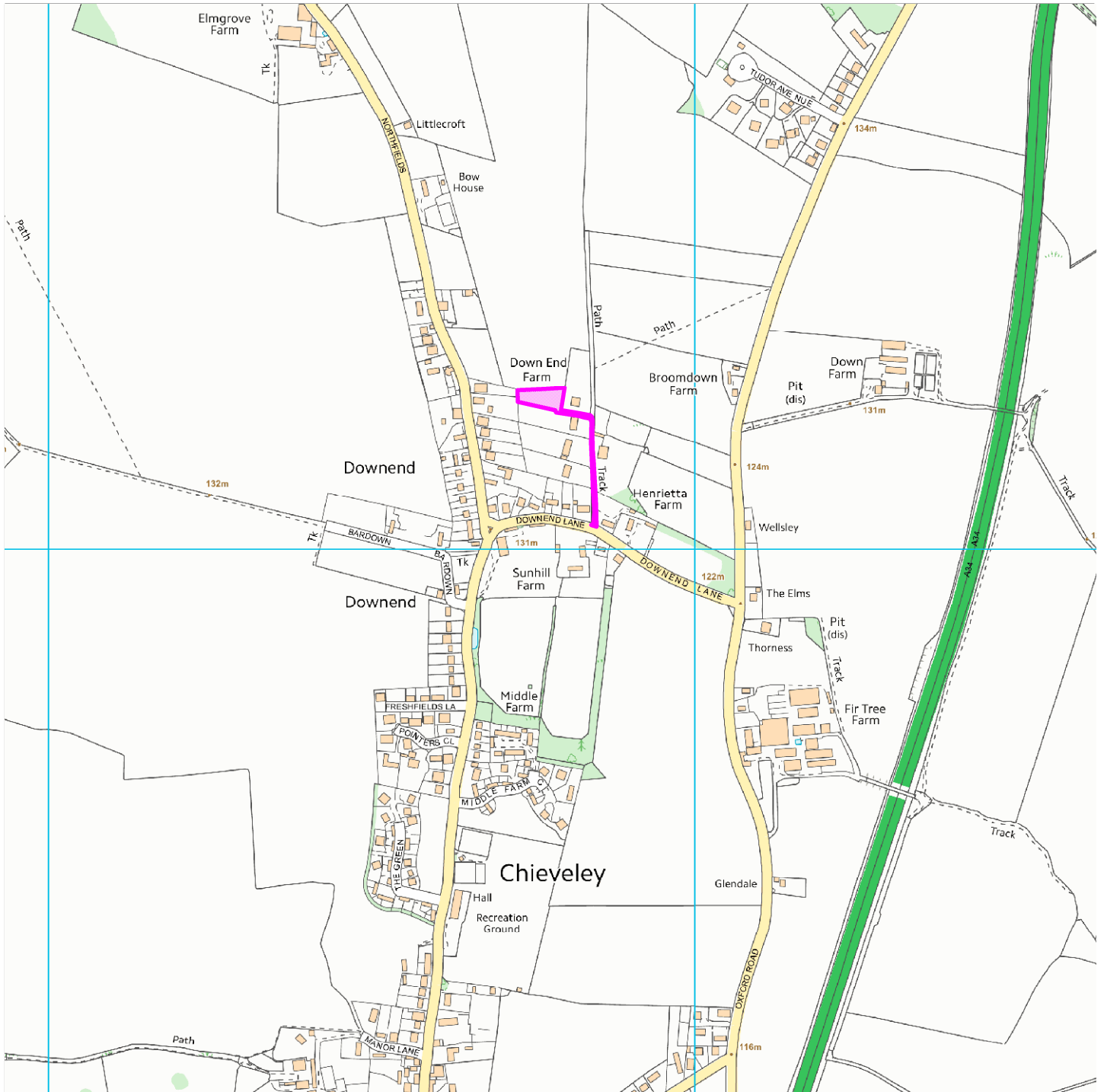
- 9.4. The applicant's attention is drawn to the fact that private rights of vehicle access must be obtained before the use of the access hereby approved can be used to serve the development. Failure to do so will be an offence under the Road Traffic Act 1988 s.34.
- 9.5. The applicant is advised that all visitors to the site should be made aware that they would be driving along a public footpath. As a result they should drive with caution when manoeuvring into and out of the site, and should give way to pedestrians at all times.
- 9.6. Nothing connected with either the development or the construction must adversely affect or encroach upon the footpath, which must remain available for public use at all times.
- 9.7. The applicant is advised that the Rights of Way Officer must be informed prior to the laying of any services beneath the path.
- 9.8. No alteration of the surface of the right of way must take place without the prior written consent of the Rights of Way Officer.
- 9.9. Royal Berkshire Fire and Rescue
The developer is advised to note comments contained within the letter dated 16th March 2018 from the RBFRRS and consider the fitting of domestic sprinklers for this development.
- 9.10. The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil
- 9.11. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). In the absence of avoidance measures, the clearance of woody vegetation could result in destruction of occupied birds' nests. It is therefore recommended that vegetation clearance should take place outside the bird nesting season (generally March-August inclusive), although in view of recommendations regarding dormice, this should take place in September to mid-November.
- 9.12. There may be a small number of reptiles or amphibians on the site, and therefore the following should be adhered to:
- Clearance must only take place between mid-March and mid-September. This will ensure that the hibernation season is avoided. Reptiles and amphibians are likely to die if disturbed during hibernation, and they are also far harder to find during this period if carrying out a destructive search of the area.
 - All discrete habitat features such as log / brash / rubble piles, that are within the boundary vegetation should be carefully dismantled and removed by hand while searching carefully for any reptiles present. Any reptile found during this process should be either allowed to move off of its own accord or carefully captured by hand and placed into a cool covered bucket that has a thick layer of grass / vegetation in the base of it. They can then be moved to retained boundary vegetation.
 - Following removal of these discrete features, the standing ground flora can be strimmed, which should be done in a two-stage process. Firstly, the vegetation must be strimmed to a height no lower than 150mm. Strimming should start from the side furthers from the adjacent boundary, and move slowly towards the

boundary. This will allow any reptiles present to move of their own accord out of the way into retained boundary vegetation.

- The area should then be left for a minimum of 24 hours, and then a further cut taken in the same manner to strim the vegetation down to ground level.
- The area will then be maintained as devoid of suitable reptile habitat until construction starts

DC

This page is intentionally left blank



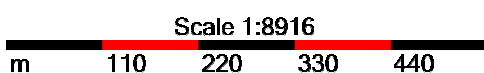
Map Centre Coordinates :

Scale : 1:8916

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2003.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings .

Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	20 March 2018
SLA Number	0100024151



This page is intentionally left blank

Agenda Item 4.(2)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(2)	17/02772/FULC Hampstead Norreys Parish Council	1st December 2017	Change of use of a grain storage building to B8 use class. The Grain Store, Wyld Court Farm. Empire State Land Company

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/02772/FULC>

Recommendation Summary: to **DELEGATE** to the Head of Development and Planning to **APPROVE PLANNING PERMISSION** subject to conditions

Ward Members: Councillor Virginia von Celsing

Reason for Committee Determination: More than 10 letters of objection

Committee Site Visit: Thursday 29th March 2018.

Contact Officer Details

Name: Jay Singh
Job Title: Consultant Planner
Tel No: (01635) 519111
E-mail Address: jay.singh1@westberks.gov.uk

1. Relevant Site History

17/00497/FULC	Change of use of a grain storage building to B1/B8 use classes	Withdrawn – 3 July 2017
16/00142/PREAPP	Written Stage one: Change of use of a grain storage building to B1/B8 use classes	Closed - 2016
07/00316/FUL	Change of use of building from agricultural to B8 storage and distribution.	Approved - 10 April 2007
79/11633/ADD	Construction of grain storage building and improvement of access to main road	Approved – 30 October 1979

2. Publicity of Application

Site Notice Expired: 1 November 2017
Latest Neighbour Notification Expired: 15 February 2018

3. Consultations and Representations

3.1 Consultations

Hampstead Noreys Parish Council

Object to the application – ‘There are concerns that the B8 category of use has been chosen rather than B1. This is likely to result in a higher volume of HGVs travelling through not just Hampstead Norreys, but several other local villages, passing several schools on the way.

This higher volume of HGVs is likely to negatively impact the nearest neighbours to the site, with constant year-round traffic volumes rather than a high volume only at harvest time as is the current scenario.

An increase in HGVs is likely to have a detrimental impact on the AONB.

Should this application be approved, if it is possible please ensure a condition is placed restricting the use of HGVs to smaller HGVS only.

Should this application be approved, please ensure a condition is placed restricting working hours to between 8am and 6pm in order to minimise the impact of HGVs on the nearest neighbours to the site and on the local residents as a whole.’

**Ashampstead
Parish
Council**

Object to the application – ‘The proposed change of use to B8 storage and distribution at the Grain Store, Wyld Court Farm, Hampstead Norreys will undoubtedly lead to a significant increase in the volume of heavy vehicles on the local roads. In particular traffic from the east, using junction 12 of the M4 will be directed by their satnavs through Ashampstead despite our roads being clearly marked as unsuitable for heavy goods vehicles. We know this to be the case as buses travelling to The Living Rainforest at Wyld Court often use the main road through the village despite being advised by its website to use Junction 13 of the M4 as our roads are unsuitable. The road in question is single track in parts of Palmers Hill and Holly Lane, Ashampstead.

It has been suggested that the capacity of the grain store is between 900 and 1000 tonnes which would result in about 35 two-way lorry movements to clear the store. These vehicles tend to travel along the B4009 and have little impact on some of the more unsuitable roads. It is difficult to assess the tractor and trailer movements as it would appear from the site plan that some fields supplying grain to the store can be accessed without travelling on any roads. In any event, the existing farming use would have minimal impact on the local villages and roads in the area.

In addition, it is difficult to see how the occupiers of the site will be able to restrict the size of vehicles visiting and their frequency until it is only they who can deliver both to and from the site. This surely means that the transport statement may be of little value?’

The Parish Council have provided some photographs which are enclosed at **Appendix 1**.

**Yattendon Parish
Council**

Object to the application.

Tree Officer

No objection subject to a planning condition to ensure the development is carried out in accordance with the tree protection measures set out within the supporting arboricultural report.

Highways

Following the receipt of an additional transport information, the highways officer recommendation is one of conditional approval. The consultation response is provided in detail further below.

**Environmental
Health**

No objection subject to details of details of external lighting and hours of operation limited to 07:00 – 19:00 Monday to Friday

07:00 – 13:00 Saturday. Closed on Sundays or Bank Holidays.

Archaeology

No objection. We have checked the proposed development against the information we currently hold regarding the heritage assets and historic land uses in this area. This evidence suggests that there will be no major impact on any features of archaeological significance.

