

Notice of Meeting



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Eastern Area Planning Committee Wednesday, 1st June, 2022 at 6.30 pm in Council Chamber Council Offices Market Street Newbury

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If members of the public wish to attend the Planning Committee they can do so either remotely or in person. Members of the public need to notify the Planning Team (planningcommittee@westberks.gov.uk) by no later than 4.00pm on 31 May 2022, if they wish to attend the Planning Committee.

Members Interests

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

Date of despatch of Agenda: Tuesday, 24 May 2022

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

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

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

Email: planningcommittee@westberks.gov.uk

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



Agenda - Eastern Area Planning Committee to be held on Wednesday, 1 June 2022
(continued)

Any queries relating to the Committee should be directed to Democratic Services Team on
Email: executivecycle@westberks.gov.uk

Agenda - Eastern Area Planning Committee to be held on Wednesday, 1 June 2022

(continued)

- To:** Councillors Graham Pask (Chairman), Alan Macro (Vice-Chairman), Jeremy Cottam, Alan Law, Tony Linden, Ross Mackinnon, Geoff Mayes, Richard Somner and Keith Woodhams
- Substitutes:** Councillors Graham Bridgman, Lee Dillon, Nassar Hunt, Owen Jeffery, Joanne Stewart and Andrew Williamson
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Agenda

- | | Page No. |
|--|-----------------|
| 1. Apologies
To receive apologies for inability to attend the meeting. | |
| 2. Minutes
To approve as a correct record the Minutes of the meeting of this Committee held on 10 May and 11 May 2022. | 7 - 42 |
| 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
<i>(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.)</i> | |
| (1) Application No. & Parish: 22/00193/FUL, St Andrews School, Bradfield
Proposal: Installation of containerised biomass boiler systems.
Location: St Andrews School, Unnamed Road from Gardeners Lane to Buckhold Farm Pangborne RG8 8QA
Applicant: The Warden and Council, St Andrews School
Recommendation: Delegate to the Service Director of Development and Regulation to grant planning permission. | 43 - 56 |
| (2) Application No. & Parish: 21/03154/COMIND, Bowling Green Lane, Cold Ash | 57 - 72 |



(continued)

Proposal: Construction of a detention basin with an area of 0.20 hectares and a 0.7m high earth bund to the south of the scheme. Realignment of an existing ditch for 12m into the proposed basin and installation of a bypass structure to facilitate flows in the existing watercourse downstream. A 300 mm diameter pipe will convey flows from the basin during flood events to the existing ditch to the south of the scheme before out falling to the existing Thames Water sewer to the southwest. The existing ditch will be regraded from the outlet from the basin to the inlet to Thames Water sewer. The provision of a 3.0m wide access track from Bowling Green Road to serve the Scheme. Removal and deposition and levelling of soil on adjoining land and land north of Tull Way.

Location: Land North of Bowling Green Road, Thatcham

Applicant: West Berkshire Council

Recommendation: Delegate to the Service Director of Development and Regulation to grant planning permission.

(3) **Application No. & Parish: 21/03135/COMIND, West Heath Lane, Cold Ash**

73 - 86

Proposal: Construction of 2 detention basins located north and south of a proposed access track connected via twin 450 mm dia. Pipes. The North Basin will have an area of 0.35 hectares and a 0.6m high earth bund and will accommodate a 20m wide spillway and a 20m wide weir. The South Basin will have an area of 0.23 hectares and a 1.4m high earth with a 29 m wide weir to accommodate exceedance flows from the North Basin and realignment of an existing ditch via 450mm dia. Culvert. A 450 mm dia. pipe will convey flows from the southern basin during flood events to a new cut ditch before discharging into the existing ditch to the west of the site. Flows from the existing ditch eventually discharge to a Thames Water sewer. The provision of a 4.8m wide access track to serve the Scheme. Removal and deposition and levelling of soil on land north of Tull Way and Bowling Green



Agenda - Eastern Area Planning Committee to be held on Wednesday, 1 June 2022
(continued)

Road.

Location: Land West of Heath Lane, Thatcham

Applicant: West Berkshire Council

Recommendation: Delegate to the Service Director of Development and Regulation to grant planning permission.

(4) **Application No. & Parish: 21/03079/COMIND, Floral Way, Thatcham** 87 - 100
Proposal:

Construction of a detention basin with an area of 0.17 hectares and a 0.6m to 1.5m high earth bund to the west and south of the scheme. The crest of the bund will be set at 82.00m AOD and will accommodate a 10m wide spillway at a level of 81.70m AOD. Realignment of an existing ditch for 230m into the proposed basin and regrading 50m of existing ditch to the west of the site. The basin is set at a level of 80.30m AOD with a stilling basin set at 80.00m AOD. A 300mm diameter pipe will convey flows from the basin to the existing ditch to the west before outfalling to the existing Thames Water sewer to the south west. The provision of a 3.0m wide access track from Bath Road. Removal and deposition and levelling of soil on land north of Tull Way and Bowling Green Road.

Location: Land at junction of Floral Way, Bath Road

Applicant: West Berkshire Council

Recommendation: Delegate to the Service Director of Development and Regulation to grant planning permission

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.

Agenda - Eastern Area Planning Committee to be held on Wednesday, 1 June 2022
(continued)

Sarah Clarke
Service Director (Strategy and Governance)

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

DRAFT

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

EASTERN AREA PLANNING COMMITTEE

**MINUTES OF THE MEETING HELD ON
TUESDAY, 10 MAY 2022**

Councillors Present: Graham Pask (Chairman), Alan Macro (Vice-Chairman), Jeremy Cottam, Alan Law, Tony Linden, Ross Mackinnon, Geoff Mayes, Richard Somner and Keith Woodhams

Apologies for inability to attend the meeting: None

PART I

1. Election of the Chairman

RESOLVED that Councillor Graham Pask be elected Chairman of the Eastern Area Planning Committee for the 2022/2023 Municipal Year.

2. Appointment of the Vice-Chairman

RESOLVED that Councillor Alan Macro be appointed as Vice-Chairman of the Eastern Area Planning Committee for the 2022/2023 Municipal Year.

(The meeting commenced at 8.42 pm and closed at 8.44 pm)

CHAIRMAN

Date of Signature

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

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 11 MAY 2022

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

Also Present: Jessica Bailiss (Policy Officer (Executive Support)), Bob Dray (Development Control Team Leader), Gareth Dowding (Principal Engineer (Traffic and Road Safety)), Jon Bowden (Senior Engineer (Drainage)), Michael Butler (Principal Planning Officer), Kim Maher (Solicitor) and Matthew Shepherd (Planning Officer)

Apologies for inability to attend the meeting: Councillor Ross Mackinnon

PART I

3. Minutes

The Minutes of the meetings held on 9th and 30th March 2022 were approved as true and correct records and signed by the Chairman, subject to the following amendment:

Minutes from 9th March 2022, page six, item two – Declarations of Interest: Councillor Geoff Mayes confirmed that he was a member of BBOWT (Berkshire, Buckinghamshire and Oxon Wildlife Trust).

4. Declarations of Interest

Councillor Graham Pask declared an interest in Agenda Items 4(1) and 4(2) but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter. Councillor Pask stated that he would stand down as Chairman for both items, which would be chaired by the Vice-Chairman, Councillor Alan Macro.

All Members of the Committee declared a personal interest in Agenda Item 4(2) but reported that, as their interest was a personal, but not a disclosable pecuniary interest, they were determined to remain to take part in the debate and vote on the matter.

Councillor Graham Pask declared an interest in Agenda Item 4(3) but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

5. Schedule of Planning Applications

(1) **Application No. & Parish: 20/03028/OUTMAJ - Land at Junction With Bath Road, New Road Hill, Midgham, Reading**

(Councillor Graham Pask declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was the Ward Member and therefore knew a considerable number of people who lived in Midgham and Woolhampton and had been canvassed on the item.

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Councillor Pask stated that he was predisposed on the item but had not predetermined it).

(Vice-Chairman, Councillor Alan Macro in the Chair)

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 20/03028/OUTMAJ in respect of an outline application for the erection of 16 dwellings, including 6 affordable units, with access from Bath Road. Matters to be considered: Access.

Mr Matthew Shepherd (Senior Planning Officer) introduced the report and highlighted the key points.

In accordance with the Council's Constitution, Mr Anthony Fenn, (Midgham) Parish Council representative, Mr Matthew Partridge, objector, Mr Douglas Bond, agent and Councillor Graham Pask, Ward Member, addressed the Committee on this application.

Parish Council Representation:

Mr Fenn in addressing the Committee raised the following points:

- An outline application for 16 dwellings on the site had been refused on 23rd January 2020. The proposed application was considered to be contrary to the current development plan and not deemed an appropriate development in the countryside.
- Midgham Parish Council (MPC) objected to the original application and saw no reason to alter its decision for the resurrected and identical application.
- MPC objected to the application on the following grounds; it was a development in the countryside; it was outside of the settlement boundary and it was an unfortunate example of unwanted urbanisation.
- MPC also objected to the potential inclusion of the site in the West Berkshire Local Plan Review to 2037.
- The two acre green field site was outside of any defined settlement boundary and was adjacent to ancient woodland. The area was currently used as a paddock. There was a Tree Preservation Order on a tree to the east side of the site.
- The south east corner of the site was of special interest in relation to ecological diversity. A significant part of the southern area would be destroyed by the new access to the proposal if approved.
- MPC was concerned that the erection of 16 dwellings would have a detrimental impact upon the ancient woodlands along the west and east boundaries and this formed part of the East Kennet Valley biodiversity opportunity area.
- The Core Strategy required biodiversity assets such as the site in question to be conserved.
- The site was approximately 500 metres from the Woolhampton reed beds and the River Kennet's site for special scientific interest with protected species present.
- The residents of Midgham and Woolhampton were not strangers to the risk and consequences of flooding. There was concern that the development of the site would reduce the natural infiltration and result in a higher risk of flooding to properties nearby.
- MPC was not reassured by the comments raised by Thames Water as they had been unable to determine the waste water infrastructure needs of the application. Thames Water had also failed to identify how the existing water network infrastructure would be able to cope with the needs of the proposal.
- The urbanisation of the greenfield site would have an adverse visual impact on the character of the area.

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- In conclusion there was great concern amongst the residents of Midgham and Woolhampton that increased development would lead to the loss of village identity.

Member Questions to the Parish Council:

Councillor Pask noted that historical flooding had been mentioned and asked Mr Fenn to use his local knowledge to expand on what impact there had been to the area during the 2007 flooding. Mr Fenn confirmed that he had only moved to the area in 2012 but was aware that there had been significant flooding during this time. Councillor Pask stated that he would pursue this point further with Officers.

Councillor Geoff Mayes understood that the sewage works that the development would be added to was located in Station Road and Mr Fenn confirmed this was correct. Councillor Mayes noted that there seemed to be some doubt as to whether it could cope with the additional load and Mr Fenn stated that two local residents had contacted him with this concern.

Objector Representations:

Mr Partridge in addressing the Committee raised the following points:

- He was representing the residents of Woolhampton who unanimously objected to the application.
- There were several points of concern:
 1. Local opinion: alongside the 39 formal objections to the application he stated that he had submitted a petition against the plans, which had accrued almost 150 signatures. The application had received no local support. The site fell under MPC however, would directly impact on Woolhampton. Both Parish Councils had strongly objected to the application.
 2. The proposed development would have a harmful impact on the landscape and character of the area: this was a quote from a previous rejection statement in July 2019 and this point still applied. The village had already accommodated significant development. The substantial development at Reed Gardens by itself contained almost 40 dwellings, many of which were substantial in size. The elevated position of the site at Reed Gardens like the one on question, significantly increased the negative visual impact on the landscape. The proposed development on the western approach would irreversibly change the character of the village forever. It was felt by residents that Woolhampton had already played its part in providing new housing in the immediate area.
 3. Amenity, services and critical infrastructure: Thames Water had not given permission for surface water to be discharged into the public network from the development. Regarding waste water and sewage, the Thames Water system in Woolhampton was over capacity and residents on Station Road had reported issues with the drainage system backing up. There was no detailed plan provided to remedy these issues despite comments from Thames Water on 5th February 2021, which had stated that a detailed drainage strategy should be submitted with the planning application. To date Thames Water's response to the system being over capacity was to send tanker lorries to manually siphon, which had caused disruption. It was queried how the application had reached the decision stage when the stipulation from Thames Water had not been met. It was also queried where the impact assessment was from the Reed Gardens development, which should feed into the proposal. Land slippage affecting properties outside the Reed Gardens development had been reported due to the issues with land retention on such a gradient, similar to the site in question. Excess water run-off from the A4 had been reported.

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Infrastructure in Woolhampton was already over capacity and this was not addressed as part of the proposal.

4. Biodiversity impact: As outlined in one of the rejection points to the previous application, the impact on biodiversity would be significant. Policy CS17 required biodiversity assets to be conserved and enhanced. A senior planning and biodiversity officer at the wildlife trust, who had been consulted by one of the local residents, had advised that the applicant had made an error in their calculations meaning that the proposal would result in a 44.5 percent loss to the biodiversity as opposed to the 25.5 percent gain stated.
 5. Road Safety: The proposed ghost lane for access would be the fourth within a 200 yard distance on what was a precarious section of road given the volume of traffic on the A4. All local residents concurred that there was already a speeding issue in the village and when travelling west past New Road a large number of vehicles accelerated dramatically. This section of road was also a dangerous place for pedestrians to cross and was the most obvious place to cross for the village hall and playground. The village did not need more housing but to be enhanced and improved for the current residents. The infrastructure should not be put under more strain and stress.
- Mr Partridge concluded that there was no resident support for the application. He had presented material and planning matters that required consideration by the Committee. The application would have an ecological, aesthetic and locally damaging impact. It was felt that the area should be supported with a positive, sustainable and supportive plan for growth and evolution.

Member Questions to the Objector:

Councillor Pask referred to comments made regarding traffic however, stated that one issue that had not been raised was the difficulty local residents experienced in departing New Road, particularly when turning right towards Thatcham and Councillor Pask asked Mr Partridge to provide his knowledge on this matter. Secondly Councillor Pask asked if Mr Partridge had lived in the area in 2007 and was able to describe the impact on water run-off from the hills in that year or any other year. In response to Councillor Pask's questions, Mr Partridge stated that he had been a resident in Woolhampton since 2005. Regarding the matter of turning right from the roads in question, at peak hours this could take up to five minutes. It was also incredibly dangerous to turn right because of the acceleration of traffic. It was a significant problem and having four ghost lanes within 200 yards of each other was dangerous considering the precarious nature of that area of road. Regarding Councillor Pask's question regarding flooding, Mr Partridge reported that in 2007 he had lived at number one Angel Mead by the canal. He had been told that the flooding had been caused because the culverts that were designed to carry water down to the canal had failed due to the large volume of water. The A4 at one point had been at least a foot under water. His house at one Angel Mead, which was at least 100 metres from the A4, had been close to being flooded. It had been a very traumatic event for local residents and the thought of drainage capability being taken away as a result of the proposal was not a good prospect.

Councillor Mayes noted that the Thames Water used a tanker to take excess water or sewage across the canal to the south side. He assumed therefore that the bulk of the effluent was therefore normally in a pipe, which went under the canal, which he noted was an issue considering the canal had a lift bridge. Mr Partridge commented that tankers went down Station Road and over the canal bridge, train tracks and level crossing. This often happened during the night and had caused significant damage to the road. Mr Partridge reported that the disturbance to residents living close by was significant. This had been contested with Thames Water directly on several occasions

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however, had been rebuffed. To have another development reliant on the same aggregation system seemed adverse to what was required by the village in terms of infrastructure. Councillor Mayes commented that this would be taken up with the drainage officer later in the meeting.

Agent Representations:

Mr Bond in addressing the Committee raised the following points:

- In his view the proposal had significant merit. The site was acceptable for residential development owing to its well contained characteristics with strong defined boundaries comprising of an existing development to the north, east and partly to the south. There was a mature woodland to the west of the site. Therefore the site related more to the built settlement of Woolhampton.
- This was supported by the evidence base to the last Local Plan. The site was not rejected for any specific reason other than only one site should be allocated at Woolhampton.
- These matters were reinforced by the proposed allocation of the site in the emerging Local Plan. The proposed allocation represented a material change in circumstance since the last application, which was refused. Having listened to the comments from both the Parish Council and local residents, Mr Bond commented that it was important to note that the last refusal of the application was not on grounds of access, highways, trees, drainage, flooding or foul drainage.
- Regarding the weight to the new Emerging Local Plan, this was in part determined by the existence of any substantive objections to a proposal. Only one objection had been received to the Local Plan allocation. As Officers had confirmed, they considered the matters raised were not significant enough to remove the site as an allocation. The residential allocation of the site was anticipated to remain and the Council's Local Plan Team had reconfirmed this.
- Mr Bond stated that in the factual circumstances National Planning Policy Framework (NPPF) paragraph 48B confirmed that weight could be given to an emerging local plan allocation where there were no unresolved objections, which was the case with the current proposal. NPPF paragraph 50 also confirmed that prematurity of an emerging local plan would seldom be justified as a reason for refusal and Mr Bond stated that Officers agreed with this.
- For all the reasons mentioned, the principle of the proposed development could be supported.
- Regarding landscape and visual impact, the site was well enclosed and related well to its built context. The localised impact of visual change would be limited. The principle of development including the support of a residential allocation outweighed the small degree of impact.
- All other issues including site access, highways, housing mix, density, infrastructure, affordable housing and residential amenities including drainage had been successfully addressed as detailed in the comprehensive responses by statutory consultees.
- To conclude, Mr Bond highlighted that in the case of the application other material considerations had arisen including the largely uncontested emerging local plan allocation and the suitability of the site supported by NPPF paragraphs 48B and 50. These paragraphs confirmed that permission could be granted in accordance with the development plan and consistent with the officer's recommendation for approval.

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Member Questions to the Agent:

Councillor Alan Law noted that Mr Bond had stated that there were no outstanding unresolved objections outstanding in the development of the emerging local plan. Councillor Law referred to pages 28 and 29 of the report, which included comments from Thames Water regarding foul water drainage and queried if Mr Bond would consider any of the points as unresolved objections. Mr Bond stated that he did not consider the points raised by Thames Water as unresolved objections because Thames Water had a statutory duty to provide both the water and drainage to proposed properties. Mr Bond highlighted that condition number 33 in the Officer's report confirmed that no development would take place until issues regarding foul water drainage capacity were resolved. Councillor Law highlighted therefore that the points were not currently resolved. Mr Bond added that this was how the planning process addressed these type of issues and it did not represent an embargo on the proposal.

Ward Member Representation:

Councillor Pask in addressing the Committee raised the following points:

- Councillor Pask thanked Members who had attended the site visit, which had been very valuable. The site visit had ended just after 7pm, which would be assumed to be a fairly quiet part of the day in terms of traffic. Although it had not taken five minutes to exit from New Road Hill there had been a significant wait.
- Traffic was the main issue in Councillor Pask's mind, although the Officer had raised a number of other issues.
- Regarding the highways issues Councillor Pask referred to page 39, paragraph 6.56 of the report, which stated that 'the provision of additional accesses onto main roads such as the A4 is not normally supported by highways officers'.
- There had been lots of comments regarding the principle of development and Members would recall being advised by planning officers at a recent meeting that it was not developable under policy C1 of the Housing Site Allocations Development Plan Document (HSADPD). Councillor Pask highlighted that a consultation on Regulation 18 had been completed however, there was still another consultation that needed to be conducted and Councillor Pask posed the question to Members of whether they felt that the Local Plan was sufficiently progressed enough in order for the application to be determined.
- Councillor Pask asked for the slide to be displayed that showed the site map that displayed the road network. It could be seen from the slide that New Hill Road was to the right and the site was entirely within Midgham. Councillor Pask highlighted a driveway that went to the village hall, which was located in Woolhampton and stated that he was a regular visitor to this location for Parish Council meetings. Late at night turning out right from the area was not a problem however, he had attended a community event on a Sunday during the day and had experienced difficulty trying to turn right due to the volume and speed of traffic. He therefore concurred with concerns raised by local residents that it was a very busy road and the shadow lanes for turning right were on a narrow section of road considering the number of heavy goods vehicles (HGVs).
- Councillor Pask was concerned about the cumulative impact of traffic. Woolhampton had recently had in excess of 40 houses built within the area. Councillor Pask was aware there was a BBOWT Officer living in the area and had felt concerned when this officer had said there would be a loss of biodiversity caused by proposal.

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Member Questions to the Ward Member:

Councillor Tony Linden referred to points regarding the emerging local plan and he queried if Councillor Pask felt that there was some similarity to the Pincents application. Secondly Councillor Linden queried Councillor Pask's comments regarding ghost lanes. Councillor Pask stated that each application had to be judged on its merits. Councillor Pask acknowledged there had been concerns regarding the Pincents application and Officers had stated that it did not fall under C1. The difference with the current application was that it was proposed within the Local Plan whereas the Pincents Hill application was not. Councillor Pask had expressed his view regarding the shadow lanes and stated that Mr Dowding would be well placed to provide a more technical answer on this. It was the proximity of the junctions that were of most concern to Councillor Pask along with the speed and volume of traffic for cars trying to turn right.

Member Questions to Officers

Councillor Alan Law noted that the application was for access only and therefore queried why there were conditions included on other matters such as lighting and biodiversity. Councillor Law stated that his second question was for the Highways Officer. The Committee had heard references to the junction and that the stretch of road was treacherous and therefore Councillor Law asked if there was any information on the number of accidents in the last five years and if the Highways Officers would describe the stretch of road as treacherous.

In response to Councillor Law's first question, Mr Bob Dray explained that when an outline application was being considered, the principle of development was also being considered. Reserved matters included access, appearance, layout, landscaping and scale. There were many fundamental planning considerations that had to be considered under the principle of development at the outline stage. In the case of the current application this included principal fundamental issues and detailed access. It needed to be recognised that precise layout, landscaping, appearance and scale could be subject to change at the reserved matters stage.

Regarding Councillor Law's second question, Mr Dowding responded that there had been no reported incidents along the stretch of road in question in the three years leading up to December 2021. The nearest location of any reported incident was at the junction with Station Road, where there had been two incidents reported.

Councillor Graham Bridgman referred to paragraph 6.34 of the report and raised the following query regarding the affordable housing calculation. He was of the understanding that this was calculated at 40 percent rounded up however noted that the report stated 'six units (rounded up)'. Councillor Bridgman stated that 40 percent of 16 was 6.4 and when rounded up equalled 7. Mr Dray clarified that the Planning Obligations SPD stated rounded up or down to the nearest whole unit and therefore six units was policy compliant.

Councillor Bridgman referred to the question raised previously by Councillor Linden regarding the Pincents Hill application. This application had been debated at length with regards to policy C1 including development outside a settlement boundary and the emerging local plan. Councillor Bridgman stated however, that to his knowledge the current application was the first time the Committee had been referred to paragraph 50 of the NPPF. Mr Dray stated that paragraph 50 of the NPPF had been referenced during the Committee meetings regarding the Pincents Hill application however, it was not included in the report. Councillor Bridgman explained that paragraph 50 related to prematurity being justified where a draft plan had yet to be submitted and his question therefore related to the stages of local plan preparation. Councillor Bridgman referred to

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his own research of the stages from the Planning Institute and he queried how Councils were included in this process. He stated that there had not been a debate regarding sites in terms of the current application and he therefore queried if it was too early in the process and why paragraph 50 was being referred to.

In response to Councillor Bridgman's question, Mr Dray explained the meaning of Paragraph 50 of the NPPF. Paragraph 50 and prematurity needed to be differentiated to giving weight to an emerging local plan. Prematurity was a specific policy that needed to be applied if an application was approved prior to a plan being completed because there was a threat of undermining the plan as a whole. There was clear guidance that prematurity should not be brought into the decision making process at the current stage and it was only valid for examination. Mr Dray stated that the key question for Members was what weight should be given to the current plan and the emerging plan. The matters that needed to be considered were consistency with the NPPF and unresolved objections. Unresolved objections were addressed as part of the report and the Planning Policy Team had looked at this in detail and were satisfied that the issues raised were not anything that would change their opinion to recommend to Full Council. Mr Dray stated that it was about confidence when considering the weight that should be given to the emerging local plan so that the process was not undermined. Mr Dray stated that there was confidence that Woolhampton would remain a service village and would attract the same rate of growth as in the HSA DPD. There was also no other alternative sites in Woolhampton. Mr Dray concluded by explaining the planning balance that had been applied to the application. Councillor Bridgman thanked Mr Dray for his comprehensive response.

Regarding the stages of preparation, Mr Bryan Lyttle explained that regarding Regulation 18, the Council had delegated the production of the draft Local Plan to the Planning Advisory Group. At Regulation 19, Full Council would need to approve the plan for final consultation. The plan would then go to the examination stage and once the Inspectors report was received back by the Local Authority then it would need to go back to Full Council for approval or rejection of any changes. Councillor Bridgman further asked where this left a Planning Authority faced with an emerging local plan and proposed site within it. If it rejected the application it would fall foul of the appeal process because it would not be taking account of the emerging local plan. Mr Lyttle stated that this would likely need to go to court. Mr Lyttle stated that there was an issue in that a Local Plan took at least three years to produce. The Appeal process could also have a fundamental impact on planning policy depending on what an Inspector determined for that individual application. Mr Lyttle stated that Mr Dray had set out the planning balance that had to be considered on all applications and the considered opinion of Officers was that the planning balance for the current application was tilted in favour of the development for the reasons set out in the report and by Officers.

Councillor Pask referred to comments from objectors regarding the significant difficulties experienced when exiting roads. He referred to the comments from the Highways Officer under section 6.58 of the report where it stated 'the provision of additional accesses onto major roads such as the A4 was not normally supported by highways officers'. Councillor Pask understood this to be due to the close proximity of the access to another road that was well used. There was also another immediate junction just beyond this road to Woolhampton Hill, which at peak times generated a lot of school traffic. The access in question would therefore be the third junction in close proximity if approved and he asked Mr Dowding to comment on this. Mr Dowding explained that detailed later in paragraph 6.58 it went on to read that 'however, in this instance having the development accessing and fronting onto the A4 would assist in providing an 'active frontage' in line with the Government's Manual for Streets'. Mr Dowding stated that the decision had been

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based on this. Normally any form of access onto an A road was not encouraged but in the current case it would help to develop an active frontage in line with guidance. The proximately to two other right turn junctions was not a reason for concern. The proposal, which would create a third right hand turn into the site, followed the precedent set by the two other right turn lanes arrangements. The road was wide and a right turn lane offered a refuge for vehicles to wait in to make a right turn manoeuvre into a side lane.

Councillor Pask stated that he would allow Members to make a judgement regarding westbound traffic turning right. Councillor Pask further queried the difficulty of exiting the road onto the A4. Mr Dowding stated that as with any road there would be periods of time where the traffic was busy. The refuge islands provided refuge for vehicles turning out and into the site.

Councillor Linden referred to comments by Mr Partridge regarding ghost lanes and asked Mr Dowding if he had any comments. Mr Dowding stated that the road had been measured and the right turn ghost islands varied in width from 2.9 metres down to 2.1 metres. It was hoped by modification of condition 20 that the ghost lane measurements could be more regulated to a uniform width. This would help drivers when entering the new site if approved and existing sites.

Councillor Bridgman referred to the biodiversity comments raised by the objector and stated he would like to understand if there was a biodiversity gain or net loss and how it could be ensured there was a gain. Councillor Bridgman stated that he had also read the proposed conditions 26 and 31 and asked for the difference to be clarified. Regarding biodiversity and net gain Mr Shepherd reported that paragraph 6.77 of the report outlined the matter as a quantifiable gain in biodiversity (25.44 percent for habitats and 3.9 percent for linear habitats). This was significantly in excess of the 10 percent contained in the Environment Act 2021. The Ecology Officer was content with the level of net gain expected. BBOWT had been consulted and it had raised an initial concern with the calculation and this was resolved through securing net gains with conditions.

Regarding the two conditions queried by Councillor Bridgman, Mr Lyttle referred to condition 26 (Biodiversity measures) and reported that they were currently on biodiversity matrix 3.01 by DEFRA and the inclusion of the condition in the application ensured that when the reserved matters application came forward, the latest biodiversity matrix issue by DEFRA could be used. Regarding condition 31 (biodiversity enhancement), this ensured the developer could not avoid fulfilling the biodiversity enhancement requirements and dwellings could not be occupied until these were met. Councillor Bridgman stated that the second sentence for condition 26 referred to dwellings being occupied. Mr Dray understood the point and suggested if permission was granted that authority could be delegated to Officers to review the two conditions.

Councillor Law asked for Mr Dray to comment on the questions he had posed to Mr Bond regarding Thames Water. Mr Bond had stated that Thames Water were obliged to supply water and drainage to the site if approved and Councillor Law queried if this was the case. Mr Dray reported that there were two systems that ran in parallel. Thames Water were obliged to make the connections under a separate legislation. Thames Water would not normally object to an application but would identify whether the existing network's capacity was sufficient. In terms of the current application Thames Water had identified that they were unsure if there was capacity for the proposal. Mr Dray explained that this was why conditions 33 and 34 had been included as these ensured that development could not commence until this was confirmed.

Councillor Pask referred to comments by Mr Partridge concerning flooding and asked Mr Bowden, the Senior Drainage Engineer, for reassurance that the measures put forward were adequate. Mr Bowden referred to figure 12 in the Flood Risk Assessment, which

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had been provided by the developer. There was a responsibility by the developer that water should be discharged at one metre per second. All other water would have to be retained on site. Mr Bowden was therefore satisfied that the site would not increase flooding risk elsewhere outside of the site boundary.

Debate

Councillor Pask stated that there had been representations from a significant number of people and it had been heard that there was also a petition, which he believed had received over 100 signatures. There had been letters of objection and concerns were very consistent, many of which he shared. Mr Dowding had tried to reassure the Committee regarding traffic and Councillor Pask appreciated that at peak times, traffic on major roads slowed things down. Councillor Pask also appreciated that there had not been any reported incidents related to the area of road. Councillor Pask however, still had grave reservations regarding three roads being in such close proximity. The other issue Councillor Pask asked Members to debate was that the site was not developable under C1 of the HSA DPD. Councillor Pask was aware that there was another consultation required under Regulation 19. He noted that it had been stated that there were no other developable sites in Woolhampton and that Woolhampton was a service village however, he had reservations about the site and there was a lot of local concern. This was essentially why it had been brought before the Committee. Councillor Pask stated that he wished to hear the views of other Members on the Committee before making a judgment.

Councillor Law commenced by clarifying points that had been commented on by the Committee. He had noted that it had been stated that there had been no debate regarding the site in the developing plan. He highlighted that 18 months ago the whole list of proposed sites had been taken to the various Parish Councils for comment and feedback had been received.

Councillor Law noted that Pincents Hill had been mentioned and felt that the two applications should not be compared. Regulation 48 had been discussed as part of the Pincents Hill application and he knew this because he had raised it during the initial debate at the Eastern Area Planning Committee. Regarding the current application, Councillor Law stated that he had a lot of empathy with the Ward Member particularly on the highways issues. He had also listened to the comments by the Highways Officer and noted that the road had not been defined as treacherous and there had not been any serious accidents in the last three years. Given what had been stated by the Highways Officer at the meeting and within the report, Councillor Law feared that if the application was rejected on highways grounds, the case would be lost on appeal.

Councillor Law moved on to a further aspect regarding balance. This was particularly difficult because it was a question of weight and whether more weight should be put on the emerging Local Plan or previous one. Councillor Law stated that Woolhampton was a service village and when reading C1 carefully it said this allowed some development inside and adjacent to the existing settlement boundary. He understood that 16 houses was felt to be excessive but there had to be identified need. Councillor Law suspected that when the previous application was submitted and subsequently rejected due to being contrary to the current Local Plan, it was most likely a balanced decision because the Local Plan did allow for some development within or adjacent to a service village. Councillor Law was interested to hear the views of other Members but stated that he did not feel able to reject the application on highways grounds but he would need to consider how much weight to give the emerging plan versus the existing plan.

Councillor Jeremy Cottam felt it was a very difficult decision to make. The Committee had been told they could not really refer to the emerging Local Plan because it was not ready

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or relevant however, the application had been refused previously in reference to the current Local Plan. Nothing had been mentioned about the street scene or character of the village. Councillor Cottam felt that if the application had been more sympathetic to area and continued housing development to the left hand side of the road, then it was likely it would have been received more positively. He was concerned that Members were being asked to overturn something that they had already refused. Councillor Cottam felt uncomfortable regarding the application.

Councillor Richard Somner agreed that a decision on the application was not straight forward. He often travelled through the district from the eastern area and sympathised regarding concerns about the speed of traffic however, it was a 30 mph speed limit with speed cameras located at either end. Sensible drivers slowed down accordingly however, he sympathised that this was not always the case. Councillor Somner suggested that traffic speeds in the area was something that could be picked up separately by the Highways Team to see if the reinforcement of signage or road markings was required.

Councillor Somner referred to points raised by Councillor Pask regarding pulling out onto the main road. He queried if pulling out on the main road was any more complex than pulling out onto the main road from the petrol station further up the road and felt that this was unlikely particularly when busy. It was unusual to find so many junctions within close proximity and his initial thoughts had been why a new access was being created rather than using an existing road. On balance, Councillor Somner stated that he was leaning towards supporting the Officer recommendation to approve the application however, it was not straight forward.

Councillor Bridgman referred to the question regarding the site being adjacent to the settlement boundary in respect of the current Local Plan. Councillor Bridgman referred to the refusal reasons when the application was last submitted and it was not refused because it was adjacent but because it was against Policy C1 and was outside the settlement boundary. He agreed with sentiments that highways reasons were not adequate reasons for refusal of the application. Councillor Bridgman stated that biodiversity net gains and Thames Water matters including sewage and drainage were covered by suggested conditions. Councillor Bridgman explained that his difficulty was with the emerging Local Plan and how much weight should be given to it and he stated that he was in favour of C1. This was because the emerging Local Plan was not sufficiently emerged or advanced and it was not about to go to examination. Councillor Bridgman did not therefore feel that paragraph 50 of the NPPF meant that there was no option but to accept the application because it was part of an emerging plan. Councillor Bridgman felt that current policy should be adhered to as well as the current DPD. In his view the application should be rejected as being contrary to existing policy. Councillor Bridgman commented that he had stressed to local objectors that just because it was rejected against the current local plan did not mean that it would not emerge in the new local plan. It was not incapable of accommodating housing but should not accommodate housing under the current local plan and should be refused on this basis.

Councillor Bridgman proposed refusal of the application, against Officer recommendation, based on the grounds that it was against policy C1. Mr Dray advised that the lack of a Section 106 Agreement be included in the reasons for refusal and Councillor Bridgman agreed to the inclusion of this. Councillor Cottam seconded the proposal by Councillor Bridgman. The Chairman invited Members of the Committee to vote and at the vote the motion was carried (Councillor Alan Macro abstained from voting)

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RESOLVED that the Service Director of Development and Regulation be authorised to refuse planning permission for the following reasons:

- The application was contrary to Planning Policy C1.
- Lack of a Section 106 Agreement.

(2) Application No. & Parish: 21/02130/OUTMAJ - Land Adjacent To 1 Gables Way, Bath Road, Colthrop, Thatcham

(Councillor Graham Pask declared a personal interest in Agenda Item 4(2) by virtue of the fact that he was the Ward Member and therefore knew a considerable number of people who lived in Midgham and Woolhampton and had been canvassed on the item. Councillor Pask stated that he was predisposed on the item but had not predetermined it).

(All Members of the Committee declared an interest in Agenda 4(2) by virtue of the fact that the two Adjacent Parish Council representatives were also Members of West Berkshire Council and were therefore well known to them. 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.)

(Vice-Chairman, Councillor Alan Macro in the Chair)

The Committee considered a report (Agenda Item 4(2)) in respect of an Outline Application for a commercial B2 (general industrial) and/or B8 (storage and distribution) development together with ancillary office space and associated landscaping, car parking, service yards and access. Matters to be considered: Access.

Michael Butler (Principal Planning Officer) introduced the report and highlighted the key points.

In accordance with the Council's Constitution, Mr Anthony Fenn, Midgham Parish Council representative, Councillors Steve Ardagh-Walter and Owen Jeffery, Adjacent Parish Council representatives (Thatcham Town Council), Tracey Underwood, objector, Mr James Walker, Agent and Councillor Graham Pask, Ward Member, addressed the Committee on this application.

Parish Council Representation:

Mr Fenn in addressing the Committee raised the following points:

- Midgham Parish Council (MPC) objected to the application on the following grounds; it was a development in the countryside; it was outside of the settlement boundary and it was a disturbing piece of ribbon development.
- The core plan stated that due to Thatcham's recent expansion there should be a considerable period of consolidation resulting in no immediate and no significant growth in the area. However the application proposed an industrial expansion into rural Midgham beyond the settlement boundary.
- A recent planning permission for housing in Midgham was refused on the grounds that the area was a rural parish outside of any recognised settlement area. Consequently MPC was alarmed at the rate of the destruction of prime agricultural land; the loss of Midgham's identifiable boundary and the disturbing prospect of setting a precedent for further continued ribbon development.
- MPC understood the applicant was requested to consider reducing the height of the buildings in areas one and two from 15 metres to 12.5 metres. The applicant refused this request claiming that the extra height was required for the installation and use of warehouse automation.