3.2 Representations

Total: 97 Object: 97 Support: 0

The material planning considerations raised in objection to the application are summarised as follows:

- The supporting transport statement is inadequate and does not accurately assess the full impact of the proposed development on the village road network.
- The proposal would result in an adverse impact on highway safety within the local village highways infrastructure which is unsuitable to cater for HGV traffic, exacerbating existing highway safety issues/problems for users of the existing schools, pubs, village shop as well as cyclists, horse riders and pedestrians (including school children) travelling along the narrow village roads.
- The proposal would result in an unacceptable increase in traffic generation taking into account cumulative impact with other HGV/farm/car traffic movements.
- Increased noise and disturbance for neighbouring residents/occupiers of the village from HGV movements associated with the proposed use in the early hours of the morning and the night, as well as cumulative noise impact from helicopters and aircraft nearby.
- Increased air pollution from HGV vehicle emissions.
- The entrance to Wyld Court is on a narrow and dangerous bend where the road floods each winter, which already causes problems to vehicles passing through a village.
- The proposal would damage the existing road surfaces which when being repaired cause significant local disruption.
- The proposal would have an adverse impact on the setting of the village Conservation Area status and the AONB.
- The proposal would have an adverse impact on local biodiversity.
- Proposal would conflict with the provisions of local plan policy ENV19 and Core Strategy policy CS9, as well as the overall objectives of the Core Strategy, in that it is not within a sustainable location (outside of any settlement boundary) which would not promote sustainable transport, and would harm the local environment/surroundings and the local highways infrastructure.
- Proposal would include external lighting harming the rural character of the area and local biodiversity.
- The proposal would detract from the amenity of the users of footpath running alongside the grain store by way of increased air pollution associated with HGV traffic.

Other comments:

- If planning committee are minded to support the application, a planning condition should be imposed that requires all HGV traffic to the site to approach and leave from the East, and not through Hampstead Norreys.

- The application site, as it exceeds 500 sq.m, does not benefit from Permitted Development rights that allow conversion to other commercial uses.
- Lack of public consultation on the application.

4 Planning Policy

4.1 The statutory development plan comprises the West Berkshire Core Strategy 2006-2026 and those saved policies within the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

4.2 The policies within the West Berkshire Core Strategy (2006-2026) attract full weight. The following policies are relevant to this application:

- ADPP1: Spatial Strategy;
- ADPP5: North Wessex Downs of Area of Outstanding Natural Beauty (AONB);
- CS5: Infrastructure Requirements and Delivery;
- CS9: Location and Type of Business Development;
- CS10: Rural Economy;
- CS13: Transport;
- CS14: Design Principles;
- CS16: Flooding;
- CS17: Biodiversity and Geodiversity
- CS18: Green Infrastructure;
- CS19: Historic Environment and Landscape Character.

4.3 The policies of the West Berkshire District Local Plan (1991-2006) Saved Policies 2007 attract due weight in accordance with their degree of consistency with the policies of the National Planning Policy Framework. The following saved policies are relevant to this application:

- ENV.19: The Reuse and Adaption of Rural Buildings
- OVS5: Environmental Nuisance and Pollution Control
- OVS6: Noise Pollution
- TRANS1: Meeting The Transport Needs of New Development
- Appendix 5: Parking Provision for New Development

4.5 In addition, the following documents are material considerations:

- West Berkshire Council (SPD) Quality Design (2006)
- West Berkshire Council (SPD) Planning Obligations (2015)
- West Berkshire Council (SPG)
- West Berkshire Council Community Infrastructure Levy Charging Schedule (2015).
- National Planning Policy Framework
- Planning Practise Guidance

5.0 Site Description

5.1 The application site is located within the open countryside designated as AONB, outside of any defined settlement boundary, approximately 0.5km east of the hamlet of Hampstead Norreys. The site comprises a former grain store of steel portal frame

construction with a floor area of approx. 510 sq.m. The elevations of the store being clad in dark green box profile sheeting.

5.2 The grain store is located within a hard surfaced yard area with a short access way leading off the B4009. A public right of way HAMP/4/1 runs through the site from the B4009 along the access way and yard area into the open countryside to the south. Adjacent to the north-west is a former agricultural building converted to B8 storage use in 2007 under application reference 07/00316/FUL. To the east are a row of lime trees, 2 of which are classified as B1 (moderate quality). To the north, approx. 20m from the grain store are 5 residential dwellings. To the south are a large grouping of trees. The surrounding context is predominantly agricultural.

5.3 **Description of Development**

5.4 Planning permission is sought for the change of the use of the grain store from agricultural into B8 use (storage and distribution) with associated works. The building would be subdivided internally into 2 storage units. Unit 1 would be served off the existing access into the building with a replacement roller shutter proposed to the access. Unit 2 would include a new access with new roller shutter to the north-western elevation of the building. The elevations to the building would include 3 new pedestrian emergency exit doors (2 the southwest and 1 to the northeast). The existing hard standing to the yard area would be extended/widened to provide a route to the new building entrance, and additional turning and parking areas. The scheme would also provide 18 off road car parking spaces and 4 'Sheffield' bike stands.

6.0 **Community Infrastructure Levy**

6.1 The Council's CIL charging schedule is now in place. As the proposal involves the conversion to B8 use, it is zero rated and therefore no CIL is payable.

7.0 **Consideration of the proposal**

7.1 The main issues raised by the proposal are:

- The principle of development;
- Highways matters;
- Character and appearance;
- Impact on neighbouring amenity;
- Other matters;
- Sustainability.

7.2.1 **The principle of development**

7.2.2 Core Strategy Area Development Plan Policy 1 defines a settlement hierarchy for directing new development where it is indicated, for the open countryside, only appropriate limited development will be allowed with a focus on maintaining a strong rural economy amongst other considerations. Core Strategy Policy CS9 seeks to facilitate and promote growth within the District. The policy indicates storage and distribution uses will be directed to the districts defined protected employment areas. Any proposal for such uses outside of these areas/locations will be assessed against compatibility with surrounding uses and potential impacts on

those uses, the capacity and impact on the road network and access by sustainable modes of transport. The policy indicates a range of types and sizes of employment premises will be encouraged throughout the District to meet the needs of the local economy, and the Council will promote the intensification and upgrade of existing vacant premises for business development.

7.2.3 Core Strategy Policy CS10 supports economic growth in rural areas and supports existing small and medium sized enterprises within such areas in order to provide local job opportunities and maintain the vitality of smaller rural settlements.

7.2.4 Saved Local Plan Policy ENV.19 supports the commercial re-use existing buildings in the countryside subject to compliance with the following criteria:

(a) the form, bulk and general design of the existing buildings are in keeping with their surroundings; and

(b) the existing buildings are suitable for the proposed new use(s) without needing extensive alterations, rebuilding and/or enlargement; and

(c) the conversion would not have a detrimental effect on the fabric, character and setting of historic buildings; and

(d) the conversion respects local building styles and materials; and

(e) the proposed curtilage of the new development is not visually intrusive or harmful to the amenities of the surrounding countryside; and

(f) the proposed new use(s) would not generate traffic of a type or amount harmful to local rural roads, or require improvements which would detrimentally affect the character of such roads or the area generally; and

(g) the proposed new use(s) would not result in material harm to the environmental qualities of the surrounding rural area; and

(h) the use of the building by protected species is surveyed and mitigation measures are approved by the Council using expert advice.

7.2.5 The NPPF supports economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. The re-use / conversion of existing buildings and alternative uses should be considered on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. All types of business and enterprises in rural areas should be supported, including through the conversion of existing buildings, and diversification of agricultural and other land-based rural businesses.

7.2.6 Having regard to the above, it is recognised the application site is located outside of any defined settlement or designated employment area and is not highly accessible by sustainable modes of transport which counts against the proposal. However, the proposal involves the re-use of existing vacant building for business development which would support the local economy and promote growth, with potential for local job opportunities in accordance with the overall aims and objectives of Core Strategy policies Area Development Plan Policy 1, CS9, CS10, saved Local Plan policy ENV19 and the NPPF.

7.2.7 Turning to the assessment criteria set out Saved Local Plan Policy ENV19 in relation to the commercial re-use existing buildings in the countryside. The proposal is supported by a structural survey that confirms the building is suitable for the proposed storage use without needing extensive alterations, rebuilding or

enlargement. As set out further below, the form of the proposal would not result in material harm to the surroundings including any heritage assets, it would not result in harm to any protected species and would have an acceptable impact on the local highways infrastructure.

7.2.8 For these reasons, the proposal is considered acceptable in principle subject to the detailed considerations set out below.

7.2.9 Highway Matters

7.2.10 Core Strategy Policy CS9 indicates storage and distribution uses will need be assessed against the capacity and impact on the road network and access by sustainable modes of transport. Core Strategy Policy CS13 seeks to ensure proposals include sustainable modes of transport and mitigate any impact on the highways infrastructure. Saved Local Plan Policy ENV.19 indicates proposed new use(s) should not generate traffic of a type or amount harmful to local rural roads, or require improvements which would detrimentally affect the character of such roads. Saved Local Plan Policy Trans1 seeks to ensure development proposals incorporate a range of facilities associated with different transport modes including public transport, walking, cycling and parking provision. In addition, The Councils Parking standards require 1 car parking space per 200m² over 235m² for B8 use.

7.2.11 The NPPF supports the re-use of existing buildings in rural areas for economic growth. At paragraph 32 it states development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.2.12 The application is supported by a Transport Statement and supporting layout plans that have been carefully considered the Council's Highways Team as follows:

7.2.13 *Precedents:*

7.2.14 Notwithstanding every planning application must be considered on its individual merits, it is recognised that the principle of a B8 storage use within this location has previously been accepted by the Council by the granting of planning permission for the conversion of the adjacent building from agricultural to storage use under application reference 07/00316/FUL on 10 April 2007.

7.2.15 *Proposed Access Arrangements:*

7.2.16 The application site would utilise an existing access way from the B4009. Additional information has been provided to demonstrate visibility splays of 46.4m (west) and 53.6m (east) can be achieved. The splays are considered commensurate with recorded vehicle speeds on the B4009 (following speed survey) and therefore are considered satisfactory by the councils Highways Team. Supporting plans have also been provided that demonstrate satisfactory turning and manoeuvring areas can be accommodated within the site to meet the needs of the development.

7.2.17 The proposed site access arrangements are therefore considered satisfactory to serve the proposed development.

7.2.18 *Traffic Generation:*

7.2.19 It is recognised that concerns have been raised over the potential number of trips generated by the proposed development. The Council's Highways Team have carefully considered this matter and advise the building has been operating as a grain store for many years, generating an average trip rate of approximately two trips per day (it is recognised there would be period of more intensive movements during the year). Despite this very low figure, the building has consent to be used in other ways that could generate far larger trip rates, as the machinery/chemical storage, with trips increasing to approximately 16 per day.

7.2.20 The proposed B8 use is anticipated to generate to 13 - 22 trips per day and as such represents a significant increase when compared with its use as a grain store. However, when comparing this potential trip generation of 13 - 22 trips with the building's other consented uses, e.g. machinery/chemical storage – 16 trips, the trip rates are considered to appear comparable.

7.2.21 *Impact on the B4009:*

7.2.22 The Highways team indicate whilst the B4009 does not have a weight restriction on it, there are two weight restrictions that exclude access from the east. There is also a weight restriction on the railway bridge at Goring (Oxfordshire). In addition, the steep gradient of Streatley Hill does not deem it as a favourable route for articulated vehicles in addition to the restricted access at the crossroads at the bottom of Hill adjacent to The Bull (PH).

7.2.23 The B4009 between Newbury and Streatley is predominantly rural and maintained to a high standard and is favourable route for local traffic. Generally there is sufficient width for two vehicles to pass safely and forward visibility is deemed sufficient. Where the carriageway width is reduced, such as Aldworth appropriate traffic management measures have been installed such as a priority working system as well as a reduced speed limit. Other settlements including Westridge Green, Hampstead Norreys, Hermitage and Long Lane are all subject to a 30mph speed restriction in accordance with current DFT guidance and the route on a whole has a good safety record. Current records do not indicate a history or trend of personal injury accidents relating to HGV's.

7.2.24 Bowers Farm and Haw Farm to the north of Hampstead Norreys are both large established farms with regular deliveries by HGV's with access only achievable from the B4009 to the south. Given the rural setting, the B4009 is regularly used by large agricultural vehicles, with increased movements expected due to seasonal farming requirements.

7.2.25 The existing highway layout within Hampstead Norreys is considered to be somewhat historic with the route of the B4009 being dictated by existing properties and a dis-used railway bridge crossing. A combination of this and a small area of regular on street parking to the east of the White Hart PH results in traffic speeds being very low.

7.2.26 OGV (all vehicles over 3.5t) vehicle trip rates on the B4009 through Hampstead Norreys are approximately 90 per day (based upon a WBC five day traffic survey taken in March 2016). If the 'worst case scenario' of 22 additional trips are

generated by the proposed development, this would equate to a net increase of 20 trips per day (based upon an existing 2 trips per day for the grain store). Typical OGV proportions of total traffic flows for B8 uses are 20%, thereby of the proposed daily 22 trips, four would be expected to be OGVs. Allowing for the consented average of one or two daily grain lorry trips, this would result in a net increase of 2-3 OGV trips per day.

7.2.27 This increase in OGV trips is equivalent to a net increase of 2.2 – 3.3% (2/90; 3/90). Furthermore, this is taking a robust approach to the trip rates, as it could be argued that the site currently has consent to be used in such a way (such as machinery/chemical storage) that the number of trips could be far more than two per day, which would correspondingly, significantly reduce the net gain in trips.

7.2.28 The proposed development would therefore not result in the creation of significant levels of additional traffic generation within the local highways infrastructure.

7.2.29 Accident record:

7.2.30 The local accident history has been interrogated by the Highways Team and the results identify there have been in total two Personal Injury Accidents (PIAs) within 200m of the site access within the most recent five year period, which suggests the access and immediate roads have performed with a good accident record. Furthermore neither of these accidents involved HGVs.

7.2.31 It is recognised that significant concerns have been raised by the local community over the potential unsuitability of the local roads. Consequently, the Highways Team have expanded the search criteria for the accident history and can report the following results. Since the previous application was approved, in 2007, there has been a total of six recorded accidents involving HGVs, all of which were classified with a severity level of 'slight'. Thereby this low level of accidents, i.e. 6 in 10 years involving HGVs, would not justify refusal of the application on the grounds of increased risk of accidents as a result of the proposed development.

7.2.32 Parking:

7.2.33 The Council's Parking standards require 1 car space per 200m² over 235m² for B8 use. The amended plans include 18 car parking spaces and 4 Sheffield cycle stands which would accord with the council standards and ensure there is sufficient parking to meet the needs of the proposed development. The Sheffield stands would also promote the use of sustainable modes of transport.

7.2.34 Public Rights of Way:

7.2.35 A public right of way HAMP/4/1 runs through the site from the B4009 along the access way and yard into the open countryside to the south. In terms of pedestrian safety, the right of way would remain open and unimpeded as a result of the proposed development. The proposal would not result in any significant intensification in use of the access way compared to the lawful use of the site therefore whilst there is potential for adverse impact on users from conflict between vehicles and pedestrians, any additional risk from the proposed change of use would be slight. To further improve pedestrian safety, the applicant proposed to

erect a small section of post and rail fence along the southern part of the PROW where it crosses the yard which would be an improvement to the current situation.

7.2.36 Other Highways Matters:

7.2.37 It is noted representations have been made, if the application is approved, that a routing agreement is secured via planning condition to control the route of commercial traffic accessing the site within the local highways infrastructure. However, is it considered such a condition would not be reasonably enforceable e.g. it would be difficult for the applicant to control where third party deliveries to the site would arrive from.

7.2.38 Concerns have also been raised over potential damage to the local highways infrastructure. In this regard, taking into account the proposal would not result in a substantial increase in traffic generation compared against the lawful use of the site, the risk of excessive damage to the roads associated with the proposed development would not be significant.

7.2.39 Conclusions on Highways matters:

7.2.40 There are two policy issues that need addressing in terms of highways matters. Firstly whether the site is sustainable and secondly how much weight this factor should be attributed when the site is in a rural location.

7.2.41 The site is recognised to not be highly accessible in terms of access by sustainable modes of transport being remote from any higher order settlements identified within the districts settlement hierarchy with the nearest residential area being the relatively small village of Hampstead Norreys. However, the core strategy, the local plan and the NPPF seek to support rural areas promotes economic development in rural areas through the conversion of existing buildings. Therefore, although the site's location is not considered highly accessible by sustainable modes of transport, the proposal would comply with the overall aims of the planning policy to support economic growth within rural areas.

7.2.42 Para 32 states development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. As indicated above, the net increase in OGV trips would be, in a worst case scenario, an additional 2 - 3 daily trips. The Highways Team cannot therefore reasonably conclude that an additional 2 - 3 OGV trips, plus the associated remaining trips by cars and light vehicles (that would be approximately 20), would result in a "severe" impact on the local highways infrastructure having regard to the provisions of NPPF paragraph 32. Furthermore, refusal of the application on the grounds of a 'severe' impact on the highways or the location being unsustainable would not be justified.

7.2.43 Local Policy ENV.19 sets out the criteria for the re-use of existing buildings in the countryside. At part (f) this policy states the new use "would not generate traffic of a type or amount harmful to local rural roads, or require improvements which would detrimentally affect the character of such roads or the area generally." The proposal is considered to result, in a worse-case scenario, 2 - 3 OGV additional trips per day and on this basis it is considered the proposal would not have significant adverse impact on the local highways infrastructure.

7.2.44 For the above reasons, whilst the application site is not highly accessible in terms of access by sustainable modes of transport, it is recognised the Council have accepted the principle of B8 use within this location previously and the proposal would accord with plan led policy to support growth within rural areas. In terms of access, traffic generation, risk of accidents and impact on the public right of way, it is considered that the proposal would not have an adverse impact on highway safety and the local highways infrastructure having regard to the provisions of Core Strategy Policies CS9, CS13, Saved Local Plan Policies ENV19 and Trans1 and the NPPF.

7.2.45 Character and Appearance

7.2.46 The Government attaches great importance to the design of the built environment. Core Strategy Policy CS14 indicates new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Core Strategy Policy CS19 seeks to protect the historic environment and landscape character of the district. The NPPF supports these aims. Core Strategy Policies CS17 and CS18 require the District's green infrastructure to be protected and enhanced, and the protection of important landscape features. The site lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB), where this landscape is given the highest level of protection.

7.2.47 Saved Local Plan Policy ENV.19 supports the commercial re-use existing buildings in the countryside having regard to, amongst other considerations, (a) the form, bulk and general design of the existing buildings are in keeping with their surroundings; (c) and (d) the conversion respects local building styles and materials.

7.2.48 The proposal involves the conversion and refurbishment of the existing grain store building. The external alterations to the building are not substantial and relate to the provision of new vehicle and pedestrian doors. Other works include the existing hard standing to the yard area being extended / widened to provide the route to the new vehicle building entrance and the additional turning and parking areas. The new route to the building entrance would involve the loss of one existing lime tree located adjacent to the north-eastern elevation of the building. Additional works include erection of post and rail fence to part of the PROW, demarcation of parking areas and installation of new 4 cycle stands.

7.2.49 The proposed external alterations to the building, given their limited scope, and subject to appropriate colour and finishing materials, would have a minimal impact on the surroundings. The general form of the works to the building would be appropriate in style and materials to the nature of the proposed storage use and existing building construction. The additional hardstanding, demarked parking and turning areas and cycle stands, although would be visible from the B4009 and the PROW, would comprise a modest extension of the existing hard surfacing within the site and the cycle stands would not appear particularly prominent. These elements would be seen within the context of the existing yard area and therefore would not have a significant impact on the appearance of the area.

7.2.50 Parked cars with the yard area associated with the proposed development would be visible from the road and PROW. However, they would be seen within the context of an existing yard area and existing B8 storage building located adjacent. In this

context they would not have a significant impact on the character and appearance of the area. To further mitigate any impact, planning conditions could be imposed that restrict the external storage of goods, materials and equipment within the yard area and the installation of any external lighting.

7.2.51 The proposal would involve the loss of a lime tree that is considered to be of moderate quality. However, given its location close to a row of 7 retained lime trees and 8 horse chestnuts, and woodland to the south of the building, its loss would not have a material impact on the visual amenity of the area. The remaining trees around the site would be retained and protected during construction as set out in the supporting arboricultural report. In addition, the proposal has been considered by the Council's Tree Officer who raises no objection to the proposal.

7.2.52 It is recognised that a Public Right of Way passes through the site where users would experience the proposed use and physical works. However, given users would already experience this from the use of the existing B8 unit, coupled with the potential lawful use of the application site, and the relatively short length of the PROW that would be affected, there would be no significant impact on their amenity.

7.2.53 Overall, the conversion of the building and associated works would conserve the overall landscape and scenic beauty of the AONB, would not result in any wider impact on the wider rural landscape character or the general character and appearance of this rural area. In addition, the impact on existing users of the Public Right of Way would not be significantly adverse. The proposal would therefore accord with the provisions of Core Strategy Policies CS14, CS17, CS18, CS19 Saved Local Plan Policy ENV19 and the NPPF.

7.2.54 Impact on Neighbouring Amenity

7.2.55 Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF and Core Strategy Policy CS14. Part 2 of the Council's adopted Supplementary Planning Document 'Quality Design' and the Supplementary Planning Guidance on 'House Extensions' seek to protect neighbouring residential amenity. Saved Local Plan Policy OVS5 seeks to protect against pollution and loss of amenity. Saved Local Plan Policy OVS6 seeks to protect against noise pollution including where it would harm the quiet enjoyment of Areas of Outstanding Natural Beauty.

7.2.56 There are 5 residential properties located approximately 20m away from the building and are adjacent to the buildings yard area. The proposal has been assessed by the Council's Environmental Health Officer who raises no objection subject to a restriction on the hours of operation and any external lighting. Taking into account the lawful use of the site for grain storage with potentially intensive use during seasonal periods, coupled with the proposal not resulting in a significant increase in vehicular traffic over the lawful use of the site, and subject to the imposition of conditions to control external storage/working in the yard area, lighting and hours of operation, the proposal would have an acceptable impact on neighbouring residential amenity, including any increased air pollution associated with the additional traffic movements, and cumulative impact taking into account existing traffic movements through the village in terms of noise and disturbance.