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- MPC felt that the extra eight feet above the tree line would have an adverse visual impact on the 15 households located to the east of Midgham Marsh.
- The report predicted up to 980 traffic movements per day to be generated by the proposal. These would be exiting and entering the already busy A4.
- MPC were concerned that the extra traffic movements and the utilisation of robots in the warehouses strongly suggested that the site would be operational 24 hours a day, seven days per week.
- MPC did not feel residents of Midgham Marsh or those living north of the A4 should be subjected to a virtual perpetual motion of traffic noise, traffic pollution and light pollution.
- The residents of Midgham Marsh were already blinded by the floodlights operated by Ryder Contract Services on the south side of Colthrop beyond the railway line and adjacent to the proposed development.
- MPC was concerned about the increased risk of localised flooding due to additional surface water as a direct result of farm land being replaced with concrete and tarmac.
- Midgham Marsh already suffered from surface water and despite the best efforts of the local farmer who regularly cleaned and maintained the ditches, standing water remained on the site for much of the winter months
- The site formed part of the East Kennet Valley biodiversity Opportunity Area and MPC was mindful that the Core Strategy required biodiversity assets to be conserved.
- The urbanisation of the greenfield site would have an adverse visual impact on the character of the area.
- In conclusion there was a great concern amongst residents in Midgham that increased development would lead to the loss of the rural identity as ribbon development yet again furthered its concrete reach.

Member Questions to the Parish Council:

Councillor Graham Pask noted that Mr Fenn had lived adjacent to the site on Midgham Marsh since 2012. Councillor Pask asked Mr Fenn if he was subject to much noise from the existing Colthrop area. Mr Fenn confirmed that those living in the area were aware of noise coming from Colthrop. Mr Pask noted that Mr Fenn had mentioned lighting, which he highlighted could be conditioned. Councillor Pask asked for Mr Fenn's view in terms of the type of use that the potential warehouses could be put to. In response Mr Fenn stated that he had been concerned regarding the height the applicant was proposing at 15 metres because this would enable the site to accommodate robots. Robots did not need to sleep and could work 24 hours per day. Councillor Pask commented that he would take this point up with the agent.

Councillor Geoff Mayes referred to the projected amount of heavy vehicles using the site each day. He commented that the road junction design at the north end of the site was critical and asked Mr Fenn if he had noted that the road from Cox's Lane did not have a right turn obligation towards Thatcham and Newbury. Mr Dray clarified questions could only be asked to clarify points that had been raised during a representation. Councillor Mayes moved onto his second question regarding drainage. Water from the site was going to be collected and put into a drain alongside the railway line, which drained to the east and into the Kennet at a later stage. Councillor Mayes asked Mr Fenn if he was concerned that the biodiversity area at Midgham Marsh would be impacted and Mr Fenn confirmed that he was.

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Adjacent Parish Council Representation:

Councillor Jeffery and Councillor Ardagh-Walter in addressing the Committee, on behalf of Thatcham Town Council (TTC), raised the following points:

Councillor Jeffery:

- Referred to section 6.51 of the report and quoted 'will have a degree of impact on the local transport network' and then 6.46 and quoted 'A4 remains within overall capacity'. Councillor Jeffery stated that the development was cited by the applicant to produce over 900 vehicles movements per day and he had little doubt that these would happen 24 hours a day, seven days a week.
- The A4 east to junction 12 was already slowed by HGVs sometimes running at 40mph.
- The A4 west passed directly through the residential heart of Thatcham and impacted greatly upon Chapel Street.
- Traffic using the A4 travelling west continued into east Newbury as far as the Robinhood roundabout and sometimes to the bypass roundabout at Speen. In Councillor Jeffery's view, this alone should stop the proposal being approved. West Berkshire Council had rightly pursued an active travel agenda, which sought to get car users onto their bikes. New cycle lanes had been created and road width had been reduced. The proposal would cause cyclists to be sharing the roads with more HGVs on roads such as Chapel Street. A further 900 movements a day was not tolerable and quite possibly unsafe.
- HGVs coming out of the site would use the Thatcham crematorium roundabout, which would be distressing for anyone turning up the road to a funeral or cremation. Councillor Jeffery believed there was no right turn from Cox's Lane, if the proposal went through in its current form.
- The urban sprawl was not needed in or near to Thatcham. The proposal was not felt to be acceptable or a proper way to conduct planned development.
- TTC supported the comments raised by MPC in not wishing to see viable farm land turned into an industrial delivery site.

Councillor Ardagh-Walter:

- Began by raising concerns regarding the stated employment benefits as detailed on pages 68 to 70 under sections 6.31 to 6.41. His main concern was with paragraph 6.40 of the report and the assertion from Savills logistics that West Berkshire Council was keen on attracting unskilled jobs into the area. This was a bold assertion in Councillor Ardagh-Walter's view and he contended to the Committee that contrary to helping the district, the proposed development would hinder and avert existing employers.
- Veolia had grave difficulties in 2021 attracting enough HGV drivers and the last thing Veolia or existing major employers already located at Thatcham and Colthrop needed was more demand for and the poaching of drivers. The most critical asset was people and if the application was approved the application would suck supply of skilled drivers away from existing employers. It would also cause there to be direct competition for lower cost housing.
- In summary the development would not have a significant benefit to the district in terms of traffic or employment benefit. Councillor Ardagh-Walter urged the Committee to reject the application.

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Member Questions to the adjacent Parish Council:

Councillor Tony Linden asked Councillor Ardagh-Walter if he was suggesting that the site would be better off as a housing site. Councillor Ardagh-Walter confirmed that he was not suggesting this.

Councillor Alan Law noted from what he had heard that what would be offered by the proposal was the wrong type of jobs and further B8 units were not required. Councillor Law queried if it was felt that the Economic Development Officer and the Economic Development Strategy which had been approved by the Council was incorrect. Councillor Jeffery felt that it would appear so and Councillor Ardagh-Walter stated that he was concerned regarding the age of the evidence provided including the Berkshire Functional Economic Market Area Study, which was conducted in 2016 and suggested that there was a need to build a logistics cluster around Thatcham. Councillor Ardagh-Walter stated that this might have been the case on 2016 but was not the case now. Councillor Law noted the point regarding the age of some evidence but highlighted that the West Berkshire Employment Land Review 2020 was also referred to. Councillor Ardagh-Walter stated that in his view this was also incorrect and was out of date.

Objector Representations:

Ms Underwood in addressing the Committee raised the following points:

- Ms Underwood was present on behalf of the objectors and lived behind Midgham Marsh behind the eastern boundary of the site. She was the fourth generation of her family who had farmed Kennet Home Farm.
- Residents were concerned regarding the increasing risk of localised flooding due to additional surface water caused by the proposed development. This could not be allowed to drain into the ditches.
- National Rail rarely cleared out its ditches to the north of the railway line.
- Ms Underwood had grown up in Midgham Marsh and had moved away 20 years ago but her family had continued to farm there. Ms Underwood had then moved back to the area in in October 2021. She had been shocked at how much wetter the fields were. There had been ankle deep standing water in many areas for weeks at a time and this never used to be the case. Ms Underwood stated that they were already doing all they could to clean out their ditches regularly. If fields behind the eastern boundary of the proposed site become any wetter then arable farming in the fields would no longer be possible.
- Midgham Marsh was almost completely flooded in July 2007.
- The Council had requested that the applicant reduce the height of the buildings in areas one and two from 15 metres to 12.5 metres. The applicant had refused to do this. The extra 2.5 metres in height would have a huge visual impact on residents living close by.
- The computer generated image supplied by the applicant used a photo taken in late spring when trees to the eastern boundary were in full leaf. All the trees were deciduous meaning the impact for six months of the year would be very different and the proposal would create a local eyesore. The colour of the façade had not been stipulated but a different colour would have a far greater impact than seen in the image.
- The proposed development would create increased noise, light and traffic pollution for local residents. The construction noise would be horrendous.
- The A4 was already a very busy and dangerous road. Ms Underwood left to do the school run at 8am every morning and she had to turn right out of the lane onto the A4, which was impossible due to the speed and volume of traffic causing her to have to turn left and drive a quarter of a mile to the nearest roundabout. The

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proposed change to the layout of the A4 caused by the development would cause a huge amount of disruption to drivers and if constructed at night would cause disruption to local residents.

- The fact that there would be access from the site directly onto the A4 very close to the existing roundabout seemed reckless, given the speed and volume of traffic.
- Residents were also very concerned that the applicant was refusing to reduce the height of the buildings due to the need for automation. This implied that the occupiers would not operate from 9am until 5pm and could operate 24 hours per day.
- The report stated that there could be up to 980 additional traffic movements per day caused by the site. This was an enormous increase in vehicles on an already busy road and would cause noise pollution and carbon dioxide pollution.
- There was already a huge amount of light pollution from the existing buildings on Colthrop business park. When Ms Underwood had built an extension on her cottage they were not permitted by the Council to put an outside light on it.
- The development would be detrimental to the wildlife and the countryside. Ms Underwood owned the field adjacent to the site and had already been approached by developers. Although this would be financially beneficial for her, Ms Underwood refused to sell her land because it would not be in the best interest of Midgham Parish or the countryside.
- Ribbon development was creeping along the A4. If it continued Thatcham would soon join up with Theale. The site was not located in Colthrop as stipulated but in Midgham.
- Regarding the ecological reports, Ms Underwood did not understand why only one static bat box was used. When Ms Underwood had been building her extension in 2020 she had needed to delay the build by five months as she had been required by the Council to carry out three bat dawn and dusk emergent surveys in May and June as bats were not fully active until this time.
- Ms Underwood urged the Committee to refuse planning permission for all the reasons she had stated. To approve the application would not be progress but would be sacrilege to Midgham parish and the countryside.

Member Questions to the Objector:

Councillor Pask noted that Ms Underwood had mentioned standing water and queried how this impacted on her as an arable farmer and if it precluded her from planting certain things. Ms Underwood was concerned that the situation could make the land untenable. Wheat was currently growing in the fields in question however, there were areas where crops were not growing because the land was so wet. The fields could not be used for arable farming if they got any wetter.

Councillor Mayes asked Ms Underwood to confirm the statement that she had given earlier that Network Rail did not regularly maintain the drainage along her boundary and the railway line. Ms Underwood confirmed that this was correct. To her knowledge Network Rail sometimes cleaned out the culverts but she could not recall when they last cleaned out the ditches. Councillor Mayes asked if Ms Underwood was responsible for the drain or if Network Rail was. Ms Underwood confirmed that Network Rail were responsible for cleaning out their ditches to the north of the railway line and Ms Underwood was responsible for her ditches within the marsh, which were regularly cleaned out.

Councillor Mayes asked Ms Underwood to confirm if drainage water drained from the west towards the east. Ms Underwood stated she would have to look into this point and was unsure.

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Councillor Bridgman noted that Ms Underwood had raised the issue of surface water running off the site onto her land, aggravating problems that already existed. Councillor Bridgman stated that he had looked at the HELA, which was the document that had brought forward a number of sites, including the one in question, for potential development in the emerging local plan. The flood history for the site referred to in the document was that the site was not within the Environment Agency's flood outline data and had not flooded during the 2007 floods. Parish flood reports however, detailed that there was run off from the A4 and surrounding fields which often caused flooding of Midgham Marsh. It was clear from the Officer's report that surface drainage was an issue and the way the Officer sought to address this was detailed in condition 12 and there were a huge number of elements to this condition. Taking account of the HELA and what was proposed in condition 12, Councillor Bridgman asked why Ms Underwood felt the condition would not avert the issues that she had raised. Ms Underwood stated that in 2007 Midgham Marsh definitely flooded and the cattle were up to their stomachs in water. Councillor Bridgman clarified that he was not implying that Midgham Marsh had not flooded however, there were no reports that the site in question had flooded. Councillor Bridgman stated that it was a question of why the proposed development site would exacerbate the problem given the proposed condition. Ms Underwood felt that the extra areas of tarmac and hard standing would push more water towards Midgham Marsh.

Agent Representations:

Mr Walker in addressing the Committee raised the following points:

- He was from Savills and was the planning agent for the application and was speaking on behalf of the applicant Ptarmigan and Thatcham Limited.
- The proposal was for an appropriate and acceptable development that would bring significant benefits. The application was the result of the applicant working positively and proactively with the Council to address comments and concerns.
- The proposed development would significantly support the local economy. The proposal would develop around 20,000sqM of employment floor space in Thatcham where there was a current pressing demand for such a development. The Council's employment evidence base identified the need for an additional 62,000sqM of industrial floor space including B2 and B8 uses and it had been demonstrated that the availability for industrial and logistic floor space in Thatcham was at only 4 percent of current need, so supply was currently constrained.
- The proposal would provide flexible employment space that made a substantial contribution to the current and future market requirements and help ensure Thatcham remained a key part of the Thames Valley economic region.
- The proposal would deliver around 300 high quality jobs including apprenticeships, skilled technical roles and managerial positions. It would also create about 150 jobs in the construction phase and generate significant business rate receipts.
- The application site was in an ideal location to meet the identified need for local jobs. It was in a sustainable location, which created a natural extension of the Colthrop Business Park.
- The site was not within the Area of Outstanding Natural Beauty (AONB), which covered nearly three quarters of West Berkshire and was not subject to any designations relating to ecology or heritage.
- Three areas of concern had been raised by Members at the site visit and these were highways, the appearance and visual impact of the building and surface water drainage. Mr Walker moved on to address each of these areas in turn.
- 1 - Highways: the application was supported by a detailed transport assessment undertaken by qualified highways engineers and had concluded that the additional

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movements generated by the development would not have an unacceptable impact on local roads. The site benefitted from an access directly onto the A4, with a footpath access provided. The Council's Highway Officers had raised no objections.

- 2 - Appearance of the building: work had taken place closely with Officers and the Council's appointed landscape consultant to agree a position on the matter. The Officer had deemed the visual impact of the site to be acceptable. The 15 metre height was similar to a number of existing buildings within the existing business park.
- The site benefitted from semi mature planting on the eastern boundary with trees up to 15 metres in height. The proposal included new planting, which would strengthen the eastern and northern boundaries with a minimum depth of 10 metres and up to 50 metres in some areas.
- As part of the reserved matters process a study would be undertaken to confirm an appropriate external colour of the buildings to ensure they sat comfortably within the landscape. This approach was now standard for modern industrial estates across the country and would ensure any visual impacts were minimised further, particularly compared to other existing buildings in the areas due to their prominent white colour.
- 3 - Drainage: The drainage condition in the Officer's report had been agreed to, which required water to be drained at the same level as the current developed site. As demonstrated by the submitted flood risk assessment the site naturally drained water to water courses to the south west boundary and the site would have a sustainable drainage system, which would accommodate a one in 100 year flood event plus increases due to climate change. The site would not increase the risk of flooding to nearby land including land to the east.
- Mr Walker agreed with the Officer's conclusion in paragraphs 7.1 and 7.2 of the report in that the proposed development complied with the development plan and Policy CS9 and all technical matters had been addressed. If any minor adverse impacts were identified these were outweighed against the substantial economic benefits associated with the development including meeting local need and job creation. It was hoped that the Committee would approve the plans in line with the Officer recommendation.

Member Questions to the Agent:

Councillor Pask asked Mr Walker why there was no flexibility in terms of the height of the buildings. Other business such as Xtrac were known to operate adequately in a building that was 10 metres high. The use B8 implied 24 hour a day operation and he asked Mr Walker to comment on if this was a possibility. Mr Walker stated that he did not know yet who the final operator for the site would be as it was only an outline application. There was the potential for the site to operate 24 hours per day however, Mr Walker drew attention to the noise assessments that were submitted with the application and concluded that the scheme could operate in such a way that would not increase the background noise levels that already existed. Mr Walker stated that this could be confirmed as part of a reserved matters application.

Councillor Pask asked Mr Walker if there was any flexibility regarding the height of the buildings if the application was approved. Mr Walker stated that he felt that they had demonstrated as a part of the application that the height of 15 metres for buildings away from the road was acceptable. The building would be coloured in such a way as to limit its impact. Tests had been carried out on bringing the height down and it had been concluded that it would not materially change the visual impact in the agent's opinion. No objection had been received from the landscape consultant who had been appointed by

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the Council. Some impact had been found, however this needed to be weighed in balance to other factors.

Councillor Jeremy Cottam noted that Mr Walker had referred to traffic modelling and he queried who had carried this out. Mr Walker confirmed that the transport assessment was carried out by a highways engineer appointed directly by the applicant and assessed by the Council's Highway Officers. Mr Walker was not sure who had provided the traffic modelling. Councillor Cottam asked what the highways engineer had been responsible for and Mr Walker confirmed that they had been appointed by the applicant to assess the impact of the development in highways terms. It had been concluded that the development was acceptable on highways grounds and this had also been the view of the Council's Highway Officers.

Councillor Cottam referred to environmental assessments and asked if any regard had been given to noise and vibration of the lorries. Mr Walker reported that the noise report submitted with the application considered the noise and vibration associated with the development to be acceptable.

Councillor Keith Woodhams referred to the 980 vehicle movements and asked Mr Walker how many were expected to pass through Thatcham in a 24 hour period. Mr Walker explained that 980 was the absolute worst case scenario of the whole development being of B8 use. If it was of B2 use there would be 482 movements so it was likely to be somewhere in the middle of the two figures. Regarding the traffic assessment it expected about half of the traffic to go east and the other half west.

Councillor Woodhams referred to a comment made earlier by a speaker, that there was a reluctance to reduce the height of the buildings from 15 metres to 12 metres because it would restrict the use of robots and Councillor Woodhams asked if this was correct. Mr Walker reiterated that it was felt that 15 metres was acceptable in visual terms. Evidence had been provided on the point of height that pointed to the fact that the average height of the type of buildings proposed was increasing due to a number of reasons, one of which being automation. The average internal height for the type of buildings proposed was 14 metres and therefore what was proposed was below average. The developer wanted to develop a scheme that was attractive to the market and anything lower would not be attractive.

Councillor Woodhams asked Mr Walker to confirm how many people were expected to be employed on the site. Mr Walker stated that the estimation was 250 to 300 and jobs would be of high quality. The site was also expected to generate 150 jobs in the construction phase. Councillor Woodhams asked Mr Walker to expand on what he meant by 'high quality' and Mr Walker explained that increasingly jobs in warehouse environments were skilled and required the operation of machinery. It would also offer a large number of managerial positions.