7.2.57 In addition, having regard to the nature of B8 storage use in terms of noise generation coupled with the existing lawful use, and subject to restrictions on operating hours, the proposal would not unduly harm the amenity of users of the AONB. For these reasons, the proposal would accord with the provisions of Core Strategy Policies CS14, Saved Local Plan Policies ENV19, OVS5, OVS6, SPD 'Quality Design', SPG 'House Extensions' and the NPPF.

7.2.58 Other Matters

7.2.59 The proposed development is located at distance from any listed buildings or conservation areas such that their settings would be preserved. The Council's Archaeological Officer has assessed the proposal and confirms the proposal is unlikely to have an adverse impact on features of archaeological importance within the site.

7.2.60 For the above reasons, the proposal would therefore not have an adverse impact on any heritage assets in accordance with the provisions of Core Strategy Policy CS19, Saved Local Plan Policy ENV19 and the NPPF.

7.2.61 Given the limited scope of external works, the proposal is unlikely to result in harm to any protected species or biodiversity having regard to the provisions of Core Strategy Policy CS17, Saved Local Plan Policy ENV19 and the NPPF. Precautionary informative notes can be suggested to provide guidance to the applicant in the event of any protected species being identified within the site.

7.2.62 In light of the previous use of the building as a grain store and modest external works including minor resurfacing proposed, the proposal is unlikely to have any significant impact on potential contamination within the site having regard to the provisions of Saved Local Plan Policies ENV19 and OVS5 and the NPPF. Precautionary informative notes can be suggested to provide guidance to the applicant in the event of any contamination being identified within the site.

7.2.63 The proposal would ensure the re-use of an existing building which is considered to be an inherently sustainable approach in accordance with the overall aims and objectives of Core Strategy Policy CS15 and the NPPF.

7.2.64 The proposal would include additional hardstanding but given its modest scale, and taking into account the site is located within Flood Zone 1 (lowest risk of flooding) according to the Environment Agencies Flood Maps, the proposal would not have an adverse impact on the risk of flooding within the site or the locality having regard to the provisions of Core Strategy Policy CS16 and the NPPF.

7.2.65 Sustainability

7.2.66 The NPPF identifies three dimensions to sustainable development: economic, social and environmental. 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. Whilst the proposal is within a location that is not highly accessible by sustainable modes of transport, it would make a contribution to wider social and economic roles of planning, through the conversion of existing premises for business development that would contribute to the local economy within a rural area. With regard to the environmental role contributing to protecting

and enhancing our natural, built and historic environment is fundamental. The impact on the site and surroundings, including the AONB and heritage assets, has been assessed as part of this application, and it is considered that the proposal would not result in material harm to such matters of acknowledged importance. For these reasons, the proposal is considered to be sustainable development.

8.0 Conclusion

- 8.1.1 Having regard to the relevant development plan policy considerations and the other material considerations referred to above it is considered that the proposed development would accord with the development plan when considered as a whole and therefore it is recommended that planning permission should be granted subject to the planning conditions set out below.

9.0 Recommendation

- 9.1 To **DELEGATE** to the Head of Development & Planning to **APPROVE PLANNING PERMISSION** subject to the following conditions;

1. The development hereby permitted shall commence before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved drawings and supporting documentation:

Drawings:

- RAC/7000/01 (location plan)
- RAC/7000/02 (proposed site plan)
- RAC/7000/05 (proposed layout)
- RAC/7000/06 (proposed internal layout plan)
- RAC/7000/07 (proposed elevations)
- RAC/7000/09 (parking plan)
- 8170470/6101 rev.B (visibility splay plan attached to Transport Statement).

Documentation:

- Transport Statement prepared by Glanville
- Structural Survey prepared by Graham Smith Associates
- Arboricultural Report prepared by GHA Trees Arboricultural Consultancy

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

3. The use hereby permitted shall not commence until the visibility splays at the approved access have been provided in accordance with drawing number 8170470/6101 rev.B. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 1.05 metres above the carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the NPPF and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

4. The use hereby permitted shall not commence until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plans listed under 2. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times

Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking that would adversely affect road safety and the free flow of traffic. This condition is imposed in accordance with the NPPF, 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).

5. Prior to their installation, details of the colour and finish of the roller shutters doors and new pedestrian/fire exit doors on the building, and the specification of the hard surfacing areas and details of the post and rail fence adjacent to the Public Right of Way hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed development harmonises with the surroundings and responds to local character. This condition is imposed in accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and SPD 'Quality Design' (June 2006).

6. The development hereby permitted shall be carried out strictly in accordance with the recommendations of the approved Arboricultural Method Statement ref: GHA/DS/15560:17 prepared by GHA Trees Arboricultural Consultancy received by the Local Planning Authority on 6 October 2017. The method statement shall be carried out in full, including the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

7. Prior to their installation, details of any external lighting on the site shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter be installed, maintained and operated strictly in accordance with the approved details.

Reason: To protect the character and appearance of this rural area designated as an Area of Outstanding Natural Beauty, and to protect neighbouring residential amenity from excessive light pollution in accordance with the objectives of the NPPF, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies ENV19, OVS5, OVS6 of The West Berkshire District Local Plan 1991-2006 (saved policies), SPD 'Quality Design', SPG 'House Extensions' and the NPPF.

8. No works, in association with the use hereby permitted, shall take place outside the following hours:

- 7:00am to 19:00 Mondays to Fridays;
- 7.00am to 13:00pm Saturdays;
- There shall be no working on Sundays or Bank or Public Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is imposed in accordance with the objectives of the NPPF and Policies CS14 of the West Berkshire Core Strategy (2006-2026) and Policies ENV19, OVS5, OVS6 of The West Berkshire District Local Plan 1991-2006 (Saved Policies), SPD 'Quality Design', SPG 'House Extensions' and the NPPF.

9. With the exception of the storage of motor vehicles under condition 4 above, there shall be no external storage of material, equipment, vehicles or any other items associated with the use of the building hereby permitted.

Reason: To protect the character and appearance of this rural area designated as an Area of Outstanding Natural Beauty, and to protect neighbouring residential amenity from excessive noise and disturbance in accordance with the objectives of the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies ENV19, OVS5, OVS6 of The West Berkshire District Local Plan 1991-2006 (Saved Policies), SPD 'Quality Design', SPG 'House Extensions' and the NPPF.

10. The development hereby permitted shall be used for B8 use only and for no other purposes including any other purposes in Class B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and reacting that order with or without modification.

Reason: In the interests of road safety. This condition is imposed in accordance with the NPPF and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

Informative Notes

1. Protected Species
2. Contamination
3. Drainage
4. NPPF

Appendix 1 – Photographs provided by Ashampstead Parish Council

DC

This page is intentionally left blank



Approach on the B4009 from the East. Lorry jammed in road junction at Streatley.



Approach from the B4009. Road closed due to repairs needed after HGV collided with Listed property and became wedged in the road.



Approach from the west on the B4009. Lorry forcing car up onto pavement in Hampstead Norreys



Approach from the east on the B4009. Road blocked by HGV attempting to get to Ashampstead via Hapstead Norreys.

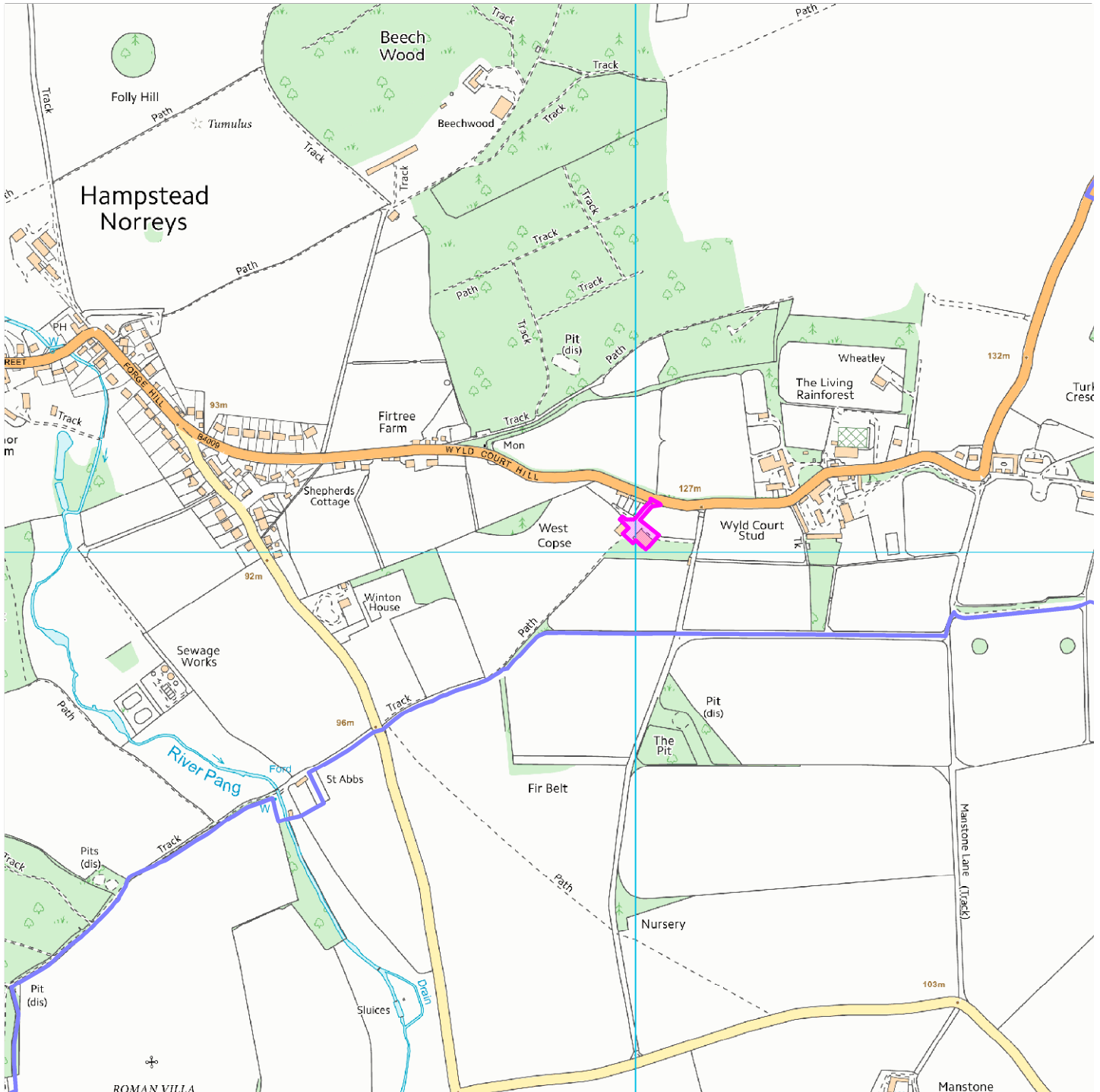


Road into Ashamsptead from the south linking Reading/Pangbourne to B4009....note blue sign **'Unsuitable for Heavy Goods Vehicles'**



Road between Ashamsptead from Yattendon linking Reading/Pangbourne to B4009....note blue sign **'Unsuitable for Heavy Goods Vehicles'**

This page is intentionally left blank



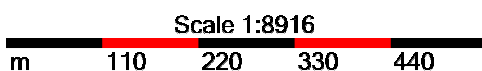
Map Centre Coordinates :

Scale : 1:8916

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2003.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings .

Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	20 March 2018
SLA Number	0100024151



This page is intentionally left blank

Agenda Item 4.(3)

Item No	Application No. and Parish	8/13 week date	Proposal, Location and Applicant
(3)	17/01550/FULEXT Greenham	7 th September 2017. Extension of time agreed to 30 th April 2018.	Change of use of agricultural land to land for siting 40 additional holiday lodges, construction of access road, parking spaces and hard standing bases and associated landscape planting and infrastructure. Land South of Lower Farm, Hambridge Lane, Newbury. West Berkshire Council

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=17/01550/FULEXT>

Recommendation Summary: To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.1) and the completion of a planning obligation (Section 8.2) by 30th April 2018.

OR

If the planning obligation is not completed by 30th April 2018, **DELEGATE** to the Head of Planning and Countryside to **REFUSE PERMISSION**, given the failure of the application to mitigate the impact of the development on the local Infrastructure and services as set out in Section 8.3, where expedient.

Ward Member(s): Councillor Drummond
Councillor Bartlett

Reason for Committee determination: This is a major application and West Berkshire Council is the applicant

Committee Site Visit: 29th March 2018.

Contact Officer Details

Name: Jake Brown
Job Title: Principal Planning Officer
Tel No: (01635) 519111
Email: jake.brown@westberks.gov.uk

1. RELEVANT PLANNING HISTORY

Application 13/01517/FULEXT - Erection of 25 holiday chalets, reception building, parking, landscaping and associated works. Application allowed at appeal 23/09/15.

Application 15/02832/FULEXT - Section 73: Variation of Condition (2) - Approved plans of Appeal ref: APP/W0340/A/14/2216837 - Erection of 25 holiday chalets, reception building, parking, landscaping and associated works (Application ref 13/01517/FULEXT). Application approved 21/01/2016.

Application 16/00701/COND2 - Application for approval of Conditions 6 - Habitat and Management Plan, 7 - Boundary treatments, 8 - External lighting, 9 - Materials.10 - Hard and soft landscaping and 11 - Landscape management plan of approved application 15/02832/FULEXT - Erection of 25 holiday chalets, reception building, parking, landscaping and associated works. Application approved 15/07/2016.

Application 16/00841/FULEXT - Section 73: Removal of Condition 5 - Footpath of approved application 15/02832/FULEXT: Section 73: Variation of Condition (2) - Approved plans of Appeal ref: APP/W0340/A/14/2216837 - Erection of 25 holiday chalets, reception building, parking, landscaping and associated works (Application ref 13/01517/FULEXT). Application approved 17/06/2016.

Application 16/01195/COND3 - Application for approval of details reserved by Condition (4) - Highways of planning permission 15/02832/FULEXT. Application approved 11/08/2016.

Application 16/03242/COND1 - Approval of details reserved by Condition 11: Fire Hydrant provision of planning permission 16/00841/FULEXT. Application approved 13/12/2016.

Application 17/00979/SCREEN – Environmental Impact Assessment (EIA) Screening Opinion for the erection of 40 holiday chalets with associated access and open space. EIA not required 05/05/2017.

2. PUBLICITY

Advertised in Newbury Weekly News on 15th June 2017. The site notice expired on 13th July 2017 and the neighbour notification letters expired on 27th February 2018.

2.1 EIA

In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the local planning authority (LPA) must adopt a screening opinion on any application for Schedule 2 development to determine whether the proposal constitutes EIA development, and therefore whether Environmental Impact Assessment (EIA) is required as part of the application.

A screening opinion was adopted under application 17/00979/SCREEN prior to the submission of this application, confirming that the proposal is not considered EIA development and that an Environmental Statement is not required.

3. CONSULTATIONS AND REPRESENTATIONS

3.1 Consultations

Greenham Parish Council	Objection. Loss of green space, loss of amenity.
Thames Water	1st Response: No objections, request condition to secure drainage strategy for foul and surface water to public sewer. 2nd Response (to amended plans): No objections, request condition to secure drainage strategy for foul and surface water to public sewer. 3rd Response (to amended FRA): No objections drainage strategy no longer required as foul and surface water will not be connected to public sewers.
Tree Officer	No objections, request condition to secure landscaping details.
Highways Officer	1st Response: Concern that a net gain in highway safety would be maintained with the addition of 40 lodges. Request contribution toward local bus improvements. 2nd response (to amended plans): Parking spaces require 6 metre depth forecourt. Request cycle shed for chalets. Consider development unlikely to bring a net gain in highway safety unless improvement measures along access road to control speeds and improve access safety are secured. Request contribution of £16,360 for local bus improvements. 3rd Response (to amended plans): No objections, recommend condition for provision of cycle sheds. Request contribution of £16,360 toward local bus improvements.
Access Officer	No response received.
Environment Agency	If infiltration drainage is proposed then it must be demonstrated that it will not pose a risk to groundwater quality. Consider any infiltration SuDS greater than 3m below ground level to be a deep system and generally not acceptable. All infiltration SuDS require a minimum of 1m clearance between the base and peak seasonal groundwater levels. All need to meet the criteria set out in our Groundwater Protection: Principles and Practice (GP3) document. In addition, they must not be constructed in ground affected by contamination. New development should be connected to the public mains (with the prior written approval of the statutory undertaker) where possible. Proliferation of individual treatment plants can cause deterioration in local water quality (ground and surface water). This would be contrary to the principles of the EU Water Framework Directive.
Police	No response received.
Environmental Health	No objections. The site will need to be licensed for it to be used which would require units to be within 50 metres from a road.

Royal Berkshire Fire and Rescue	Request provision of suitable fire hydrants.
SPOKES	No response received.
Archaeology	<p>1st Response: Request archaeological evaluation of western part of application site.</p> <p>2nd Response (to additional information submitted): No response received.</p>
Drainage Officer	No objections, request condition to secure details of SuDS.
Waste Services	Refuse and recycling from holiday accommodation is commercial waste. Waste Management have no comment on applications relating to commercial premises or the collection and storage of commercial waste. The Local Authority does not collect Commercial Waste.
BBOWT	<p>1st Response: Object. Net gain in biodiversity not demonstrated; Lack of information on potential impact on protected species (hazel dormouse); Lack of proposed mitigation for impact on designated sites, protected and priority habitats and species.</p> <p>2nd Response (to amended plans and additional information): Object. Request further information of planned biodiversity enhancement based on DEFRA's 2012 method and evidence of impact on nearby SSSIs. Require conditions securing Habitat Enhancement and Management Plan (HEMP), detailed lighting strategy and retile and amphibian mitigation strategy.</p> <p>3rd Response (to further amendments and additional information): Objections withdrawn – request conditions securing HEMP, details of planting proposed, habitat management and lighting. Request contribution to mitigate impact on nearby SSSIs.</p>
Public Rights of Way Officer	If there is sufficient room for pedestrians to pass these many vehicle movements safely, and with a retained amenity value in terms of enjoying the countryside, then the proposal might be acceptable. We have a long-outstanding request to consider upgrading this footpath to a bridleway, and so it would be helpful if any application could retain this possibility in terms of physical space. Request a comprehensive plan for access.
Economic Development Officer	The economic benefit to the local area was conservatively estimated at £770,000 p.a. through additional local spend from visitors when the site was granted its original planning consent. Therefore, by extending the facility, it is reasonable to assume that this figure will certainly be higher. The extended development may attract new

visitors to the area that may not have visited West Berkshire in the past. The site is also likely to provide additional jobs; however, these may only be seasonal depending on the opening dates of the development. In terms of our key economic objectives, outlined in the "West Berkshire Economic Development Strategy 2013-2018", this proposal will help to achieve the following: "Promoting West Berkshire as a desirable location for combining business, leisure, learning and life."

Natural England **1st Response:** Object - further information required to determine significance of impacts and scope for mitigation on the Kennet & Lambourn Floodplain SAC/SSSI, the River Kennet SSSI & Thatcham Reed Beds SSSI. Require foul water drainage strategy.
2nd Response (to amended plans and additional information): No objections subject to conditions securing mitigation measures.

Ecology No objections subject to conditions securing ecological mitigation measures proposed, external lighting details and construction methodology for the protection of Great Crested Newts.

Minerals and Waste Officer No objections.

Kennet and Avon Canal Trust No response received.

3.2 Representations – As of 22nd March 2018

Total: 45 Object: 45 Support: 0

Summary of Objections:

- Impact on ecology;
- Impact on local services and infrastructure;
- Development on agricultural land outside of settlement;
- Loss of agricultural land;
- Loss of rural character;
- Precedent for further development in surrounding fields, including residential development;
- Impact on historic assets;
- Impact on transport infrastructure;
- Safety of users of the public right of way;
- Lack of access for fire appliances;
- Noise pollution;
- Additional waste and litter will be generated;
- Inadequate landscaping proposed;
- Will not benefit local community;
- Development will be used for permanent residency;
- Does not address need for housing and resources to support housing;
- Predicted economic benefit unfounded;

- Evidence demonstrating units are being sold for permanent residency;
- Increase in traffic;
- Traffic calming measures will be required on the public right of way;
- Drainage study required;
- Access to site unsuitable;
- Light pollution;
- Impact on protected species and their habitat;
- Loss of privacy;
- Significant visual impact;
- Overdevelopment;
- Contrary to housing policies;
- Adverse effect on character and beauty of area;
- Impact on nearby SSSIs;
- Impact on setting of heritage assets;
- Lack of consultation with neighbours prior to application;
- Buildings out of keeping with area;
- Submitted highway report is inaccurate and misleading;
- Other developments in the area such as Newbury Racecourse will increase pedestrian and cycle movements on the public right of way;
- Highway safety from the end of the adopted road at Hambridge Lane to the railway bridge;
- Flooding;
- Security risks to nearby residents.

4. PLANNING POLICY

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for West Berkshire comprises:
- West Berkshire Core Strategy (2006-2026)
 - Housing Site Allocations DPD
 - West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
 - Replacement Minerals Local Plan for Berkshire (2001)
 - Waste Local Plan for Berkshire (1998)
- 4.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. The NPPF is supported by the Planning Practice Guidance (PPG).
- 4.3 According to paragraph 215 of the NPPF, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
- 4.4 The West Berkshire Core Strategy (2006-2026) (WBCS) is the first development plan document (DPD) within the new West Berkshire Local Plan.

It sets out a long term vision for West Berkshire to 2026 and translates this into spatial terms, setting out proposals for where development will go, and how this development will be built. The following policies from the Core Strategy are relevant to this development:

- NPPF Policy;
- ADPP1: Spatial Strategy;
- CS5: Infrastructure Requirements and Delivery;
- CS10: Rural Economy;
- CS13: Transport;
- CS14: Design Principles;
- CS16: Flooding;
- CS17: Biodiversity and Geodiversity;
- CS18: Green Infrastructure;
- CS19: Historic Environment and Landscape Character.

4.5 The Council's Housing Site Allocations Development Plan Document (HSA DPD) was adopted on the 9th May 2017. Whilst Policy C1 defines the settlement boundaries, replacing Policy HSG.1 of the Local Plan, this policy is not applicable to this application as this application does not seek permission for housing in the countryside.