Ward Member Representation:

Councillor Pask in addressing the Committee raised the following points:

- He thanked Members that had been able to attend the site visit and also view the site from Ms Underwood's land, which had been essential. He hoped Members had noticed the surprise element of being sandwiched between a railway line and the busy A4. He hoped Members had noted the peacefulness of the area. Councillor Pask understood that construction noise had to be accepted during any development however the Committee would be considering the longer term implications of a built development.
- Lockdown had happened two years previously and although Bucklebury was about a mile north of the site, a constant thumping noise had been heard all

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summer. Councillor Pask had investigated the noise and found that pile driving was taking place on Gable Way. After a quiet word with the foreman the piling stopped at inappropriate times. However, Councillor Pask highlighted how far the noise had travelled.

- Councillor Pask was aware of a building on Gable Way that was erected two years ago, which was 44,000sqM feet, and currently had a 'to let' sign on it. Councillor Pask strongly supported the economic growth of the district and understood with the growth of online shopping that there was a need for distribution and B8 type buildings however, it was a question of where these buildings were placed. Councillor Pask was however concerned that there was a huge difference between high tech businesses like Xtrac and Thatcham Research to a 24 hour a day operation for distribution. Councillor Pask acknowledged distribution units were required however in his view they should be located closer to major intersections of transport such as nearer to Theale with better access to the M4 or the other side of Newbury with better access to the A34.
- Councillor Pask understood that the consideration was access however Members were being bombarded with other concerns such as height and drainage. Councillor Pask stressed the point that noise carried and in Bucklebury the work taking place in the existing buildings could be heard and therefore the proposal would have an impact. Councillor Pask was not suggesting that there was no scope for development in the Gable Way part of Colthrop, but he felt that the proposal was a step too far.

Member Questions to Officers

Councillor Linden noted that there was a shortage of B8 buildings in West Berkshire and he asked Mr Bryan Lyttle what the wider implications of the district not achieving sufficient levels of B8 was. Mr Lyttle responded that as a plan led authority the intention was to meet employment needs. West Berkshire was 74 percent AONB and had designated employment areas in the AONB. The site in question was a designated employment area and without such areas the area could become a commuter district.

Councillor Bridgman stated that he wanted to understand what had happened between the Core Strategy document and policy CS9 and the Employment Land Review. CS9 detailed that there was an excess level of B2 and it needed to be reduced and the level of B8 needed to be retained. Councillor Bridgman explained that the Employment Land Review now stated that there was a shortfall of B1, B1C, B2 and B8 and he queried this difference and wanted to understand why agricultural land was now being turned into industrial floor space. In response, Mr Lyttle reported that time had moved on and highlighted that the Employment Land Study was refreshed on 2020 and market conditions had changed. If another review was undertaken it was likely there would be more changes due to what was happening globally including Brexit. There were also changes to the existing employment land supply in that some offices were converting into housing. Mr Lyttle explained that there were two systems in operation, the Local Plan Review and the development land process, which worked on different time scales.

Councillor Cottam asked Mr Dowding what traffic modelling had been done to assess the impact of the new development. Mr Dowding clarified that in the worst case scenario there would be 320 car movements arriving, 170 HGV movements arriving, 320 car movements departing and 170 HGV movements departing within a 24 hour period. This equated to a 4.36 percent increase in traffic on the A4. Standard modelling had been used and it was expected that 52 percent of the traffic would travel towards Thatcham and 48 percent would go towards Theale. Gareth Dowding stressed that this was the worst case scenario, based on all the units being B8. As reported by the agent, it was unlikely that the entire use of the site would end up being B8. Mr Dowding reported that a

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4.36 percent increase in traffic on the A4 was minor in real terms and would equate to less than one percent additional lorry movements per day. Mr Dowding explained that the A4 was classed as a freight route and a strategic motorway diversion route between Newbury and Theale. It was one of the busiest roads in West Berkshire and all of these points needed to be factored in when considering the modelling. Mr Dowding stated there were no justifications for refusing the application on highways grounds.

Councillor Cottam further asked if the A4 was a trunk road that happened to go through Thatcham town, which was regulated by traffic lights with housing on either side. He pointed out that the road also went through Theale and asked if any allowances were made for this. Mr Dowding confirmed that the A4 was not a trunk road but an A class road. The modelling was based on widths of the road and the type of road it was and the junctions that served it. The modelling took into account residential developments because this impacted on the flow of traffic on and off the road however, it was also strategic national diversion route for the M4 and this needed to be kept in mind.

Councillor Woodhams was concerned about the additional mixed traffic expected to use the northern distributor road in order of avoiding the A4 congestion. It was known that HGVs shook the foundations of houses along this route and the road was narrow in certain areas. Councillor Woodhams asked what actions the Highway's Department would take to prevent HGVs using that route, which was not suited to HGV traffic. Mr Dowding commented that this route was not positively signed for HGVs and the A4 was signed as the designated freight route. The actions of the Highways Department would be to not signpost the northern distributor road as an alternative route. Satellite navigation companies were also strongly encouraged to list appropriate roads. Councillor Woodhams further asked Mr Dowding if signs could be erected that stated no HGVs unless for access. Mr Dowding stated that the route along Floral Way needed to be maintained for some HGV movements but it would not be signed as a purposeful route for all lorry movements.

Councillor Mayes noted that it had been mentioned that the Cox's Lane traffic could not turn right towards Thatcham. He queried if the proposal was approved why traffic could not enter through Gables Way through the existing warehouse development area. Mr Dowding expected that this was because it was private land that was not available as an access route. Mr Dowding pointed out that Cox's Lane did not appear to have a no right turn ban. Councillor Mayes disagreed with this.

Councillor Pask noted that Mr Dowding had stated that the A4 was a strategic freight route and asked for it to be confirmed that the proposed cycle lane around the Henwick Fields would not reduce the width of the road to make it unsuitable. Mr Dowding reported that the cycle ways that had been constructed throughout Thatcham had been designed to current standards.

Councillor Cottam asked Officers to confirm if use B2 or B8 was preferred in terms of the planning application. Mr Butler confirmed that the mix of B2 and B8 was not specified in the application. A condition could be applied that stipulated B2 and B8 however, he advised that this would be unreasonable because there was little justification for doing so.

Debate:

Councillor Law stated that he had been involved in the development of the Core Strategy 13 to 14 years ago and it had been identified that Thatcham required some respite from development at this point. The Core Strategy process had identified some of the strengths and benefits of the district, one being that it was at the cross roads on southern England and therefore in an ideal position for logistics and warehousing. Councillor Law

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was a founder Member of the Local Enterprise Partnership (LEP) and again West Berkshire had been identified as being in an ideal position for warehousing. Councillor Law commented on the economy regarding the likes of Amazon and he stated that the automated computerised robotic warehouse industry was one of the only areas, which was increasing in value in terms of investment. Councillor Law referred to a point raised by the Ward Member and queried if the proposal was not located at the site in question where should it go and the answer to this was within the Local Plan. The site in question was one of the locations identified and Thatcham had been nominated as a place for employment development. Councillor Law did not question the sincerity of the concerns that had been raised about the application and he understood the objections. Members had to make a decision that was based on policy. Policy CS9 in the current Local Plan was in support of the application. Industrial development was also supported by the Council's own recently approved Economic Development Plan and the Economic Development Officer had shown support for the application. Councillor Law had been pleased to hear the agent talk about high value jobs and he acknowledged that automation required high skilled members of staff. Councillor Law stated that he was supportive of the application.

Councillor Bridgman proposed a no notice motion to extend the meeting beyond 10pm if Councillor Macro as Chairman deemed the business could be concluded by 10.30pm. The proposal was seconded by Councillor Linden. Councillor Macro asked Members to vote on the proposal and the motion was supported.

Councillor Jeremy Cottam stated that he had an engineering background and had worked in a manufacturing and warehousing industry for over three decades. He was aware of how these types of business worked and operated. He did not feel that Thatcham was an ideal base for logistics because it had no road north and no road south. Thatcham had a large road going through the middle of an inhabited area.

Councillor Cottam stressed that he did not agree that jobs would be generated out of an automated warehousing system. There might be two or three people required to operate the system but there were no highly skilled jobs involved. If there was a problem the company that had installed the robotic system would send someone in to fix it. Councillor Cottam was aware of a business in Thatcham that had needed to close because it could not recruit enough agency drivers. West Berkshire Council itself did not have enough drivers.

Councillor Cottam stated that he had raised a question earlier in the meeting regarding B2 and B8 because Thatcham had lost much of its B2. He was aware as a local businessman that there was a demand for small businesses. Councillor Cottam was concerned regarding the highways impact of the proposal. Councillor Cottam stressed that he had joined the Council to be able to provide his knowledge and background and this was an example of where he could do this. Councillor Cottam felt despair regarding the proposal and the simplistic view of the economy. Councillor Cottam stated that he could not support the application. Councillor Cottam added that he had been very surprised not to see comments from Environmental Health regarding the proposal within the report. Councillor Cottam was concerned about the impact on the air quality, noise and vibration from the HGVs on the local community. Councillor Cottam had been minded to propose B2 use as this would create better jobs for local people however, had heard from the Officer that this would likely be appealed. Councillor Cottam was concerned that the mathematics were being considered rather than the reality of the application and would therefore be voting against the proposal.

Councillor Linden said that he had listened carefully and sympathised with Councillor Law. He sympathised with the concerns raised however, felt that Officers had made their case and if refused the Council would likely lose at appeal. The site was suitable for

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distribution. Councillor Linden acknowledged that there were issues in Thatcham and the proposal would cause a problem in Thatcham and/or Woolhampton. Councillor Linden however, did not feel that there was a solid reason to refuse the application and therefore proposed Officer recommendation to approve planning permission.

Councillor Richard Somner had listened to Councillor Cottam and understood his concerns and plea to reject the application. Councillor Somner noted that if a business was to locate to the vacant building referred to by the Ward Member, or any other unit in the district, then there would be an increase in traffic anyway and the Council would have no control over this. Councillor Somner referred to Mr Dowding's comments regarding the use of the A4, which he felt was crucial. Councillor Somner understood the concerns of residents however, explained that he lived in Calcot where he could never not hear the motorway or the railway. The application was about potential and was supported by policy, there was a clear statement from the Economic Development Officer supporting the application and there was evidence that the district needed to attract businesses. Councillor Somner stated that he was happy to support Councillor Linden's proposal.

Councillor Linden proposed that the Officer recommendation to approve planning permission be supported and this was seconded by Councillor Somner. At the vote the motion was carried (Councillor Macro and Councillor Pask abstained from voting).

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

Conditions

1. Approval of reserved matters

Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place. The development shall be carried out in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Time limit for reserved matters

Application(s) for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. Commencement of development (outline)

The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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4. Approved plans

Approved plans (amended)

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

668-004-PLO7 (Parameter Plan);
1909-11-PLO3-A (Junction access scheme);
668-001-PLO2 (Location Plan).

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

5. Network Rail

No development approved by this permission shall take place until details of the outlet and inlet control for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority (in consultation with Network Rails Senior Drainage Engineer). Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not affect the safety and continued running of the neighbouring railway. In accordance with policy CS5 of the West Berkshire Core Strategy 2006-2026.

6. Minerals

No development shall take place until a phased layout scheme for maximising the potential for incidental extraction where practicable has been submitted to and approved in writing by the Local Planning Authority. In addition, no development within a development phase shall commence until the following has been submitted to and approved in writing by the Local Planning Authority:

- (a) A method for ensuring that minerals that can be viably recovered during the development are recovered and put to beneficial use;
- (b) A method to record the quantity of recovered mineral (for re-use on site or off-site) and the reporting of this quantity to the Local Planning Authority.

Thereafter all works for each phase shall be carried out in accordance with the methods agreed throughout the construction period.

Reason: To ensure the minimum amount of mineral sterilisation occurs and in accordance with Replacement Minerals Local Plan for Berkshire Policies 2 & 2A, and Minerals and Waste Local Plan Policy 9. A pre-commencement condition is necessary, as once the development is built there will be no opportunity to design the scheme so as to maximise the potential for mineral extraction.

7. CMS

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

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with the approved CMS. The CMS shall include measures for:

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

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.

8. Working hours

No minerals extraction or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

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

8:30am to 1:00pm Saturdays;

No work shall be carried out at any time on Sundays or Bank Holidays.

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

9. Lighting design

Prior to occupation of any unit a lighting design strategy for biodiversity for all the buildings on site and the car parking areas shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- (a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- (b) Show how and where external lighting will be installed (through

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the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: Bats are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

10. CEMP

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

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

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

Reason: There are some protected species in the vicinity of the application site. This condition is applied in accordance with policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the CEMP must be adhered to throughout construction.

11. Drainage

No development shall take place until details of sustainable drainage measures to manage surface water within the site have been

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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 the WBC SuDS Supplementary Planning Document December 2018 with particular emphasis on Green SuDS and water re-use;
- b) Demonstrate that the existing ground water level will not be temporarily or permanently lowered by the development;
- c) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse or piped system at no greater than 1 in 1 year Greenfield run-off rates;
- d) Include run-off calculations based on current rainfall data models, discharge rates (based on 1 in 1 year greenfield run-off rates), and infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- e) Include within any design calculations an allowance for an additional 10% increase of paved areas (Urban Creep) over the lifetime of the development;
- f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- g) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil, groundwater, watercourse or drain;
- h) Ensure permeable paved areas are designed and constructed in accordance with manufacturers guidelines if using a proprietary porous paved block system; otherwise ensure any permeable areas are constructed on a permeable sub-base material, such as MoT/DoT Type 3;
- i) Show that attenuation storage measures have a 300mm freeboard above maximum design water level. Surface conveyance features must have a 150mm freeboard above maximum design water level;
- j) Include a management and maintenance plan showing how the SuDS measures will be maintained and managed after completion for the lifetime of the development. The use of glyphosate as a weed control measure is not permitted. The management and maintenance plan shall incorporate arrangements for adoption by the Maintenance or Management Company (private company or Trust) or individual property owners, or any other arrangements, including maintenance responsibilities resting with individual property owners, to secure the operation of the sustainable drainage scheme throughout its lifetime. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
- k) Include measures with reference to Environmental issues which protect or enhance the ground water quality and provide new habitats where possible;

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- l) Include details of how surface water will be managed and contained within the site during construction works to prevent silt migration and pollution of watercourses, highway drainage and land either on or adjacent to the site;
- m) Include an Application for an Ordinary Watercourse Consent in case of surface water discharge into, the re-alignment of, or culverting of a watercourse (i.e stream, ditch etc).;
- n) Include a verification report carried out by a qualified drainage engineer demonstrating that the drainage system has been constructed as per the approved scheme (or detail any minor variations thereof), to be submitted immediately following construction to be approved by the Local Planning Authority. This Report shall include plans and details of all key drainage elements (surface water drainage network, attenuation devices/areas, flow restriction devices and outfalls) and details of any management company managing the SuDS measures thereafter.

Thereafter the development shall be carried out in accordance with the approved details.

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), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). 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.

12. Ground levels and finished floor levels

No development shall take place until details of existing and proposed ground levels, and finished floor levels of the development, 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 details.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. These details are required before development commenced because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the NPPF, Policies ADPP6, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (June 2006).

13. Electric vehicle charging points (prior approval)

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No construction shall commence on any unit until details of electric vehicle charging points have been provided for that unit have been submitted to and approved in writing by the Local Planning Authority. No unit shall be first occupied until the charging points associated with that unit have been provided in accordance with the approved details. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.

Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy 2006-2026.

14. Layout

The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of road safety and flow of traffic and to ensure waste collection. 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).

15. Gates onto highway

Any gates to be provided at the access where vehicles will enter or leave the site, shall open away from the adjoining highway and be set back a distance of at least 20 metres from the edge of the highway, or from the limit of any potential adoption under Section 38 of the Highways Act 1980, whichever is the greater.

Reason: In the interest of road safety and to ensure that vehicles can be driven off the highway before the gates are opened. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

16. Visibility splays (amended)

No unit shall be first occupied until visibility splays of 2.4 metres by 160 metres have been provided at the access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026). Note: Temporary construction access is governed by Condition 8 (CMS)

17. Parking

The detailed layout provided at reserved matters stage shall include details of the vehicle parking and turning spaces/areas within the

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development. The car parking should enable the site to adapt to a combination of B2 and B8 uses. Such details shall show how the parking spaces are to be surfaced and marked out. No unit shall be first occupied until the vehicle parking and turning spaces for that unit have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). The parking and turning spaces shall thereafter be kept available for parking and manoeuvring of 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 (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

18. Access

No development shall take place until details of the proposed accesses into the site have been submitted to and approved in writing by the Local Planning Authority. The accesses shall thereafter be carried out in accordance with the approved details. The construction of the site access shall be the first development operation, and no other development operation shall take place until the site access has been completed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site access 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 Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).

19. Highways works

No development shall take place until engineering details of the proposed off site highway works have been submitted to and approved in writing by the Local Planning Authority. These works shall include:

- (a) Formation of new vehicular and pedestrian access with splitter island that prohibits right turn movements from the access.
- (b) Provision of turn right lane within the A4 Bath Road including a central island that prohibits right turn movements from the access.
- (c) The application and provision of a Traffic Regulation Order prohibiting right turn movements from the access. It must be noted that a section of the access road will need to be adopted under Section 38 of the Highways Act 1980 to enable any enforcement of the TRO.
- (d) The realignment of the main A4 Bath Road carriageway and associated footways / cycleways northwards to enable the provision of the required sight lines onto the A4 Bath Road.
- (e) Shortening of the westbound layby to the east, to enable the provision of the required sight lines onto the A4 Bath Road.

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- (f) Alterations to the A4 Bath Road / Cox's Lane junction.
- (g) Alterations to the eastbound bus stop layby.
- (h) Alterations to surface water drainage.
- (i) Any other associated works including, but not limited to resurfacing when required, alterations and potential replacement of signage and street lighting, etc.

As a first development operation, the above engineering operations shall be constructed in accordance with the approved drawing(s).

Reason: To ensure that the access into the site are constructed before the approved buildings in the interest of highway safety. 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. Cycle parking/storage

No construction shall commence on any unit until details of cycle parking/storage have been provided for that unit have been submitted to and approved in writing by the Local Planning Authority. No unit shall be first occupied until the cycle parking/storage facilities associated with that unit have been provided in accordance with the approved details. Thereafter the facilities shall be maintained and kept available for that purpose at all times.

Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD 2006-2026, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).

21. Travel Plan (amended)

No unit shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented from the development first being brought into use. It shall be reviewed, and updated as appropriate, within 6 months of first implementation, in agreement with the Local Planning Authority. After that the Travel Plan shall be annually reviewed and updated as appropriate and all reasonable practicable steps made to achieve the agreed targets and measures within the timescales set out in the plan and any subsequent revisions.