4.6 A number of policies from the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP) remain part of the development plan following the publication of the Core Strategy. The following policies from the WBDLP are relevant to this development:

- OVS.5: Environmental Nuisance and Pollution Control;
- OVS.6: Noise Pollution;
- TRANS.1: Meeting the Transport Needs of New Development.

4.7 The following local policy documents adopted by the Council are material considerations relevant to the development:

- Quality Design SPD (2006);
- Planning Obligations SPD (2015);
- West Berkshire Local Transport Plan;
- Greenham Parish Plan, 2011.

5. DESCRIPTION OF DEVELOPMENT AND PROPOSAL

5.1 Full planning permission is sought for the change of use of agricultural land for the siting of 40 holiday lodges, construction of access road, parking spaces, hard standing bases and associated landscape planting and infrastructure.

5.2 The application site comprises an area of approximately 8.53 hectares (excluding the existing access route). This application site immediately adjoins, and incorporates in part, the permitted 25 holiday lodge scheme

currently being implemented that was granted planning permission at appeal (ref: 13/01517/FULEXT, APP/W0340/A/14/2216837).

- 5.3 The development would include a large area of open space comprising short and tall grassland and two drainage attenuation ponds. Access within the site would be from the previously permitted scheme. Access to the site would be via Hambridge Lane and, in part, the public right of way (GREE/6/3) as permitted for the previously approved 25 holiday lodge scheme.
- 5.4 To the east of the site are the unrestored gravel works and to the south is pastureland with woodland and a small cluster of residential housing beyond. To the west lies Newbury Racecourse and the proposed site of the relocated golf course. Much of the application site comprises restored grassland with some small scrubby vegetation and rushes colonising the previous minerals extraction site.
- 5.5 The proposed holiday lodges to be sited within the application site would be the same as those previously permitted and currently being implemented. The holiday lodges themselves technically comprise caravans for the purposes of the Caravan Sites and Control of Development Act 1960 (as amended). As such they will need to be licensed by the Council prior to occupation.

6. APPRAISAL

The main issues for consideration in the determination of this application are:

- The Principle of Development
- The Impact on the Character and Appearance of the Area
- The Impact on Heritage Assets
- The Impact on Neighbouring Amenity
- Highway and Public Right of Way Matters
- Flood Risk and Drainage
- Ecology
- Trees
- Community Infrastructure Levy
- Planning Balance and Sustainable Development

6.1 The Principle of Development

6.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 provides that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.1.2 The application site lies outside the settlement of Newbury and is therefore in the countryside. The change of use proposed comprises tourist facilities. Policy ADDP1 of the Core Strategy seeks to restrict development within or adjacent to settlements with appropriate limited development in the countryside being allowed where it focusses on addressing identified needs and maintaining a strong rural economy. Policy CS10 of the Core Strategy

considers 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.

- 6.1.3 The Inspector in the previous appeal considered there to be no specific support in the development plan policies for the development of tourist facilities in the countryside. However, as confirmed by the Inspector, the lack of support within development plan policies do not represent a conflict with those policies.
- 6.1.4 The NPPF, in paragraph 28, gives support to all types of rural enterprise, including sustainable rural tourism and the provision of tourist facilities in appropriate locations. This is considered to allow for some developments located in the countryside of the type proposed in this application.
- 6.1.5 Therefore, the principle of the development is considered acceptable, subject to its compliance with other planning policies and material planning considerations.

6.2 The Impact on the Character and Appearance of the Area

- 6.2.1 The Government attaches great importance to the design of the built environment, and securing high quality design is one of the core planning principles of the NPPF. Core Strategy Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. Policy CS19 of the WBCS seeks to ensure that the diversity and local distinctiveness of the landscape character of the district is conserved and enhanced.
- 6.2.2 The application site lies within the Lower Kennet valley. As opined by the Inspector, whilst the shallow valley landform is a recognisable element of the landscape, it is not a particularly dramatic or distinctive one. In policy terms the area has no special landscape designation. Whilst there are some pleasant outward views towards higher ground, they are seen from the context of a valley floor which contains extensive areas of existing and former gravel workings, industrial estates, an elevated railway line, the Racecourse, and other urban-fringe development. The implementation of the previous permission for 25 lodges granted at appeal also has an impact on the landscape sensitivity. The presence of these features is not in any way a justification for causing further harm, but realistically they must have some influence on any assessment of the landscape's existing quality and value. As such it is considered that the landscape's sensitivity to change is low.
- 6.2.3 The application site itself is not considered to have any particular landscape qualities or features of interest, other than its openness. It is acknowledged that this has been reduced somewhat as a result of the permission granted for 25 holiday lodges. The application site is well contained by extensive woodlands to the north and southeast and also to the south by steeply rising topography. Views into the site from public vantage points are limited to a short section of the public right of way. The site is largely isolated from any

other agricultural land, except for the various small paddocks around Pigeon's Farm. This further limits any impression that the site gives the area a rural character rather than being part of the urban fringe.

- 6.2.4 The proposal here provides for a large amount of open space within the development to remain in the form of short and long grassland. The proposed location of the chalets in the south-eastern and south-western corners of the application site would contribute toward maintaining a sense of openness, particularly from the short sections of the public right of way from which views into the site are possible.
- 6.2.5 Sufficient space is provided for new landscaping to screen and soften the development and the single storey design of the chalets, with low eaves and ridgeline would reduce the impact of the development proposed and limit it to the immediate area.
- 6.2.6 Therefore, whilst the development proposed would have some effect on the character and appearance of the landscape, the effect is considered, on balance, to be minor. As such, the application is considered to accord with Policies CS14 and CS19 of the Core Strategy and the NPPF.

6.3 The Impact on Heritage Assets

- 6.3.1 Two designated heritage assets (Grade II listed) are located to the south of the application site (Hall Barn House and a barn adjoining Pidgeon's Farm).
- 6.3.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard be paid to the desirability of preserving a listed building or its setting. Policy CS19 of the Core Strategy requires regard to be given to the conservation and enhancement of heritage assets and their settings. Paragraph 132 of the NPPF requires that, in considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In the case of non-designated assets, paragraph 135 states that the direct and indirect effects should be taken into account, and that a balanced judgement should be made, taking into account the asset's significance and the scale of any harm.
- 6.3.3 The Inspector for the previously permitted scheme of 25 holiday lodges considered the impact of the proposal on the setting of those Grade II listed barns at Pigeons Farm. He accepted that historically Pigeon Farm's buildings were related to the surrounding farmland and agreed that retaining a buffer of agricultural land around the farmstead was an important part of their setting. He concluded that the area of grazing land and paddocks that separated the development from Pigeon Farm was substantial enough to prevent the proposed built form from encroaching on Pigeon farm and its two listed buildings, thereby maintaining their agricultural setting.
- 6.3.4 The current application proposes an additional 40 lodges to the south of the appeal scheme, split between an eastern and western section. The western section of the proposed development would bring the proposed built form

much closer to Pigeon Farm allowing more immediate views of the proposed development from the listed barns and significantly reducing the agricultural buffer that currently exists. Views from Pidgeon's Farm to the eastern section of the proposed holiday chalets would be largely screened by the existing vegetation woodland (Barnclose Copse).

- 6.3.5 The heritage significance of the two listed barns, lies in their traditional appearance and historic construction, along with their contribution to the group value of the former farmstead. To the extent that both the visibility and historical context of the farm relies on its relationship with the surrounding fields, the loss of further agricultural land to the north of Pigeon Farm and the subsequent reduction in the size of the agricultural buffer, would have some detrimental effect on the setting of the listed buildings. This fact is recognised in the applicant's Heritage Statement (HS), which finds that the proposed development would result in the slight loss of significance of these heritage assets as a result of change within their setting. The HS concludes that this harm would be less than substantial in terms of paragraph 134 of the NPPF and your Officers concur with that assessment.
- 6.3.6 Paragraph 134 of the NPPF directs that less than substantial harm should be weighed against the public benefits of the proposal. It is considered in line with the applicant's HS that the degree of harm would be less than substantial in the context of paragraph 134. However, though less than substantial, the Conservation Officer considers that there would, nevertheless, be real and serious harm which requires clear and convincing justification for it to be overcome. As such, careful consideration will need to be given as to whether this harm is outweighed by any public benefits of the scheme. This is considered later in the Planning Balance section of this report.
- 6.3.7 In respect of archaeology, the Archaeological Officer requested further archaeological evaluation of the site which was undertaken and submitted. The survey concluded that no definite archaeological finds were revealed and therefore no further investigation is required.

6.4 The Impact on Neighbouring Amenity

- 6.4.1 The nearest neighbouring dwellings (Pigeon's Farm Cottages) are located some 80 metres to the south-west of the southern boundary of the application site. Pigeon's Farm and Hall Barn House are located approximately 110 metres from the southern boundary of the application site.
- 6.4.2 The proposed development, whilst affecting views from those properties, are not considered to introduce any significant detrimental impact on the amenities of those properties. No concerns regarding the impact on neighbouring amenity was raised by the Council or the Inspector in the consideration of the previous application for 25 holiday lodges.
- 6.4.3 Concern has been raised in representations received regarding the impact of light pollution from the proposed development. Whilst there would inevitably be some light spill from the holiday lodges themselves this would not be

harmful to the amenity of the neighbouring properties to the south of the application site. External lighting around the site is to be controlled by a condition. Your Officers would ensure that those details not only limit any light pollution in the area, but also that such light pollution would not adversely affect the local ecology.

6.4.4 Concern has also been raised regarding the impact on neighbouring amenities as a result of noise pollution from the holiday lodges. Again, this was not considered an issue by the Council or Inspector for the previously permitted scheme of 25 holiday lodges. The Environmental Health Officer raises no objections to the application. Whilst the resultant number of holiday lodges would increase to 65 should this permission be granted and implemented, matters of noise disturbance as a result of the proposed development would be controlled under Environmental Health legislation.

6.4.5 Therefore, the application is not considered to introduce any significant concerns in respect of the impact on the amenities of neighbouring properties.

6.5 Highway and Public Rights of Way Matters

6.5.1 Paragraph 32 of the NPPF states that "all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

6.5.2 The development would be accessed via Hambridge Lane and then a section of unadopted road that forms the public right of way (GREE/6/1 and GREE/6/3) which then passes underneath the railway. Approximately 50 metres after the railway underpass the track forks, with the public right of way (GREE/6/3) separating from an unmade track. Visitors to the application site would continue along the unmade track, separate from the public right of way path that passes the properties at Lower Farm, and re-join the public right of way approximately 200 metres south of the access to the application site.

6.5.3 The Highways Officer has reviewed the application and does not consider that the increase in traffic movements as a result of the development proposed would result in a severe impact on the local highway network.

- 6.5.4 The Highways Officer raises concern in respect of the impact on the safety of users of part of the public right of way from which the site is accessed (GREE/6/3). The Public Rights of Way Officer considers that if there is sufficient room for pedestrians to pass with a retained amenity value in terms of enjoying the countryside, then the proposal might be acceptable.
- 6.5.5 Many of the representations received raise concern regarding the number of vehicles using the public right of way for access, and, the safety of users of the public rights of way.
- 6.5.6 As part of the previous permission granted at appeal, various works to the access route were secured by condition. These included the provision of traffic lights at the railway underpass that also detect non-motorised users; a drainage pump at the railway underpass, improvements and repairs to the surface of the track and public right of way; and appropriate signage. Improvements to the cutting of vegetation and its maintenance along the public right of way were also secured to ensure sufficient room for vehicles to pass other users of the public right of way. A condition regarding the provision of a segregated footpath was also attached to the decision made by the previous Inspector; however, it was subsequently established that such a route could not be physically achieved. Therefore, the Local Planning Authority approved the removal of this condition under application 16/00841/FULEXT.
- 6.5.7 The Inspector at appeal considered that the above improvements secured by condition were sufficient to achieve a substantial net gain in highway safety for users of the public right of way. It is acknowledged that the loss of the proposed segregated footpath since the appeal decision reduces the net gain in highway safety considered to be achieved by the Inspector. However, the remainder of the improvements do still contribute toward safety of the users of the public right of way.
- 6.5.8 The Highways Officer and Public Rights of Way Officer consider that the 200 metre section of public right of way, from where it re-joins the vehicle access south of Lower Farm to the entrance of the site, would benefit from traffic calming measures to ensure that vehicle speeds are reduced. Such measures envisaged would be in the form of narrowing points creating a chicane effect along this relatively straight section of track, created by natural features such as large boulders or large trees protruding into the track. The applicant has agreed in principle to such measures and they are proposed to be secured by condition, as set out later in this report.
- 6.5.9 The additional traffic calming measure proposed, together with those secured under the previous permission granted at appeal (excluding the segregated footpath), are considered, on balance, to maintain a sufficient level of safety for all users of the public right of way.
- 6.5.10 In respect of parking, the proposed levels and arrangement of vehicle parking within the application site is considered acceptable. Details of sufficient cycle storage are to be secured by condition.

6.5.11 Similar to that secured via a planning obligation for the previously permitted scheme at appeal, the Highways Officer is seeking a contribution of £16,360 toward local bus improvements to mitigate the impact on the local bus network of this development proposed.

6.5.12 In conclusion, the development proposed is not considered to severely impact on the highway network. The combination of the improvements to the access secured by the previous appeal decision together with the additional traffic calming measure proposed in this report, are considered, on balance to maintain a sufficient level of safety for all users of the public right of way.

6.6 Flood Risk and Drainage Matters

6.6.1 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 strictly applies a sequential approach across the district. The application site is located in the Environment Agency's Flood Zone 1, which has the lowest probability of fluvial flood risk.

6.6.2 Core Strategy 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).

6.6.3 The submitted Flood Risk Assessment (FRA) considers that the risk of surface water flooding to be low and the proposed lodges on site will be raised a minimum of 150 mm above surrounding ground levels by their inherent design, thereby preventing ingress of any overland flows from offsite sources into the buildings on the site.

6.6.4 The proposed holiday lodges would comprise sedum blanket green roofs which provide a variety of benefits including the reducing of surface water run-off, enhance building performance, ecological benefits and also visual benefits.

6.6.5 The submitted FRA considers that swales, detention basins and ponds are suitable SuDS measures that could be incorporated within the scheme, together with permeable hard standing. The submitted FRA concludes that the two proposed attenuation ponds within the site, with filter drains to convey surface water to those ponds, would be sufficient to ensure that surface water is dealt with appropriately. The precise details of the SuDS measures can be secured by condition.

6.6.6 In respect of foul water drainage, it is proposed that foul water is collected in cesspits which would then be transported off-site. Subject to conditions securing regular checks of the cesspits to ensure that they do not leak, as requested by Natural England and detailed later in this report, the proposed use of cesspits is considered acceptable.

6.7 Ecology

- 6.7.1 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by (amongst others) minimising impacts on biodiversity and providing net gains in biodiversity where possible.
- 6.7.2 Core Strategy Policy CS17 states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. In order to conserve and enhance the environmental capacity of the District, all 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.
- 6.7.3 The application site itself has no ecological or wildlife designation. Within 2 km of the application site are the Sites of Special Scientific Interest (SSSIs) of the River Kennet, River Lambourn, the Greenham to Crookham Commons, Bowdown and Chamberhouse Woods and the Thatcham Reed Beds. Two Special Areas of Conservation (SACs) are also located within 2km of the application site, comprising the Kennet and Lambourn Floodplain and the River Lambourn. Within 1 km of the application site are two designated Local Wildlife Sites (LWSs) comprising Reeve's Copse, Greyberry Copse and Wellmoor Copse and Young Copse. Further LWSs are located to the south of the red line comprising blocks of woodlands within the Greenham and Crookham Golf Course. One of these (Barnclose Copse) is located approximately 11 metres from the southern boundary of the application site.
- 6.7.4 The Ecologist has reviewed the application and considers the impact on ecology to be acceptable subject to the imposition of conditions. The conditions would secure the mitigation measures set out in the submitted Ecological Appraisal including detailed lighting plan, a Habitat Enhancement and Mitigation Plan (HEMP) and Construction Method Statement for the protection of Great Crested Newts and bats, amongst other protected species.
- 6.7.5 Natural England initially raised objections due to the potential impact on nearby SSSIs and SACs as a result of the originally proposed use of Package Treatment Plants (PTPs) for foul water. However, the application has been amended and it is now proposed to use sealed cesspits with sewage transported off-site. As such, Natural England have withdrawn their objection subject to the imposition of conditions securing the protection of SSSIs and SACs during construction as well as a monitoring and management scheme for the proposed cesspits. Natural England also request details of SuDS prior to the commencement of development as requested by the Drainage Officer.
- 6.7.6 BBOWT initially objected to the proposed development due to a lack of information on the impact of protected species and mitigation required. During the consideration of the application further information was submitted and BBOWT withdrew their objection subject to conditions securing details of lighting, landscaping, a HEMP including an appropriately detailed reptile and

amphibian mitigation strategy and enhancement plan, and a contribution toward mitigating the impact of increased visitors to nearby SSSIs.

6.7.7 Discussions regarding the precise contribution to be secured via a planning obligation are ongoing and Members will be updated at the committee meeting on the outcome of those discussions.

6.7.8 Subject to the imposition of the conditions requested by consultees and securing a contribution via a planning obligation toward mitigating the impact of increased visitors to the nearby Greenham to Crookham Commons SSSI, the application is considered to accord with the Development Plan in respect of biodiversity.

6.8 Trees

6.8.1 The site comprises predominantly open fields with hedgerow trees bordering the site. Barnclose Copse is located approximately 11 metres from the south-eastern boundary of the application site.

6.8.2 The development proposed is not considered to detrimentally impact on trees. Additional landscaping in the form of trees, woodland, short and long meadow, and hedgerow are proposed in the application documents submitted. The proposed landscaping, subject to the details being agreed and secured by condition, is considered acceptable.

6.9 Community Infrastructure Levy

6.9.1 The proposed development is not liable for CIL.

6.10 Planning Balance and Sustainable Development

6.10.1 The NPPF places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal.

6.10.2 Similar to the consideration by the Inspector at appeal for the previously permitted scheme, the proposed development would provide local tourist facilities in a suitable location for countryside leisure pursuits such as walking, riding and fishing. It would also be convenient for the nearby racecourse, golf course and other visitor attractions such as the well-known Highclere House. There would be the economic stimulus of the initial construction works, and the on-going permanent employment as a result of the development proposed as well as increased spending in the District. The Council's Economic Development Officer considers that the economic benefit to West Berkshire as a result of the development would be in excess of the previously conservative estimate of £770,000 p.a. for 25 holiday lodges and would attract additional visitors to the area that may not have visited West Berkshire in the past. The Economic Development Officer concludes that this development would help achieve the Council's key economic objectives outlined in the

West Berkshire Economic Development Strategy 2013-2018. The development is therefore considered to contribute to economic sustainability and the benefits identified are given significant weight.

- 6.10.3 The impact on the character and appearance of the area is considered to be minor and, subject to conditions and a planning obligation, the biodiversity of the site and nearby ecologically sensitive sites are considered to be conserved and enhanced. Suitable surface water measures and foul water drainage can also be secured. These are benefits of modest weight in favour of the application and contribute to the environmental sustainability objectives of the NPPF.
- 6.10.4 In respect of social sustainability, no significant impacts on the amenity of neighbouring properties have been identified. Concerns have been raised in respect of safety of users of the public right of way. However, it is considered that, subject to additional traffic calming measures being secured by condition, the safety of users of the right of way would be acceptable.
- 6.10.5 It is acknowledged that the development proposed would introduce less than significant harm to the setting of listed buildings to the south, in particular the location of the proposed holiday lodges in the south-western corner of the application site. There would remain a smaller amount of agricultural land within the setting of those listed buildings from that considered at the appeal. Additional landscaping is proposed that would soften the development, although this would be off-set by the reduced distance from the development to the listed buildings. The level of agricultural land forming the northern setting of the listed buildings would be reduced, however, some would remain together with a large section of open meadow within the application site.
- 6.10.6 Whilst the setting of the listed buildings would not be preserved, in accordance with paragraph 134 of the NPPF, the public benefits such as the provision of tourist facilities in semi-rural surroundings and the economic gains as a result, would contribute to the well being of society economically and socially. Therefore, whilst harm to the setting of listed buildings has been identified, it is less than substantial and is considered to be outweighed by the public benefits of the scheme proposed.
- 6.10.7 Taking the above into account together with the particular considerations of the proposal as set out in this report which have been found to be acceptable, the development is considered to constitute sustainable development in accordance with the NPPF. Whilst some harm to the setting of nearby listed buildings has been identified, this is considered to be outweighed by the public benefits of the scheme proposed.

7. Conclusion

- 7.1 Having taken account of all the relevant policy considerations and the other material considerations referred to above, it is considered that, although the considerations are finely balanced, the development proposed is considered to be acceptable subject to the conditions set out in section 8.1 below and the

completion of a planning obligation securing contributions set out in section 8.2.

8. Recommendation

To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.1) and the completion of a planning obligation by 30th April 2018 (Section 8.2).

OR

If the planning obligation is not completed by 30th April 2018, **DELEGATE** to the Head of Planning and Countryside to **REFUSE PERMISSION**, given the failure of the application to mitigate the impact of the development on the local Infrastructure and services as set out in Section 8.3, where expedient.

8.1 Recommended conditions

1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2 Plans

The development hereby approved shall be carried out in accordance with drawing title numbers:

- 8969-0006-01 received on 18th May 2017;
- 8969-0007-01 received on 18th May 2017;
- 8969-0008-01 received on 18th May 2017;
- 8969-0021-01 received on 2nd June 2017 (in respect of site sections only);
- 8969-0012-06 received on 25th August 2017;
- 8969-0011-09 received on 30th January 2018.

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

3 Occupation of Chalets

The proposed chalets shall be occupied only for the purposes of holiday accommodation, and no part of the development shall be occupied at any time as any person's permanent or main residence. A lettings register shall be kept, containing details of the names and addresses of all occupiers, and the dates of their occupation, and this register shall be made available for inspection by the local planning authority, on request. All such details shall remain on the register for a period of not less than 5 years.