Reason: To ensure the development reduces reliance on private motor vehicles and provides the appropriate level of vehicle parking. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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22. BREEAM (additional)

The development hereby permitted shall achieve a rating of “Excellent” under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme), unless otherwise agreed in writing by the Local Planning Authority. The development shall not be first occupied until a final certificate has been issued certifying that this rating has been achieved, and a copy of the certificate has been provided to the Local Planning Authority.

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

23. Sustainability and Energy Strategy (additional)

On or before the submission of the first reserved matters application, relating to any or all of the reserved matters for each phase of the development, a detailed Sustainability and Energy Statement shall be submitted to the Local Planning Authority for approval. The Statement shall:

- (a) Be informed by the Sustainability Statement and Energy Strategy accompanying the outline application; and
- (b) Include a scheme for the reduction of carbon dioxide emissions, including through the use of low/zero carbon technology, with an aspiration to achieve zero carbon in accordance with Policy CS15.

No development within each phase of the development shall take place until approval of the above Statement has been granted in writing by the Local Planning Authority. Thereafter the development within each phase shall be implemented in full accordance with the approved details.

Reason: To ensure the development contributes towards the transition to a low carbon future. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS15 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the final measures contained within the statement may influence site layout and construction.

24. Skills and Employment Plan (additional)

No development shall take place an Employment and Skills Plan (ESP), in relation to the construction phase of the development, has been submitted to and approved in writing by the Local Planning Authority. The ESP will set out the measures that the developer will take to enhance the training and employment opportunities that are offered to the local workforce in West Berkshire in the construction process. The measures set out in the ESP should be appropriate and proportional to the scale and value of the development. The ESP should set out, through a method statement, how the following priorities will be addressed:

- (a) Promotion of employment opportunities generated on site to the West Berkshire workforce (but not excluding those outside of West Berkshire), with a focus on those who are not currently employed.
- (b) Creation of new apprenticeship starts specific to the development site.

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This should include how the developer will work directly with local employment and training agencies.

- (c) Identification of training and work placement opportunities on site with discussion on how these may be promoted to local people, working directly with local employment and training agencies.

The Employment and Skills Plan should also:

- (d) Identify a lead contact who is responsible for managing the plan.
- (e) Set out a timetable for the implementation of the ESP which, for the avoidance of doubt, shall include a start date no later than the date of commencement of development.
- (f) Set out the process for how implementation of the ESP will be monitored and reported back to West Berkshire Council.

Thereafter approved ESP shall be implemented in full concurrent with the development of the site.

Reason: To promote local job opportunities in the district in accordance with the National Planning Policy Framework. A pre-commencement condition is necessary because the ESP will need to be in place before any construction activities take place.

Informatives

1. Incidental works affecting the highway

Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 503233, before any development is commenced.

2. Temp Signing Requires Written Consent

Any temporary signing affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 503233, before any development is commenced.

3. Official Postal Address

Please complete and online street naming and numbering application form at <https://www.westberks.gov.uk/snn> to obtain an official postal address(s) once development has started on site. Applying for an official address promptly at the beginning of development will be beneficial for obtaining services. Street naming and numbering is a statutory function of the local authority.

4. Surface water drainage

Approval of the off-site works within the A4 must be subject to approval of an Ordinary Watercourse Consent application by the Land Drainage Authority outside of the Planning System. The Applicant should be advised that the culverting of the existing open ditch to the north of the A4 will not be acceptable to the LDA. We do however accept that culverting of the existing

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ditch on the south side of the A4 where the proposed access road crosses this watercourse into the site is unavoidable, although this will be subject to a separate OWC application.

5. Proactive statement

[Appropriate statement to be added depending on committee resolution]

(3) Application No. & Parish: 22/00193/FUL - St Andrew's School, Pangbourne

This item was deferred to the next meeting of the Eastern Area Planning Committee.

(The meeting commenced at 6.30 pm and closed at 10.07 pm)

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	22/00193/FUL Bradfield	04.04.2022 ¹	Installation of containerised biomass boiler systems St Andrews School Unnamed Road From Gardeners Lane To Buckhold Farm Pangbourne RG8 8QA The Warden and Council, St Andrews School

¹ Extension of time agreed with applicant until 12/05/2022

The application can be viewed on the Council's website at the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=22/00193/FUL>

Recommendation Summary: Delegate to the Service Director of Development and Regulation to grant planning permission.

Ward Member: Councillor Mackinnon

Reason for Committee Determination: Application has received 10 or more letters of objection and is recommended for approval by officers.

Committee Site Visit: 4th May 2022

Contact Officer Details

Name: Mr. Matthew Shepherd
Job Title: Senior Planning Officer
Tel No: 01635 519111
Email: Matthew.Shepherd@Westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for installation of containerised biomass boiler systems.
- 1.2 St Andrews School is located within the small hamlet of Buckhold, which is to the south-west of Pangbourne. The surrounding area is identified as predominately farm landscape interspersed with small pockets of development. St Andrews School was founded in 1934 and is an independent school for children ages 3-13. The school is Grade II Listed. The Victorian mansion and stables which are the listed part of the site are to the south, some distance from the proposed development site.
- 1.3 The proposed development is for the installation of a containerised biomass boiler system to provide energy to the school. The development is for two flat roof containers that will be clad in timber. There will have two chimneys rising 3 metres above the roof of the containers; these will be approximately 5.6 metres tall from ground level to top. The containers are approximately 5 metres wide combined, and 6.3 metres long. The containers are approximately 2.6 metres tall excluding chimneys.

2. Planning History

- 2.1 The table below outlines the relevant planning history of the application site. The table only contains the past 10 years approximately of planning history. Full planning history can be found on the WBC website.

Application	Proposal	Decision / Date
22/00474/LBC2	Proposed internal and external alterations to existing shower room and computer room and installation of new flat roof to create covered walkway between Buckhold House and Harding House.	Approved 14.04.2022.
22/00473/FUL	Proposed internal and external alterations to existing shower room and computer room and installation of new flat roof to create covered walkway between Buckhold House and Harding House.	Approved 14.04.2022.
22/00953/FUL	Proposed extension to the nursery building, installation of air source heat pump and associated works.	Pending Consideration
20/01076/FUL	Alterations to car park/drop off area outside the entrance to the school building, including the provision of a loop and (net) additional 35 parking spaces.	Approved 17.07.2020.
17/01069/LBC2	Replace worn out, damaged and leaking rainwater furniture on a grade 11 listed building Replacement proposed using Alutec Heritage Black rainwater furniture (aluminium system, powder coated kin textured black to achieve closest practical match in appearance to original cast iron).	Approved 07.06.2017.

16/02178/FUL	New glazed canopy over enlarged doorway to the rear of the reception classrooms.	Approved 10.10.2016.
16/01712/COND1	Application For approval of details reserved by Condition 4, 5, 7, 8, 9 and 10 of approved application 15/02379/FUL - New sports hall and squash courts and enclose existing outdoor swimming pool.	Approved 2308.2016.
15/02379/FUL	New sports hall and squash courts and enclose existing outdoor swimming pool.	Approved 15.02.2016.
14/01351/LBC2	Internal alterations to the building including: creation of 3no. 2nd floor staff flats; alterations to form 2nd floor boys' lavatories; alterations to form 2nd floor girls' lavatories; alterations to 2nd floor staircase to improve emergency exit; removal of redundant wash basins from 2nd floor corridor; creation of 3rd floor staff flat and creation of 2nd floor laundry.	Approved 22.07.2014
12/01230/COND1	Application for approval of details reserved by condition 3 Tree Protection and 4 colour of fencing of approved application 11/02576/FUL - Development of an all weather playing field.	Approved 27.06.2012.
11/02576/FUL	Development of an all weather playing field.	Approved 09.03.2012.

3. Procedural Matters

- 3.1 **EIA:** Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 **Publicity:** A site notice was displayed on 09/03/2022 at the front entrance of the site; the deadline for representations expired on 30/03/2022.
- 3.3 **CIL:** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). Any CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

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

Bradfield Parish Council:	Bradfield Parish Council objects to this application for the following reasons: <ol style="list-style-type: none"> 1. There is no transport plan indicating the proposed route of vehicles delivering pellets to the site or the frequency. 2. There is no Environmental Impact Assessment. 3. There is no indication of how the ash will be removed. 4. There is no indication of where pellets will be stored. <p>If WBC is minded to approve this application, Bradfield PC would prefer that the two “containers” are black powder coated rather than stainless steel.</p>
WBC Highways:	No comment
WBC Lead Local Flood Authority:	No response 26/04/2022
WBC Environmental Health:	The information clearly shows that the proposed biomass boiler will efficiently burn the clean wood pellets at a high temperature in order to burn off any pollutants. Being monitored 24/7 and with a regular maintenance scheme in place this proposal will have minimal effect on air quality and is in fact exempt from regulation under the Clean Air Act due to its efficiency. Based on the above I have no further comments to make.
WBC Conservation:	No objections
WBC Archaeology:	The below ground impact on any archaeological assets is likely to be minimal and the structure seems to be some distance away from the listed Victorian mansion and its stable block.
WBC Ecology Officer:	No response 26/04/2022
WBC Tree Officer	No objections subject to conditions

Public representations

4.2 Representations have been received from 13 contributors, all of which object to the proposal. The full responses may be viewed with the application documents on the Council’s website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Concern in respect to air pollution, climate change and the developments impact on the health of nearby residents and vulnerable people.
- Concern in regards to the impact this could have on people with respiratory illness, asthma, Covid, and Long Covid where inhalation of emissions from the development will contain particulates known as black carbon and this will exacerbate lung conditions.

- Concern is raised in regards to the resultant increase in heavy good vehicle traffic making regular deliveries of biomass fuels travelling to the school via roads that are noted as unsuitable for HGV's. This is causing frequent local diversions and further road and roadside erosion.
- Concern for many young school children who play sports daily on Astroturf that is just 3 metres North West of the proposed development. These young people are going to take deep breaths of toxic soot which may endanger that health and quality of life.
- Tidmarsh lane is not suitable for heavy traffic and twice or three times a week heavy trucks will use these roads carrying pellet tot eh school. The land already suffers 70,000 vehicle movements a year from school parents and another 30,000 vehicle movement's year from school teach staff vehicles.
- The chimneys are 5.6 metres in height and the plume of exhaust flattens out on the land immediately downwind to those chimneys which means the school children, nearby wedding guest and objectors to the North West and residents of local cottages and upper Basildon are all down wind. This is wholly unacceptable.
- The unit will operate 24/7 and 365 days a years and there will be no respite for local residents.
- There is an established wedding venue nearby with potential for 100 guest visiting nearby which would be at risk from emissions.
- Concern that noise from the unit will frighten horses and riders in the local vicinity causing accidents.
- No public consultation from the school has been undertaken.
- The development is not truly renewable due to the temporary warming that happens during the process of the carbon cycle which contribute toe climate warming.
- Wood Burning accounts for 31% of air pollution in London according to Kings College London.
- The school must ensure that it only burns wood pellets which has been correctly seasoned, this allows the combustion unit to burn the wood efficiently and actually produces a carbon-neutral process.
- Concern in regards to the toxic fumes inhaled by wildlife and horses in the surrounding areas.
- We believe this scheme is contrary to conserving and enhancing the natural environment of the AONB.
- The development is very close to the farm boundary and any noise produced by it will potentially scare horse riders.
- The development would be placed under trees and will negatively impact the longevity of at least three trees.
- The development does not have any particle capture mechanism in the Chimney Stack.
- Emission will harm nearby residents and children of the school.
- Wood Burning contributes to air pollution in London.
- The development is not actually carbon neutral.
- Concern as to where emissions will go given the prevailing wind and inconsistencies in statements by the applicant.
- Concern in terms of the developments negative affect on the health of residents and animals.
- Concern in regards to vehicle movements.
- No risk assessment of the proposal has been submitted.

5. Planning Policy

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

- Policies ADPP1, ADPP5, CS10, CS13, CS14, CS15, CS16, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies TRANS.1, OVS.5, OVS.6, ENV.27 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2019-24
- WBC Quality Design SPD (2006)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of Development
- Character and Appearance
- Neighbouring Amenity
- Highways considerations
- Flooding and Ecology

Principle of development

6.2 The site lies outside of any defined settlement boundary in the open countryside where, according to Policy ADPP1, only appropriate limited development will be allowed, focused on addressing identified needs and maintaining a strong rural economy. The proposed development site falls within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Policy ADPP5 notes that the North Wessex Downs AONB will have appropriate and sustainable growth that conserves and enhances its special landscape qualities. It goes on to note that opportunities for appropriate small scale renewable energy schemes, which use local resources will be encouraged if they can be accommodated within the landscapes of the North Wessex Downs.

6.3 These works are required in order to support an established rural school produce energy and are therefore supported by policy CS10 of the Core Strategy and ENV27 of the West Berkshire District Local Plan. This boiler system is run by Biomass Wood Pellets which fuels the boiler, and this is considered a renewable source of energy given this fuel. The proposed biomass boiler would replace an oil boiler system with a modern and efficient biomass boiler which would supply low carbon heating, assisting the school in reducing its greenhouse gas emissions.

6.4 The supporting text of Policy CS15 notes that carbon reduction is a key issue for West Berkshire. The policy goes on to note that West Berkshire District is one of the highest electricity users in the south-east, and is in the upper quartile of local authorities for CO₂ emissions within the region. This proposed development would assist the school in achieving a reduction in carbon produced and would align with the aims of Policy CS15.

- 6.5 The principle of the proposed development is therefore considered acceptable in accordance with ADPP1, ADPP5, CS10, and CS15 of the Core Strategy and ENV.27 of the West Berkshire District Local Plan.

Character and appearance

- 6.6 Policy CS14 requires new development to demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. It goes on to say that good design relates not only to the appearance of the development but the way in which it functions, and that the considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality.
- 6.7 Policy CS19 seeks to conserve and enhance the diversity and local distinctiveness of the landscape character of the District, and adopts a holistic approach to ensure that the natural, cultural and functional components of its character will be considered, particular regard will be given to (a) the sensitivity of the area to change, (b) ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character, and (c) the conservation, and where appropriate, enhancement of heritage assets and their settings (including listed buildings).
- 6.8 The proposed development would consist of two containers of steel construction with flat roofs and would be externally clad with timber. This would be located within the school grounds on existing hard standing. The proposed containers are considered utilitarian in design, but this visual impact would be softened by the proposed wooden cladding. Given the proposed location within the existing site boundary on existing hardstanding the development is not considered to give rise to harm to the AONB landscape. Whilst there is the inclusion of chimneys these are not considered to be prominent in the landscape.
- 6.9 The proposed development is located some distance away from the Grade II listed Victorian mansion and stable block which make up the listed building elements of the site. The planning statement included a heritage impact assessment which is considered to demonstrate that the proposed development result in a very localised visual intrusion on the predominantly planned and designed historic landscape of the site. The historic character of the school extends well beyond the immediate boundaries of the proposed development area, and it is assessed that the proposed development will have only a very minor and localised adverse effect on the historic landscape character of the area.
- 6.10 The proposed new development will have a minimal impact on the setting of the listed building, and change the character of the site, resulting in less than substantial harm to the significance of this listed building. Whilst the proposal will result in less than substantial harm to the significance of this listed building, this harm is justified and would enable the public benefit of securing a more sustainable future for the building, so meeting the requirements of paragraphs 197 and 202 of the NPPF.
- 6.11 The application therefore complies with the statutory requirements of the Planning (Listed Buildings and conservation Areas) Act 1990, the NPPF (2021) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).
- 6.12 The proposed development is therefore considered to comply with Policies CS14 and CS19 in regards to its design and impact on the character of the area, the setting of the listed building, and the AONB.

Neighbouring amenity

- 6.13 There have been a number of objections to the application in regards to the impact to neighbouring amenity in regards to pollution and air quality. Policy OVS.5 notes that the Council will only permit development proposals where they do not give rise to an unacceptable pollution of the environment. In order to minimise the adverse impact on the environment or loss of amenity proposals should have regard to: (a) the need to ensure the adequate storage and disposal of waste materials; (b) the installation of equipment to minimise the harmful effects of emissions; (c) the hours, days or seasons of operations; and (d) locating potential nuisance or pollution activities onto the least sensitive parts of the site or where the impacts can be best contained by physical or other appropriate measures.
- 6.14 Policy OVS.6 The Council will require appropriate measures to be taken in the location, design, layout and operation of development proposals in order to minimise any adverse impact as a result of noise generated.
- 6.15 The Council's Environmental Health Officers have been consulted on the application and requested further information be submitted. The EH Officers considered the information provided clearly shows that the proposed biomass boiler will efficiently burn the clean wood pellets at a high temperature in order to burn off any pollutants. Being monitored constantly and with a regular maintenance scheme in place this proposal will have minimal effect on air quality and is in fact exempt from regulation under the Clean Air Act due to its efficiency. It is considered appropriate that the development is conditioned to be operated in accordance with the documents submitted.
- 6.16 The containerised units are also noted to create very little noise due to their efficiency and high specification. Any noise will be dampened by the enclosure of the boilers in the units.
- 6.17 According to the submitted documents that ash will be disposed of in general waste as an inset compostable material which could be used as fertiliser by the school on its land. Approximately 1 tonne of ash will be produced annually. The wood pellets would be stored in the second container adjacent to the plan room. The supporting documents also notes that there will be 10 deliveries annually to the school which is 42 fewer movements to the school than it currently has of oil deliveries.
- 6.18 The development is considered to accord with Policy CS14 in regards to neighbouring amenity and Policies OVS.5 and OVS.6 in regards to pollution and noise.

Highways

- 6.19 The Highway Authority raise no comment on this application. It is noted in the supporting documents that that ash will be disposed of in general waste as an inset compostable material which could be used as fertiliser by the school on its land or commercially disposed of by the existing waste disposal arrangements of the school. Approximately 1 tonne of ash will be produced annually. The wood pellets would be stored in the second container adjacent to the plan room. The supporting documents also note that there will be 10 deliveries annually to the school which is 42 fewer movements to the school than it currently has of oil deliveries.
- 6.20 The proposed containers would not give rise to issues of parking on the site given the size of the units and number of parking spaces. The proposed development is therefore considered in accordance with Policy CS13.

Flooding, Ecology, and Tree's

- 6.21 The application falls within flood zone 1 and is therefore at least risk of flooding. CS16 of the development plan directs development to these areas. The containers are not considered to give rise to issues of flooding.
- 6.22 The containers are also located on existing hardstanding within an established site, it is therefore considered the development would have minimal impact on ecology in a developed area of the site which is of low ecological sensitivity.
- 6.23 The Tree Officer has been consulted on the application and considered the significant line of trees near to the proposed development. The Tree Officer raises no objections, but advises that an Arboricultural Method Statement would be required, together with tree protection and supervision. This would include a construction exclusion zone wherein no storage, mixing of chemicals, and similar activities would be permitted within the root protection areas. Supervision would ensure the pads were constructed correctly. This matter can be dealt with by condition.

7. Planning Balance and Conclusion

- 7.1 The development is not considered to have an adverse impact on the character of the area of the AONB landscape. Whilst concern has been raised by objectors in regards to emissions the Environmental Health Officer is content that the development will be sufficiently controlled as not to result in adverse impacts in this respect. The development is not considered to give rise to issues related to deliveries on the highways. The development proposed would contribute to the schools ability to produce energy in a more efficient and sustainable way, and weight should be attached to this benefit. Concerns in regards to emissions can be mitigated through appropriate planning conditions. The application is therefore recommended for approval subject to conditions.

8. Full Recommendation

- 8.1 To delegate to the Service Director of Development and Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1.	Commencement of development The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2.	Approved plans The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below: Location Plan. Drawing number SA101/B. Block Plan. Drawing number SA102/A. Floor Plan and Roof Plan. Drawing number SA103/A. South East and North West Elevations. Drawing number SA104/A. North East and South West Elevations. Drawing number SA105/A. Trench Details For Underground Pipeline. Drawing Number SA106/A.

	Reason: For the avoidance of doubt and in the interest of proper planning.
3.	<p>Materials</p> <p>The materials to be used in the development hereby permitted shall be as specified on the plans and/or the application forms. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.</p> <p>Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).</p>
4.	<p>Servicing and maintenance</p> <p>The hereby approved containerised biomass boiler systems shall be operated in accordance with the submitted documents of this application predominately the Biomass Boiler Information Form V DN (004) Final. The units shall be regularly serviced and maintained to ensure efficient mechanical function.</p> <p>Reason: To protect the occupants of nearby residential properties from noise and exhausts. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.5 and OVS.6 of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).</p>
5.	<p>Plant noise</p> <p>All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise therefrom does not exceed at any time a level of 5dB[A] below the existing background noise level, or 10dB[A] if there is a particular tonal quality when measured in accordance with BS4142:2014 at a point one metre external to the nearest residential or noise sensitive property</p> <p>Reason: To protect the occupants of nearby residential properties from noise. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.5 and OVS.6 of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).</p>
6.	<p>Construction Time Restrictions</p> <p>No construction or associated deliveries of the development hereby permitted shall take place during arrival and departure times for the school during term time, unless in accordance with a construction method statement (CMS) that has first been submitted to and approved in writing by the Local Planning Authority. Such a CMS shall include:</p> <ul style="list-style-type: none"> (a) A site set-up plan during the works; (a) 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) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing; (e) Temporary access arrangements to the site, and any temporary hard-standing; (f) Wheel washing facilities; (g) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;

	<p>(h) A scheme for recycling/disposing of waste resulting from demolition and construction works;</p> <p>(i) Hours of construction and demolition work;</p> <p>(j) Hours of deliveries and preferred haulage routes;</p> <p>Reason: To safeguard the amenity of school users and adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.</p>
7.	<p>Arboricultural Method Statement</p> <p>No development or other operations shall commence on site until an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority. The AMS shall include details of:</p> <p>(a) The implementation, supervision and monitoring of all temporary tree and ground protection; and</p> <p>(b) The implementation, supervision and monitoring of any special construction works within any defined tree protection area.</p> <p>Thereafter the development shall not be undertaken except in accordance with the approved AMS.</p> <p>Reason: To ensure the retention and protection of trees identified at the site in accordance with the NPPF and Policies ADPP1, ADPP5, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation, other measures and works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>

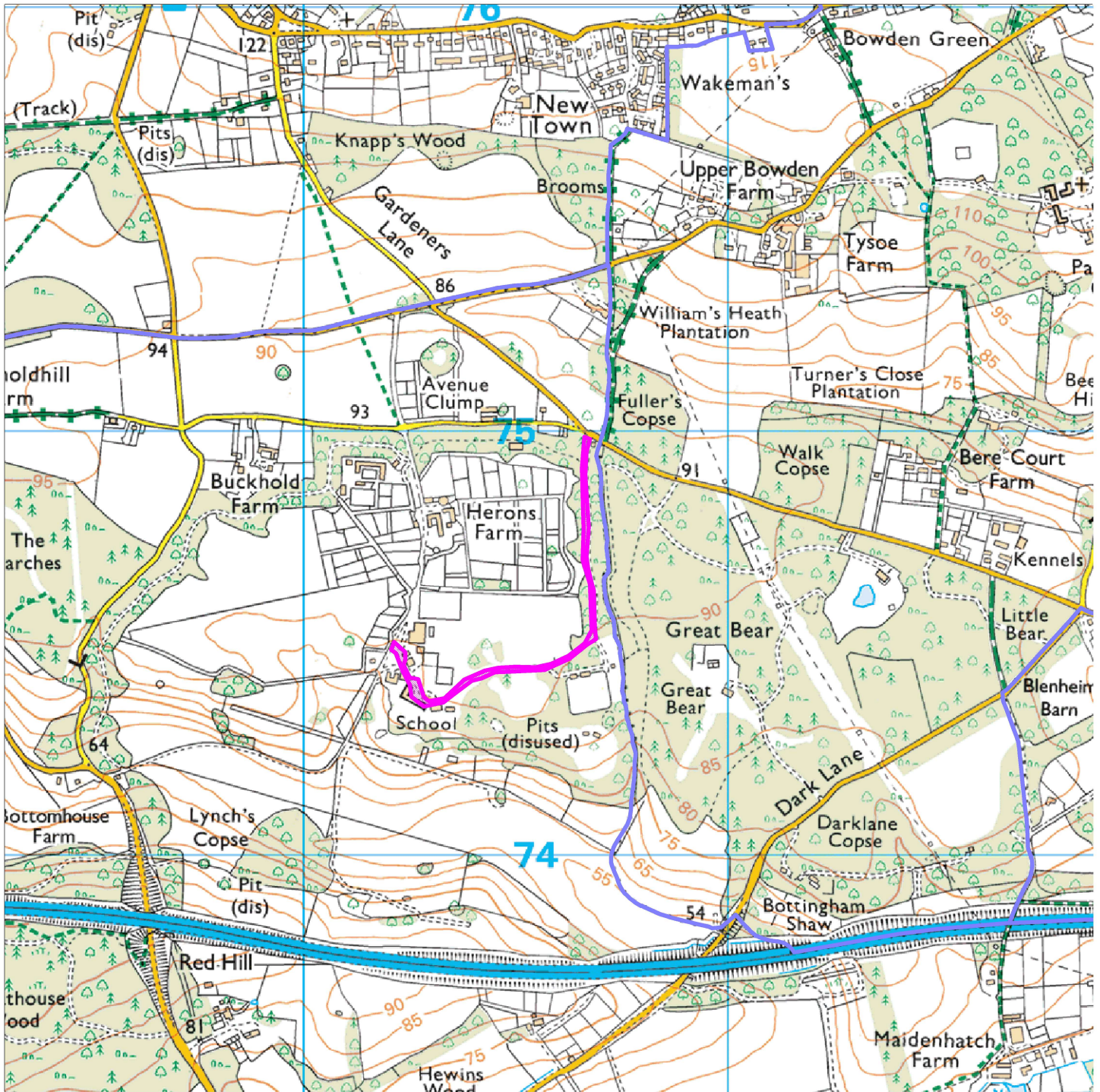
Informatives

1. Proactive actions of the LPA

The Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application. In particular, the LPA:

- (b) Provided the applicant with a case officer as a single point of contact.
- (c) Alerted the applicant to issues that were raised during the consideration of the application.
- (d) Accepted amended plans to address issues arising during the consideration of the application.
- (e) Agreed an extension of time before determining the application to enable negotiations with the applicant.
- (f) Entered into /negotiations in order to find a solution to problems with the proposed development, rather than refusing planning permission without negotiation.

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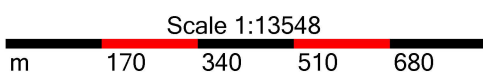
Map Centre Coordinates :

Scale : 1:13547

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Organisation	West Berkshire Council
Department	
Comments	Pangbourne RG8 8QA
Date	28 April 2022
SLA Number	0100024151



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Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	21/03154/COMIND Cold Ash	6 th April 2022 ¹	<p>Construction of a detention basin with an area of 0.20 hectares and a 0.7m high earth bund to the south of the scheme. Realignment of an existing ditch for 12m into the proposed basin and installation of a bypass structure to facilitate flows in the existing watercourse downstream. A 300mm diameter pipe will convey flows from the basin during flood events to the existing ditch to the south of the scheme before out falling to the existing Thames Water sewer to the southwest. The existing ditch will be regraded from the outlet from the basin to the inlet to Thames Water sewer. The provision of a 3.0m wide access track from Bowling Green Road to serve the Scheme. Removal and deposition and levelling of soil on adjoining land and land north of Tull Way.</p> <p>Land North of Bowling Green Road, Thatcham</p> <p>West Berkshire Council</p>

¹ Extension of time agreed with applicant until 8th June 2022

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03154/COMIND>

Recommendation Summary: Delegate to the Service Director of Development and Regulation to grant planning permission.

Ward Member(s): Councillor Cole and Councillor Simpson

Reason for Committee Determination: West Berkshire Council application

Committee Site Visit: 25th May 2022

Contact Officer Details

Name: Emma Nutchey
Job Title: Principal Planning Officer
Tel No: 01635 519111
Email: emma.nutchey@westberks.gov.uk

1. Introduction

- 1.1 The proposed Flood Alleviation Scheme for North Thatcham is split into two sites; Bowling Green Road and Heath Lane. This application seeks planning permission for a new detention basin on agricultural land to the North of Bowling Green Road which will provide approximately 2750m³ of flood water storage. The scheme will also involve the realignment of an existing ditch for 12m into the proposed basin which will convey more extreme flows into the detention basin. The works also involve embankments with a maximum height of 0.7m. A small section of the existing watercourse is also to be infilled to accommodate the bypass flow control structure.
- 1.2 It should be noted that the drainage channel works are on a different site to the east of the Regency Hotel on a narrow strip of land immediately adjacent to Bowling Green Road.
- 1.3 A 4.8m wide entrance is to be provided off Bowling Green Road reducing to 3m in width within the site. This runs in a northerly direction up to the proposed new basin. In addition a 3m wide access track around the crest of the basin is also proposed.
- 1.4 The application also seeks permission for the removal of spoil from the site which is to be deposited on the identified adjoining land and that to the north of Tull Way (at an existing basin site). These areas have been identified on the location plan accompanying the application. The overall objective is to reuse most of the excavated material within the site however this is dependent on its suitability. Based on initial earthworks modelling this site could generate a surplus of approximately 6979m³ of material. In the event this has to be taken off site the material will be spread at Tull Way to a depth of 0.3m and on the adjoining land to a depth of 0.15m-0.3m. The preference is for as much of this spoil to be reused on site or deposited on the adjoining land to reduce vehicle movements.

2. Planning History

- 2.1 No relevant planning history.

3. Procedural Matters

- 3.1 Town and Country Planning (Environmental Impact Assessment) Regulations 2017: The development falls within the description of development in Schedule 2, Column 1, paragraph 10 (i) Dams and other installations designed to hold water or store it on a long-term basis. The development is not located within an environmentally sensitive area however it exceeds the relevant thresholds in Column 2 as the site area is greater than 1 ha. A screening opinion was carried out on the 11th May 2022. This confirmed that, taking into account the selection criteria in Schedule 3, the proposal is not considered to be EIA development.
- 3.2 Publicity: The application was originally advertised by way of 2 site notices which expired on the 9th February 2022. Following the receipt of amended plans and a change to the description of the application to include the deposition of spoil off site new site notices were displayed. These expired on the 20th May 2022. All third parties who originally made representations on the scheme were also notified directly.
- 3.3 CIL: Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the development. All new dwellings are CIL liable and as such CIL will be charged on this scheme. The relevant forms have

been completed by the applicant and CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil.

4. Consultation

Statutory and non-statutory consultation

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

Cold Ash Parish:	No objection – unanimous
Thatcham Council (adj):	Support the application on the condition that it does not preclude further any necessary widening of bowling Green Road.
WBC Highways:	Following the receipt of additional information no objections are raised subject to conditions.
Archaeology:	No objection subject to a condition securing a programme of archaeological supervision (watching brief) during the ground works.
Ecology:	Following the receipt of additional information no objections are raised.
Trees:	No objection raised subject to conditions.

Public representations

4.2 A number of representation letters have been received from 1 contributor which objects to the proposal.

4.3 The full objections may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Concerns for impacts on veteran trees and the proposed pruning works to lift the crowns of the oak trees to 5m/5.5m.
- Concerns for the loss of trees to facilitate access to the site.
- Concern for ecological impacts arising from the proposals.
- Questions regarding on going management and maintenance of the culvert channels, ditches etc.
- Request hours of work are limited to minimise noise impact on neighbours.
- Impact of spoil disposal on the site.

4.4 Points raised which are not material planning considerations: comments regarding the ownership of the mature and veteran oaks and ash and hedgerows.

5. Planning Policy

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

- Policies ADPP1, ADPP3, CS13, CS14, CS16, CS17, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- WBC Quality Design SPD (2006)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance of the area
- Impact on neighbour amenity
- Highways
- Ecology
- Archaeology
- Trees

Principle of development

6.2 The application site is located within the open countryside. Policy ADPP1 of the Core Strategy states that within the open countryside only appropriate limited development will be allowed focused on addressing identified needs and maintaining a strong rural economy.

6.3 Area Delivery Plan Policy 3 Thatcham states that ‘the risk of flooding within the area will be reduced and managed through the implementation of schemes within the Thatcham Surface Water Management Plan (SWMP) and in accordance with Policy CS16.’

6.4 Flood alleviation schemes for the areas in Thatcham at the greatest risk have been constructed in recent years. These schemes provide protection to the residents of East Thatcham most at risk and have mitigated the major flow routes from the east. This proposed basin alongside that to the north of Health Lane forms part of the proposed flood alleviation scheme for north Thatcham.

6.5 Policy CS5 states that the LPA will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery whilst protecting and enhancing local amenities and environmental quality. The applicant has engaged with relevant stakeholders including DREFA, Thames Water, the Environment Agency and the local community including the Thatcham Flood Forum. As such the proposal accords with Policy ADPP1, ADPP3 and CS5.

6.6 It is considered that the principle of development is acceptable in accordance with the Core Strategy and the guidance within the NPPF.

Character and appearance

- 6.7 The application site is situated to the north of Thatcham. The site is in agricultural use and benefits from an established tree belt of veteran Oaks along the western boundary separating the site from a property known as Henwick Old Farm. To the north is an area of woodland. To the east of the site lies the Regency Hotel. The site is outside of the North Wessex Downs AONB.
- 6.8 Policy CS14 of the Core Strategy states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. This is further supported at a national level within the NPPF which emphasises the importance of conserving and enhancing the natural environment and local character distinctiveness. It also states that the intrinsic character of the countryside must be recognised.
- 6.9 There are no public rights of way within the immediate area or across the application site. The new basin will not be visible from Bowling Green Road by virtue of its position set back from the road and the existing trees which screen the site. The creation of a new access will require the removal of a group of semi-mature and small trees along the roadside frontage however the Tree officer has confirmed that the loss of these trees is mitigated by the proposed planting scheme.
- 6.10 Primary mitigation measures have been included within the layout with trees along the western and eastern boundaries being retained and protected. The proposals will introduce new planting through the creation of a new northern hedgerow with hedgerow trees and the intermittent planting of oak trees just inside the field boundary.
- 6.11 The site area including the bund and basin will be seeded with a native wild flower seed mix improving the overall biodiversity of the area with the bottom of the basin allowed to develop with a marshy grassland habitat which will improve the overall ecological value of the site.
- 6.12 A second element of the proposal is to allow for the deposition of approximately 6979m³ of spoil off site on land north of Tull Way and Bowling Green Road. These two sites will accommodate all excess spoil from the three new basins proposed within Thatcham and the applications are accompanied by a Soil Spreading Strategy drawing 2005290-200 B which details the amount of spoil to be removed and the spreading locations and depths. Spoil is to be spread to a depth of between 0.15m-0.3m across the identified sites. This is not considered to have a significantly detrimental impact on the character of the area.
- 6.13 In conclusion the landscape proposals are considered to conserve and enhance the existing landscape by strengthening and retaining existing boundary features and introducing additional Oak tree planting and a new field boundary hedgerow to the north to support the transition between the settlement and countryside and create new landscape features of long term value. As such the proposal complies with Policy CS14 and CS19 of the Core Strategy and the guidance within the NPPF.

Impact on neighbour amenity

- 6.14 Henwick Old Farm, a residential property sits to the west of the application site. The property spans much of the western boundary which is marked by an established belt of high grade Oak trees. The proposed use is not considered to have an impact on the amenity of the occupiers of this property. Concern has been raised by the occupiers for the potential impact of the works on trees which they own and maintain and the ecological impacts of the development.

- 6.15 At the request of the Council's Ecologist a Biodiversity net Gain calculator has been submitted. This demonstrates that the application will deliver an overall improvement to the ecological value of the site by introducing new habitats.
- 6.16 With regards to the protection of the trees along the western boundary tree protective fencing is proposed. The Arboricultural Impact Assessment (AIA) shows that certain sections of the proposed bund lie within the Root Protection Areas of a number of these trees. As such there is a need for some manual excavation within the root protection areas. The accompanying Arboricultural Method Statement (AMS) gives a methodology to ensure the potential for harm to the trees from these operations is kept to a minimum. In order to ensure adherence to the AMS and to limit potential damage to trees bounding the site (particularly the higher grade Oaks on the SW flank), Arb supervision will be required. This has been secured by condition and the applicant has agreed to this. This will ensure that the crown lift works are also overseen by an arborist and help to address the concerns raised by the third party for this works.
- 6.17 To the east of the site is the Regency Hotel. Given the proximity of this and Henwick Old Farm a condition is recommended to limit construction hours and ensure no works take place at the weekends to protect the amenity of these neighbouring properties/uses.
- 6.18 A question has been raised about how the basin and associated culverts and ditches will be maintained. These are within the control of West Berkshire Council as the lead Local Flood Authority and will be managed accordingly.
- 6.19 In conclusion and subject to conditions it is not considered that the proposal will have an adverse impact on the amenity of neighbouring occupiers or land users and as such the proposal is considered to accord with policy CS14 of the Core Strategy and the guidance within the NPPF.