Reason: The development is only considered to be acceptable if the units are restricted to holiday accommodation and not occupied on a permanent basis by a single person or group. The site is outside any established settlement and the

policy of the Local Planning Authority is not to allow new dwellings for permanent residence in such locations. This is in accordance with the National Planning Policy Framework (March 2012), Policy ADPP1, ADPP2 and CS1 of the Core Strategy 2002-2026 and Policy C1 of the HSA DPD (2017).

4 Traffic Calming Measures on PROW

No development shall commence until a detailed scheme has been submitted and approved by the Local Planning Authority in writing, for the provision of traffic calming measures along the straight section of the public right of way (GRRE/6/3) to the north of the entrance to the application site.

No part of the development hereby approved shall be brought into use until the traffic calming measures have been implemented in full in accordance with the approved details. Thereafter the traffic calming measures shall be retained and maintained in accordance with the approved details.

Reason: Traffic calming measures are required along the public right of way to ensure the safety of all users of the public right of way. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

5 Habitat Enhancement and Management Plan (HEMP)

No development shall take place until a Habitat Enhancement and Management Plan (HEMP) has been submitted to the Local Planning Authority and approved in writing.

The HEMP shall contain proposals for the ecological enhancement and management of existing and proposed wildlife habitats, including an appropriately detailed reptile and amphibian mitigation strategy and enhancement plan. The HEMP shall also contain details of an Ecological Clerk of Works (ECoW) and a timetable for the implementation of the proposed ecological works, the monitoring of habitats and submission of annual reports and their on-going management.

The HEMP shall thereafter be implemented and the ecological measures managed and maintained in accordance with the details thus approved.

Reason: To ensure the protection and enhancement of species and their habitats, which are subject to statutory protection under European Legislation. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

6 Boundary Treatments

No development shall take place until details, to include a plan, indicating the positions, design, materials and type of boundary treatment 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.

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 (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

7 External Lighting

No development shall commence until details of the external lighting to be used in the areas around the chalets and attached to the chalets themselves have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall account for the biodiversity in the area and utilise low level warm LEDs and directional downlights where appropriate. The external lighting shall be installed in accordance with the approved scheme before the use hereby permitted is commenced. No external lighting shall be installed except for that expressly authorised by the approval of details as part of this condition. The approved external lighting shall thereafter be retained.

Reason: The Local Planning Authority wish to be satisfied that these details are satisfactory, having regard to the setting of the development, to protect the amenities of adjoining land users and biodiversity. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026).

8 Construction Environmental Method Statement

No development shall commence until a detailed Construction Environmental Method Statement (CEMS) has been submitted to and approved in writing by the Local Planning Authority. The statement shall ensure that measures are in place to avoid any impacts on the nearby SAC/SSSIs, specifically with regards to water quality. In addition the CEMS shall detail adequate avoidance measures for reptiles and amphibians. Furthermore the CEMS shall provide for:

- (a) The parking of vehicles of site operatives and visitors;
- (b) Loading and unloading of plant and materials;
- (c) Storage of plant and materials used in constructing the development;
- (d) 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.

All works must be undertaken in accordance with the approved Construction Environmental Method Statement.

Reason: To ensure the protection of nearby SACs and SSSIs and species which are subject to statutory protection under European Legislation. In addition, 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 (March 2012) and Policies CS5, CS13 and CS17 of the West Berkshire Core Strategy (2006-2026).

9 Cesspit Monitoring and Management

No development shall commence until a monitoring and management schedule associated with the proposed cesspit(s) has been submitted to and approved by the Local Planning Authority. The schedule shall include regular checks to ensure that the cesspit is not leaking and leeching contaminants into the aquifer. Thereafter the monitoring and management of cesspits must be undertaken in accordance with the approved details.

Reason: To ensure the protection of nearby SACs and SSSIs which are subject to statutory protection under European Legislation. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

10 Sustainable Drainage Systems (SuDS)

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

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with best practice and the proposed national standards;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include a drainage strategy for surface water run-off from the site that ensures that no discharge of surface water from the site will be directed into the public system;
- d) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than Greenfield run-off rates;
- e) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- f) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +30% for climate change;
- g) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- h) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines;
- i) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
- j) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
- k) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an

appropriate public body or statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

All sustainable drainage measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner. To prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design – Part 4 Sustainable Design Techniques (June 2006).

11 Hard and Soft Landscaping Scheme Condition

No development shall take place until details of a scheme of hard and soft landscaping and accompanying Landscape Management Plan has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include full details of all trees and hedges to be retained, all proposed planting, seeding and hard surfacing, and any proposed mounding or changes to ground levels. The scheme shall also include an implementation programme, management responsibilities and maintenance schedules for a minimum period of 5 years following the completion of the planting. The scheme shall also ensure that any trees, shrubs or plants that die, become seriously damaged or diseased within five years of this development shall be replaced in the following year by plants of the same size and species.

The Landscaping Scheme and Landscape Management Plan shall be implemented in full in accordance with the approved details and timescales.

Reason: To ensure the implementation of a satisfactory scheme of landscaping. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policies CS14, CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

12 Samples of Materials

No development shall take place until samples, and an accompanying schedule, of the materials to be used in the construction of the external surfaces of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

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 (March 2012) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

13 Cycle Parking

No development shall take place until details of the cycle parking and storage spaces have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), 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).

14 Vehicle Parking

The use hereby approved shall not commence until the vehicle parking and turning spaces have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning spaces shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

15 Protection of Nearby SAC/SSSIs

No materials, machinery or work should encroach onto the nearby SAC/SSSIs either before, during or after the proposed works or ongoing use.

Reason: To ensure the protection of nearby SACs and SSSIs which are subject to statutory protection under European Legislation. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

Informatives:

Legal Agreement

This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the (date to be inserted once agreement is completed). You are advised to ensure that you have all the necessary documents before development starts on site.

Summary of decision

The decision to grant planning permission has been taken because the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area, historic assets,

amenities of neighbouring properties, ecology and biodiversity and flooding. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.

Bats

All bats are protected by The Wildlife and Countryside Act 1981 (WCA) (as amended) & The Conservation of Habitats and Species Regulations 2010. Should you find bats during development, all work must stop until advice has been sought from Natural England. Their local contact number is 0300 060 3886.

8.2 Requested Contributions to be secured by a Planning Obligation

8.2.1 A contribution of £16,360 toward local bus improvements.

8.2.2 A contribution (amount to be provided on update sheet at the Committee meeting) toward mitigating the impact of additional visitors to the nearby SSSIs.

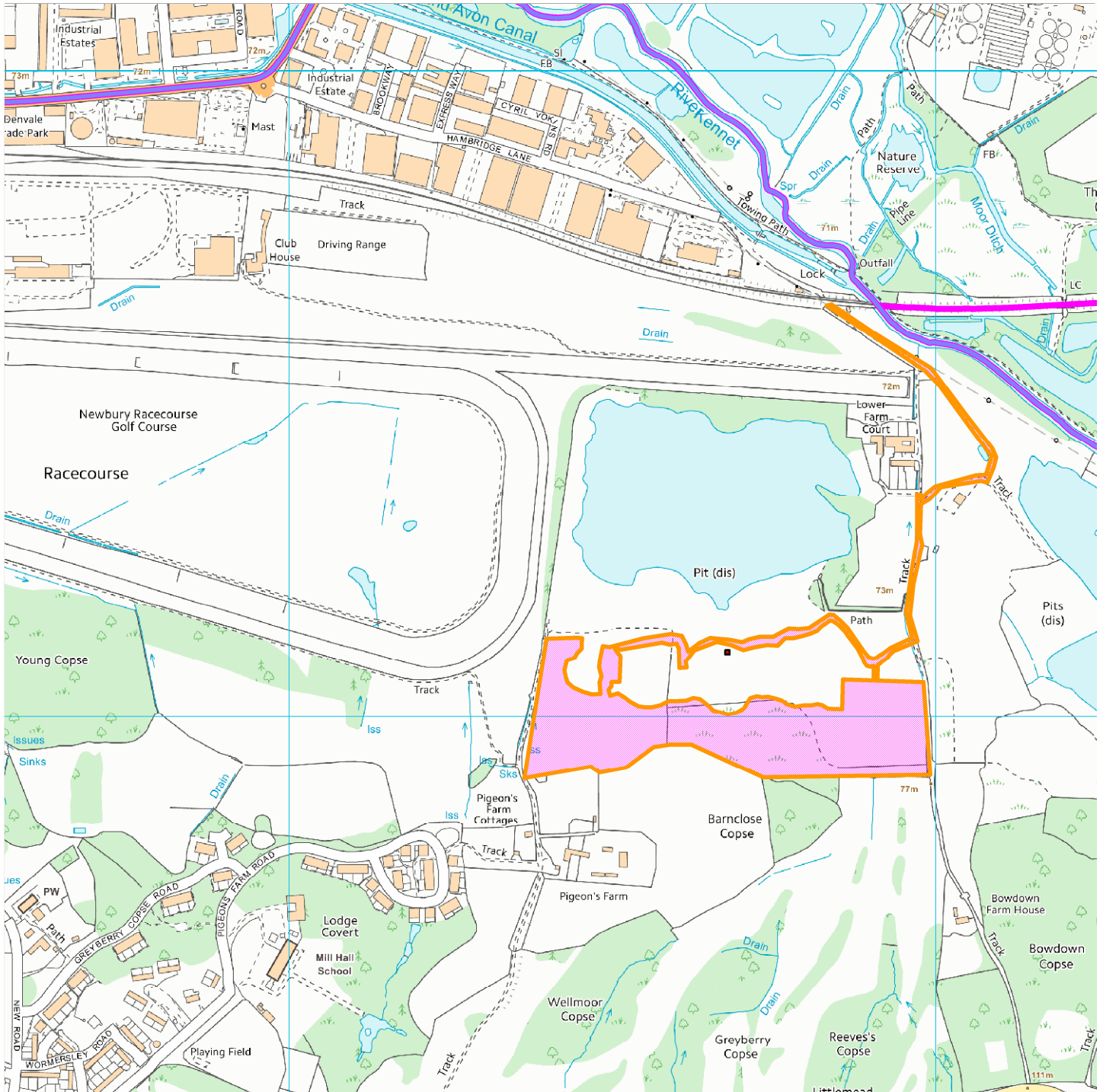
OR

8.3 Reason for Refusal

The development fails to provide an appropriate scheme of works or off site mitigation measures to accommodate the impact of development on local infrastructure, services or amenities or provide an appropriate mitigation measure such as a planning obligation. The proposal is therefore contrary to the National Planning Policy Framework and Policies CS5, CS13 and CS17 of the West Berkshire Core Strategy (2006-2026) as well as West Berkshire District Council's adopted Supplementary Planning Document – Planning Obligations (2014).

DC

Land South Of Lower Farm, Hambridge Lane, Newbury

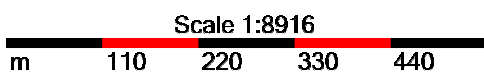


Map Centre Coordinates :

Scale : 1:8916

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2003.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings .



Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	20 March 2018
SLA Number	0100024151

This page is intentionally left blank