Highways

- 6.20 Policy CS13 of the Core Strategy seeks to ensure that new development does not have a negative impact on the local transport network. The impacts on the transport network will be felt during the construction phase of this development and once the site is complete very few vehicular movements will be generated.
- 6.21 During the course of the application additional information has been submitted to show visibility splays at the site entrance and tracking drawings. Following the receipt of amended plans no objections have been raised by Highways subject to conditions. As such the proposal accords with Policy CS13 of the Core Strategy and the guidance within the NPPF. These conditions have been agreed with the applicant.

Ecology

- 6.22 Policy CS17 of the Core Strategy states that biodiversity assets across West Berkshire will be conserved and enhanced. It also states that in order to conserve and enhance the environmental capacity of the district all new development should maximise opportunities to achieve net gains in biodiversity. The application is accompanied by an Ecological Assessment and following a request for further information a biodiversity metric has been submitted. This shows a net gain in species and habitat diversity from the provision of multiple habitat types, specifically the proposed wildflower meadow, hedgerow, tree planting and wetland areas. The Ecologist has reviewed this information and no objections are raised.
- 6.23 The Ecologist is of the opinion that there is some potential for the soil spreading sites to have ground nesting birds and as such a LEMP and CEMP are required to successfully

mitigate the impact on any species which may be present. This condition has been agreed with the applicant.

- 6.24 In conclusion the proposals accord with Policy CS17 of the Core Strategy and the guidance within the NPPF.

Archaeology

- 6.25 The application is supported by a heritage desk-based assessment by Cotswold Archaeology. A geophysical survey had also been undertaken over a wider area in 2015. The Desk Based Assessment indicated that the site has some archaeological potential particularly of the Iron Age/Romano-British periods. The Council's Archaeologist supports the report's conclusion that it is unlikely that any archaeological features within the site would be of a level of significance to require preservation in situ or influence the design of the basin or bunds however some fieldwork is justified and therefore a condition is attached to request the commissioning of a programme of archaeological supervision (watching brief) during the groundworks.

- 6.26 In conclusion the proposal accords with Policy CS19 of the Core Strategy.

Trees

- 6.27 The application is accompanied by an Arboricultural Impact Assessment (AIA) together with a later addendum dated December 2021. This includes a Tree Protection Plan and an Outline Arboricultural Method Statement (AMS). Policy CS19 of the Core Strategy seeks to ensure that new development conserves and enhances the local distinctiveness and landscape character of an area.

- 6.28 The site is composed of two parts – one adjacent to Henwick Old Farm is larger; whilst the other east of the Hotel and further SE along Bowling Green Road, is smaller. The report identifies a number of trees bounding the east, south and west of the larger part of the site. These include high grade Oaks on the western flank. The smaller part of the site is also tree lined, though it seems to be omitted from the Arb Report. The Ardent Tree Removal Plan 2005290-014 rev A does not however show any trees for removal from the smaller part of the site.

- 6.29 The AIA and Addendum indicate that a group of trees near the entrance to the larger part of the site will be removed. The access will require the removal of a Field Maple adjacent to Bowling Green Road and a Hawthorn and Goat Willow from further within the site alongside other large semi-mature shrub removal. The new entrance is designed to be low key with a simple wooden gate and grass or stone track to retain a rural appearance. While the new opening will result in a loss of mostly semi-mature or small trees it is considered their losses are mitigated by the proposed planting scheme and the new entrance will not be harmful to the appearance of the road.

- 6.30 The AIA shows that certain sections of the proposed bund lie within the Root Protection Areas of a number of trees, especially the high grade Oaks along the western flank. As such there is a need for manual excavation within these root protection areas. Concern has been raised by a third party for the works required to and in proximity of the trees and how this will be managed. The accompanying AMS gives a methodology to ensure the potential for harm to the trees from these operations, is kept to the minimum. In order to ensure adherence to the AMS and to limit potential damage to trees bounding the site (particularly the higher grade Oaks on the SW flank), arboricultural supervision will be required and this will be secured by condition. Arboricultural supervision may also be needed for works to the smaller part of the site SE of the Hotel, as necessary.

- 6.31 A Landscape Plan by Liz Allen EPLA is included (drawing ref 01-09A/2021-22/WB/LAEPLA – Rev B dated 23/11/2021). This includes species, sizes and planting details of new trees and a hedge to the north of the larger part of the site.
- 6.32 The proposals have been reviewed in respect of the impact of spoil spreading on trees within the two identified sites: land adjoining the Bowling Green Road basin site and land north of Tull Way. It is understood from the soil spreading statement that the soil spreading will not encroach on the trees along the western boundary of the Bowling Green Road site and that tree and root protection measures will be incorporated where necessary. The trees along the western boundary are high quality and a tree protection plan is requested to show the proposed protection measures along with a commitment for arboricultural supervision during the works. These two requirements will be secured by condition.
- 6.33 Subject to conditions no objections are raised by the Tree Officer and the application accords with Policy CS19 of the Core Strategy. These conditions have been agreed with the applicant.

7. Planning Balance and Conclusion

- 7.1 In conclusion the proposed works are not considered to have a negative impact on the character and appearance of the area and any loss of trees and hedgerows can be mitigated by the proposed landscaping plan. The proposals will deliver a significant social benefit in terms of providing essential flood protection measures to properties within Thatcham which are currently vulnerable to flooding. This subsequently has significant economic benefits to residents and businesses.
- 7.2 In conclusion the proposals comply with the policies in the Core Strategy and the guidance within the NPPF and as such the application is recommended for approval subject to conditions.

8. Full Recommendation

- 8.1 To delegate to the Service Director of Development and Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1.	<p>Commencement of development</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Bowling green Road Basin Red Line Boundary 2005290-002F Proposed Earthworks Cut and Fill Volumes 2005290-007 Flood Alleviation Access Road Construction Details 2005290-017 Bund and Swale Construction Details Sheet 1 of 2 2005290-018 Bund and Swale Construction Details Sheet 2 of 2 2005290-019 Flow Control Structure Details 2005290-012A</p>

	<p>General Arrangement 2005290-001E Flood Alleviation Access Road General Arrangement 2005290-015A Trial Pit Location Plan 2005290-004B Landscape Proposals 01-09A/2021-22/WB/LAEPLA-Rev.B Tree Removal Plan 2005290-14A Existing Utilities Plan 2005290-005B Grass Cutter Swept Path Analysis 2005290-023A Proposed Access Road Swept Path Analysis 2005290-020B Fire Tender Swept Path Analysis 2005290-022A Soil Spreading Strategy 2005290-200A Design & Access Statement Rev A by Ardent Thatcham Flood Defence by Cotswold Archaeology August 2021 Arboricultural Implications Report by SJA Trees Nov 2021 Arboricultural Implications Report Addendum by SJA Trees Dec 2021 Flood Risk Assessment by Ardent December 2021 Geotechnical Interpretative report by Geo-Environmental November 2021 Landscape Appraisal, proposed Landscape Scheme, Planting Details and Landscape management and Maintenance Plan by Liz Allen, Nov 2021 Soil Spreading Statement ref: D-SM/2005290/N&E Soil Spreading Strategy 2005290-200B Ecology Assessment by Derek Finnie Associates, November 2021 Soil Spreading Receptor Areas BNG, Excel spreadsheet</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>Landscaping All landscape works shall be completed in accordance with the submitted plans, reference drawing numbers 01-09A/2021-22/WB/LAEPLA – Rev B dated 23/11/2021.</p> <p>The approved landscaping plan shall be implemented within the first planting season following completion of development.</p> <p>Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p> <p>Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality. This is to ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
4.	<p>Tree Protection in accordance with submitted scheme All Tree Protective Fencing shall be erected in accordance with the submitted plans, reference drawing numbers SJA TPP 21537-042b dated Dec 2021 (in the SJA Trees Addendum Report).</p> <p>The protective fencing shall be implemented and retained intact for the duration of the development.</p> <p>Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.</p>

	<p>Reason: Required to safeguard and to enhance the setting within the immediate locality to ensure the protection and retention of existing trees and natural features during the construction phase in accordance with the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
5.	<p>Tree protection for spoil disposal</p> <p>No spoil shall be deposited on the land identified for soil spreading north of the Bowling Green Road site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012. All such fencing shall be erected prior to any spoil deposition works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.</p> <p>Reason: To ensure the retention of existing trees and natural features during the construction phase in accordance with the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
6.	<p>Arboricultural site supervision</p> <p>The Arboricultural Method Statement by SJA Trees dated Nov 2021, together with the later Addendum dated Dec 2021 and plan SJA TPP 21537-042b dated Dec 2021 (in the SJA Trees Addendum Report) submitted in support of the application shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision, detailed in the report, by a suitably qualified tree specialist. This shall also apply to works in the smaller (0.048 ha) SE part of the site, east of the Hotel and alongside Bowling Green Road, as necessary and also to the land to the north where spoil is to be deposited.</p> <p>Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with the objectives of the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
7.	<p>Archaeology</p> <p>No development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological supervision (watching brief) which has been submitted to and approved in writing by the Local Planning Authority. This requires archaeologists to be present to monitor earth moving from the start and for the depth of disturbance to be factored into the specification. Thereafter the development shall be undertaken in accordance with the approved statement.</p> <p>Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 205 of the National Planning Policy Framework.</p>
8.	<p>Construction method statement</p> <p>No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The</p>

	<p>development shall be carried out in accordance with the approved details. The statement shall provide for:</p> <ul style="list-style-type: none"> (a) The parking of vehicles of site operatives and visitors (b) Loading and unloading of plant and materials (c) Storage of plant and materials used in constructing the development (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing (e) Wheel washing facilities (f) Measures to control the emission of dust and dirt during construction (g) A scheme for recycling/disposing of waste resulting from demolition and construction works (h) A site set-up plan during the works <p>Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)</p>
9.	<p>Visibility splays before development</p> <p>No development shall take place until visibility splays of 2.4 metres by 43 metres have been provided at the access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.</p> <p>Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
10.	<p>Hours of work condition</p> <p>No construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority: 7:30am to 6:00pm Mondays to Fridays; No work shall be carried out at any time on Saturdays, Sundays or Bank Holidays.</p> <p>Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy 2006-2026.</p>
11.	<p>Construction Environmental Management Plan (CEMP)</p> <p>No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:</p> <ul style="list-style-type: none"> (a) Risk assessment of potentially damaging construction activities. (b) Identification of “biodiversity protection zones”. (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). (d) The location and timing of sensitive works to avoid harm to biodiversity features. (e) The times during construction when specialist ecologists need to be present on site to oversee works. (f) Responsible persons and lines of communication. (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. (h) Use of protective fences, exclusion barriers and warning signs.

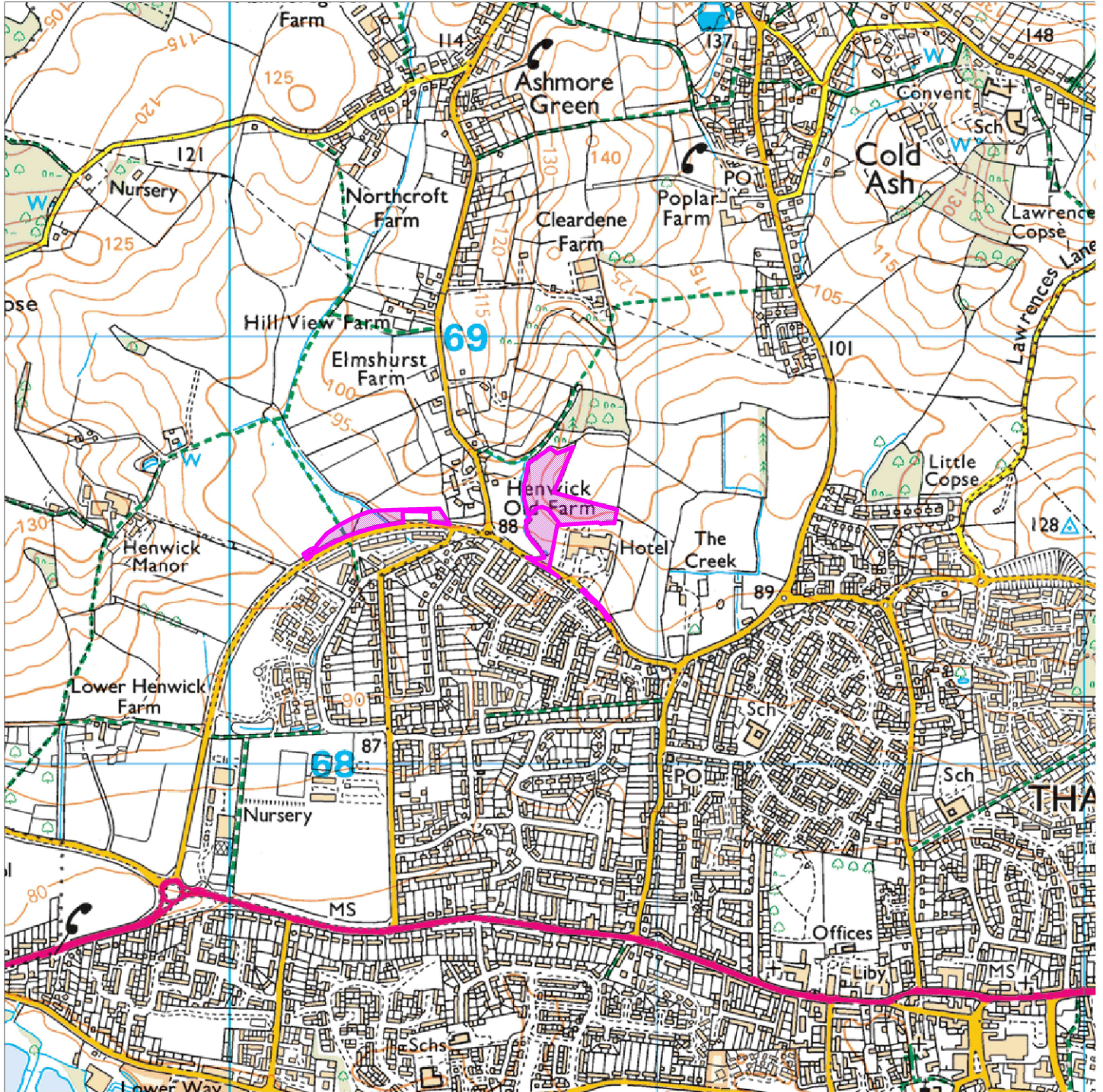
	<p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction. The condition is needed to ensure biodiversity enhancements are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
12.	<p>Landscape and Ecological Management Plan (LEMP)</p> <p>No development shall take place until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:</p> <ul style="list-style-type: none"> (a) Description and evaluation of features to be managed. (b) Ecological trends and constraints on site that might influence management. (c) Aims and objectives of management. (d) Appropriate management options for achieving aims and objectives. (e) Prescriptions for management actions. (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period). (g) Details of the body or organization responsible for implementation of the plan. (h) Ongoing monitoring and remedial measures. <p>The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.</p> <p>The approved plan will be implemented in accordance with the approved details.</p> <p>Reason: A pre-commencement condition is required because the LEMP may need to be implemented during construction. The condition is needed to ensure the biodiversity enhancements are maintained and managed to deliver long term benefits. This condition is applied in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>

Informatives

1.	<p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. The local planning authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area.</p>
2.	<p>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</p>

<p>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</p>
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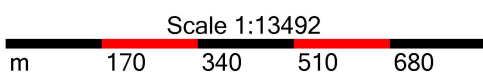
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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	19 May 2022
SLA Number	0100024151



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Agenda Item 4.(3)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	21/03135/COMIND Cold Ash	6 th April 2022 ¹	<p>Construction of 2 detention basins located north and south of a proposed access track connected via twin 450mm dia. pipes. The North Basin will have an area of 0.35 hectares and a 0.6m high earth bund and will accommodate a 20m wide spillway and a 20m wide weir. The South Basin will have an area of 0.23 hectares and a 1.4m high earth with a 20m wide weir to accommodate exceedance flows from the North Basin and realignment of an existing ditch via a 450mm dia. Culvert. A 450mm dia. pipe will convey flows from the southern basin during flood events to a new cut ditch before discharging into the existing ditch to the west of the site. Flows from the existing ditch eventually discharge to a Thames Water sewer. The provision of a 4.8m wide access track to serve the Scheme. Removal and deposition and levelling of soil on land north of Tull Way and Bowling Green Road.</p> <p>Land West Of Heath Lane, Thatcham, West Berkshire Council</p>
<p>¹ Extension of time agreed with applicant until 8th June 2022</p>			

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03135/COMIND>

Recommendation Summary: Delegate to the Service Director of Development and Regulation to grant planning permission

Ward Member(s): Councillor Cole, Councillor Simpson, Councillor Cottam and Councillor Dillon

Reason for Committee Determination: West Berkshire Council application

Committee Site Visit: 25th May 2022

Contact Officer Details	
Name:	Emma Nutchey
Job Title:	Principal Planning Officer
Tel No:	01635 519111
Email:	emma.nutchey@westberks.gov.uk

1. Introduction

- 1.1 The proposed Flood Alleviation Scheme for North Thatcham is split into two sites; Bowling Green Road and Heath Lane. This application seeks planning permission for 2 detention basins on agricultural land to the west of Heath Lane. The north basin will provide approximately 5300m³ of flood water storage. A 20m wide weir is located to the west of the basin adjacent to the existing ordinary watercourse. The weir facilitates over land flows which are intercepted by an 80m long flood defence bund to the west of the basin which redirects these flows into the basin. Two low flow channels are proposed within the basin which will direct flows into the stilling basin. From here flows are conveyed from the northern basin in a southerly direction to the southern basin.
- 1.2 The south basin will provide 3000m³ of flood water storage. The basin will incorporate a low flow channel and stilling areas at both the inlet and outlet to show the flow of water into and out of the basin. A section of the existing ditch will be partially infilled and realigned to the west of the northern basin before being culverted under the proposed access rack.
- 1.3 A 4.8m wide access entrance is to be provided off the Heath Lane mini round about between the north and south basin to allow for safe maintenance and access.
- 1.4 The application also seeks permission for the removal of spoil from the site which is to be deposited on the identified adjoining land and that to the north of Tull Way (at an existing basin site). These areas have been identified on the location plan accompanying the application. This proposal will generate approximately 4621m³ of surplus material. This material will be spread at Tull Way to a depth of 0.3m and on the adjoining land to a depth of 0.15m-0.3m.
- 1.5 This scheme has been designed to work in conjunction with the existing West Berkshire and Thames Water surface water drainage systems. In the past, during extreme rainfall events the systems have been overwhelmed and flood waters have overflowed onto the road and flooded residential properties. The scheme is designed to attenuate flows and allow a controlled release into the West Berkshire and Thames Water sewer systems.

2. Planning History

- 2.1 No relevant planning history.

3. Procedural Matters

- 3.1 Town and Country Planning (Environmental Impact Assessment) Regulations 2017: The development falls within the description of development in Schedule 2, Column 1, paragraph 10 (i) Dams and other installations designed to hold water or store it on a long-term basis. The development is not located within an environmentally sensitive area however it exceeds the relevant thresholds in Column 2 as the site area is greater than 1 ha. A screening opinion was carried out on the 11th May 2022. This confirmed that, taking into account the selection criteria in Schedule 3, the proposal is not considered to be EIA development.
- 3.2 Publicity: The application was originally advertised by way of 2 site notices which expired on the 9th February 2022. Following the receipt of amended plans and a change to the

description of the application to include the deposition of spoil off site a new site notice was displayed. This expired on the 20th May 2022. All third parties who originally made representations on the scheme were also notified directly.

- 3.3 CIL: Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the development. All new dwellings are CIL liable and as such CIL will be charged on this scheme. The relevant forms have been completed by the applicant and CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil.

4. Consultation

Statutory and non-statutory consultation

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

Cold Ash Council:	No objection - unanimous
Thatcham Town Council (adj):	Support the application on the condition that it does not preclude further any necessary widening of Heath Lane.
WBC Highways:	Following the receipt of additional information no objections are raised subject to conditions.
Archaeology:	No objection subject to a condition securing a programme of archaeological supervision (watching brief) during the ground works.
Ecology:	Following the receipt of additional information no objections are raised.
Trees:	No objection raised subject to conditions.

Public representations

- 4.2 Representations have been received from 4 contributors: 1 of which seeks further clarification, 1 part supports/part objects, 1 support and 1 objection.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- Seek clarification on how the outflow to the proposed ponds work and questions regarding maintenance i.e. clearance of ditches as this isn't done regularly causing water to overflow down heath Lane into Norlands and Northfield Road.
 - Support the proposals given historical issues with flooding.
 - Objection on the grounds the scheme will support future residential development on the site (greenfield land).

5. Planning Policy

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

Policies ADPP1, ADPP3, CS13, CS14, CS16, CS17, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).

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

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
WBC Quality Design SPD (2006)

6. Appraisal

- 6.1 The main issues for consideration in this application are:

Principle of development
Character and appearance of the area
Impact on neighbour amenity
Highways
Ecology
Archaeology
Trees

Principle of development

- 6.2 The application site is located within the open countryside. Policy ADPP1 of the Core Strategy states that within the open countryside only appropriate limited development will be allowed focused on addressing identified needs and maintaining a strong rural economy.
- 6.3 Area Delivery Plan Policy 3 Thatcham states that ‘the risk of flooding within the area will be reduced and managed through the implementation of schemes within the Thatcham Surface Water Management Plan (SWMP) and in accordance with Policy CS16.’
- 6.4 Flood alleviation schemes for the areas in Thatcham at the greatest risk have been constructed in recent years. These schemes provide protection to the residents of East Thatcham most at risk and have mitigated the major flow routes from the east. This proposed basin alongside that to the north of Health Lane forms part of the proposed flood alleviation scheme for north Thatcham.
- 6.5 Policy CS5 states that the LPA will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery whilst protecting and enhancing local amenities and environmental quality. The applicant has engaged with relevant stakeholders including DREFA, Thames Water, the Environment Agency and the local community including the Thatcham Flood Forum. As such the proposal accords with Policy ADPP1, ADPP3 and CS5.
- 6.6 It is considered that the principle of development is acceptable in accordance with the Core Strategy and the guidance within the NPPF.

Character and appearance

- 6.7 The application site is situated to the north west of Thatcham, west of Heath lane and Cold Ash Hill Road. The application site comprises one small field of grassland and two small areas of adjacent larger fields. The site is outside of the North Wessex Downs Area of Outstanding Natural Beauty. There are no footpaths across the application site.
- 6.8 Policy CS14 of the Core Strategy states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. This is further supported at a national level within the NPPF which emphasises the importance of conserving and enhancing the natural environment and local character distinctiveness. It also states that the intrinsic character of the countryside must be recognised.
- 6.9 Part of the application site is largely screened by native hedgerow planting along the southern boundary and adjacent to the road. Access to the site will be off the mini roundabout. This will require a number of small trees and hedgerow vegetation to be removed. The access is located to minimise impact on roadside trees although it will create a gap within the hedgerow. This access track will be enclosed by a simple field gate which is in keeping with the semi-rural location.
- 6.10 The basins will be surrounded by bunds with a maximum height of 1.5m. The bund will be visible from public view points along Cold Ash Hill where there is a pavement on the eastern side of the road. There will also be views from houses which back onto this road. While the basins will change the character of the fields it is considered that the proposed landscaping scheme will help to soften the appearance of the engineering works and help to integrate the scheme into the landscape over time.
- 6.11 The site area including the bund and basin will also be seeded with a native wild flower seed mix improving the overall biodiversity of the area with the bottom of the basin allowed to develop with a marshy grassland habitat which will improve the overall ecological value of the site.
- 6.12 A second element of the proposal is to allow for the deposition of approximately 6979m³ of spoil off site on land north of Tull Way and Bowling Green Road. These two sites will accommodate all excess spoil from the three new basins proposed within Thatcham and the applications are accompanied by a Soil Spreading Strategy drawing 2005290-200 B which details the amount of spoil to be removed and the spreading locations and depths. Spoil is to be spread to a depth of between 0.15m-0.3m across the identified sites. This is not considered to have a significantly detrimental impact on the character of the area.
- 6.13 In conclusion the landscape proposals are considered to conserve and enhance the existing landscape by strengthening and retaining existing boundary features and introducing additional Oak tree planting and a new field boundary hedgerow to the north to support the transition between the settlement and countryside and create new landscape features of long term value. As such the proposal complies with Policy CS14 and CS19 of the Core Strategy and the guidance within the NPPF.

Impact on neighbour amenity

- 6.14 Immediately adjoining the western site boundary are numbers 1 and 2 Creek Cottage. The proposed end use is not considered to have a harmful amenity on these neighbouring properties or the dwellings on the southern/eastern side of Heath lane/Cold Ash Hill. Given their proximity however an hours of work condition has been recommended.

- 6.15 A question has been raised by a resident with regards to the maintenance of the basins and culverts etc. The applicant has responded to this question and confirmed that flow reduction and debris interception measures have been incorporated into the design of the scheme for example grating within the headwall to prevent medium or large items of debris/vegetation from entering the culvert. Furthermore during high flow events when water spills over the weir into the basin flows enter a channel and low level stilling basin. This will reduce flow velocity and catching debris/vegetation in this area for ease of maintenance and removal.
- 6.16 The applicant has confirmed it is not proposed to modify the existing ditch at the location described in the third party correspondence.
- 6.17 In terms of maintenance West Berkshire Council as the Lead Local Flood Authority will be responsible for the maintenance of elements integral to the flood alleviation scheme. Landowners adjoining ditches which form part of the network are responsible for maintaining their watercourse up to the centre point as part of their 'riparian ownership'.
- 6.18 In conclusion and subject to conditions it is not considered that the proposal will have an adverse impact on the amenity of neighbouring occupiers or land users and as such the proposal is considered to accord with policy CS14 of the Core Strategy and the guidance within the NPPF.

Highways

- 6.19 Policy CS13 of the Core Strategy seeks to ensure that new development does not have a negative impact on the local transport network. The impacts on the transport network will be felt during the construction phase of this development and once the site is complete very few vehicular movements will be generated.
- 6.20 During the course of the application additional information has been submitted to show visibility splays at the site entrance and tracking drawings. Following the receipt of amended plans no objections have been raised by Highways subject to conditions. As such the proposal accords with Policy CS13 of the Core Strategy and the guidance within the NPPF. These conditions have been agreed with the applicant.

Ecology

- 6.21 Policy CS17 of the Core Strategy states that biodiversity assets across West Berkshire will be conserved and enhanced. It also states that in order to conserve and enhance the environmental capacity of the district all new development should maximise opportunities to achieve net gains in biodiversity. The application is accompanied by an Ecological Assessment and following a request for further information a biodiversity metric has been submitted. This shows a net gain in species and habitat diversity from the provision of multiple habitat types, specifically the proposed wildflower meadow, hedgerow, tree planting and wetland areas. The Ecologist has reviewed this information and no objections are raised.
- 6.22 The Ecologist is of the opinion that there is some potential for the soil spreading sites to have ground nesting birds and as such a LEMP and CEMP are required to successfully mitigate the impact on any species which may be present. This condition has been agreed with the applicant.
- 6.23 In conclusion the proposals accord with Policy CS17 of the Core Strategy and the guidance within the NPPF.

Archaeology

6.24 The application is supported by a heritage desk-based assessment by Cotswold Archaeology. A geophysical survey had also been undertaken over a wider area in 2015. The Desk Based Assessment indicated that the site has some archaeological potential particularly of the Iron Age/Romano-British periods. The Council's Archaeologist supports the report's conclusion that it is unlikely that any archaeological features within the site would be of a level of significance to require preservation in situ or influence the design of the basin or bunds however some fieldwork is justified and therefore a condition is attached to request the commissioning of a programme of archaeological supervision (watching brief) during the groundworks.

6.25 In conclusion the proposal accords with Policy CS19 of the Core Strategy.

Trees

6.26 The application is accompanied by an Arboricultural Impact Assessment (AIA) alongside a Tree Protection Plan and an Outline Arboricultural Method Statement (AMS). Policy CS19 of the Core Strategy seeks to ensure that new development conserves and enhances the local distinctiveness and landscape character of an area.

6.27 The application is for a pair of landscaped flood detention basins with associated drainage channel works and a new access onto the Heath Lane roundabout.

6.28 The site is well screened by existing trees along Heath Lane and Cold Ash Hill. Internal hedges and lines of trees are strong landscape features – especially the line of Oaks and Pines etc to the west of the site. Several individual trees, two entire groups of trees and two parts of groups will be removed to accommodate the design. These trees are mostly semi-mature or small trees and their losses are mitigated by the proposed planting scheme thus on balance no objections are raised. The mature Oaks and Pines will not be removed as part of the scheme and their retention is essential.

6.29 The AIA shows that parts of the proposed bund lie within the Root Protection Areas of some of the significant mature trees to trees to the west of the site. There is also the need for some areas of manual excavation at certain points as well. The accompanying AMS gives a methodology to ensure the potential for harm to the trees from these operations, is kept to the minimum. In order to ensure adherence to the AMS and to limit potential damage to trees bounding the site, Arboricultural supervision will be required. A condition has been suggested on this basis.

6.30 The proposals have been reviewed in respect of the impact of spoil spreading on trees within the two identified sites: land adjoining the Bowling Green Road basin site and land north of Tull Way. It is understood from the soil spreading statement that the soil spreading will not encroach on the trees along the western boundary of the Bowling Green Road site and that tree and root protection measures will be incorporated where necessary. The trees along the western boundary are high quality and a tree protection plan is requested to show the proposed protection measures along with a commitment for arboricultural supervision during the works. These two requirements will be secured by condition.

6.31 A Landscape Plan by Liz Allen EPLA is included (drawing ref 01-09B/2021-22/WB/LAEPLA – Rev B dated 24/11/2021). This includes species, sizes and planting details of new trees and a significant amount of boundary hedge. The proposed landscaping is well considered and will complement existing trees on site.

6.32 Subject to conditions no objections are raised by the Tree Officer and the application accords with Policy CS19 of the Core Strategy. These conditions have been agreed with the applicant.

7. Planning Balance and Conclusion

- 7.1 In conclusion the proposed works are not considered to have a negative impact on the character and appearance of the area and any loss of trees and hedgerows can be mitigated by the proposed landscaping plan. The proposals will deliver a significant social benefit in terms of providing essential flood protection measures to properties within Thatcham which are currently vulnerable to flooding. This subsequently has significant economic benefits to residents and businesses.
- 7.2 In conclusion the proposals comply with the policies in the Core Strategy and the guidance within the NPPF and as such the application is recommended for approval subject to conditions.

8. Full Recommendation

- 8.1 To delegate to the Service Director of Development and Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1.	<p>Commencement of development</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Heath Lane Basin Red Line Boundary 2005290-102F Proposed Earthworks Cut and Fill Volumes 2005290-107 Flood Alleviation Access Road General Arrangement 2005290-115 Bund and Swale Construction Details Sheet 1 of 2 2005290-118 Bund and Swale Construction Details Sheet 2 of 2 2005290-119 Flow Control Structure Details Sheet 1 of 2 2005290-112 Flow Control Structure Details Sheet 2 of 2 2005290-121 Flood Alleviation Access Road General Arrangement 2005290-115B Flood Alleviation Access Road Construction Details 2005290-117 Landscape Proposals 01-09B/2021-22/WB/LAEPLA-Rev.B Constraints Plan 2005290-104A Existing Utilities Plan 2005290-105B General Arrangement 2005290-101D Constraints Plan 2005290-104B Grass Cutter Swept Path Analysis 2005290-125A Proposed Access Road Swept Path Analysis 2005290-120C Fire Tender Swept Path Analysis 2005290-124A Soil Spreading Strategy 2005290-200A Design & Access Statement by Ardent Nov 2021 Thatcham Flood Defence Scheme (North) Thatcham by Cotswold Archaeology August 2021 Arboricultural Implications Report by SJA Trees Nov 2021 Flood Risk Assessment by Ardent December 2021 Geotechnical Interpretative report by Geo-Environmental November 2021</p>

	<p>Landscape Appraisal, proposed Landscape Scheme, Planting Details and Landscape management and Maintenance Plan by Liz Allen, Nov 2021 Soil Spreading Statement ref: D-SM/2005290/N&E Soil Spreading Strategy 2005290-200B Ecology Assessment by Derek Finnie Associates, November 2021 Soil Spreading Receptor Areas BNG, Excel spreadsheet</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>Landscaping All landscape works shall be completed in accordance with the submitted plans, reference drawing numbers 01-09B/2021-22/WB/LAEPLA – Rev B dated 24/11/2021. The approved landscaping plan shall be implemented within the first planting season following completion of development.</p> <p>Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p> <p>Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality. This is to ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
4.	<p>Tree Protection in accordance with submitted scheme All Tree Protective Fencing shall be erected in accordance with the submitted plans, reference drawing numbers SJA TPP 21537-041 dated Nov 2021 by SJA Trees. The protective fencing shall be implemented and retained intact for the duration of the development.</p> <p>Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.</p> <p>Reason: Required to safeguard and to enhance the setting within the immediate locality to ensure the protection and retention of existing trees and natural features during the construction phase in accordance with the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
5.	<p>Tree protection for spoil disposal No spoil shall be deposited on the land identified for soil spreading north of the Bowling Green Road site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012. All such fencing shall be erected prior to any spoil deposition works taking place and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.</p>

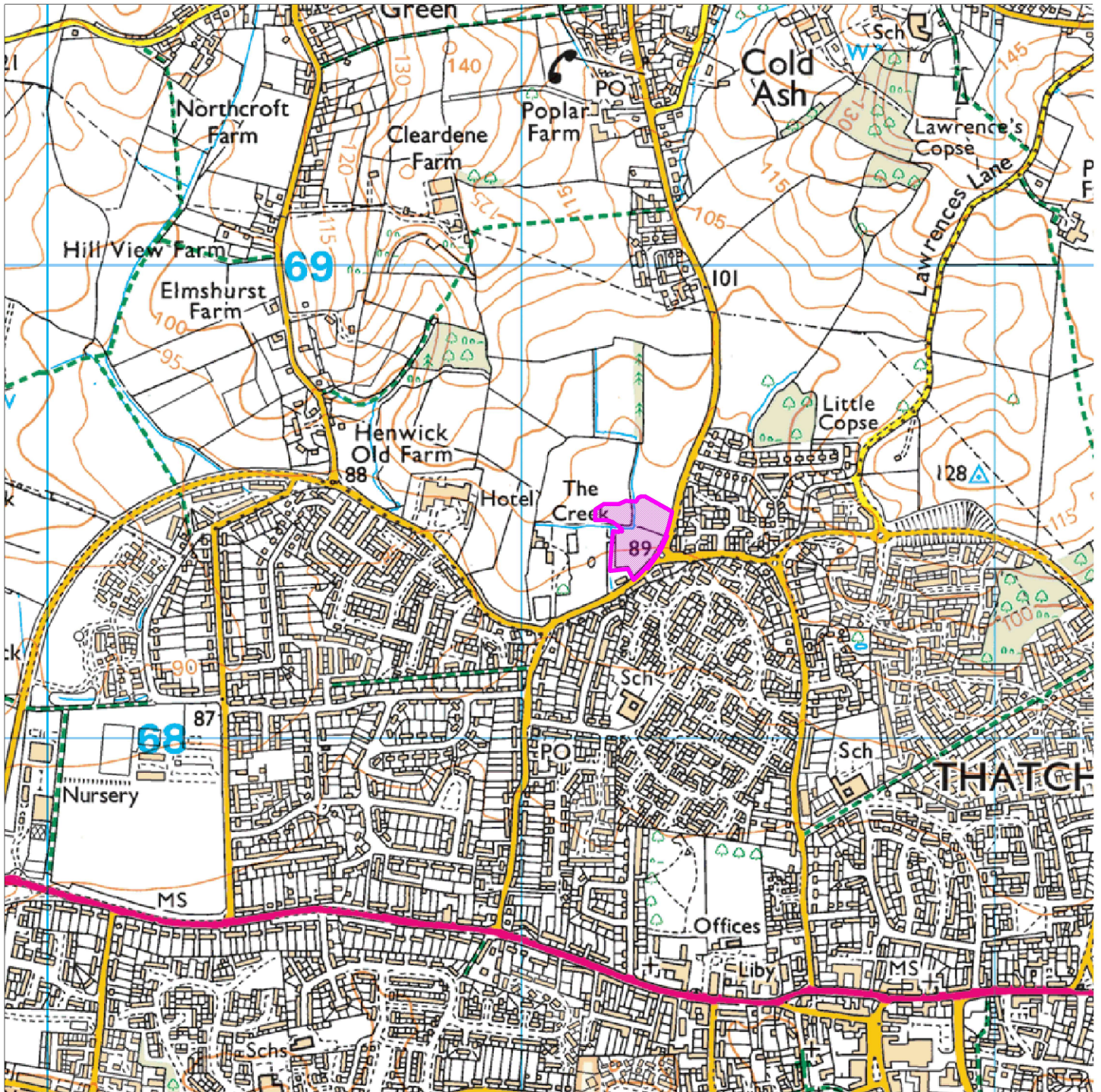
	Reason: To ensure the retention of existing trees and natural features during the construction phase in accordance with the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.
6.	<p>Arboricultural site supervision</p> <p>The Arboricultural Method Statement by SJA Trees dated Nov 2021, and plan SJA TPP 21537-041 dated Nov 2021 (within that report) submitted in support of the application shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision, detailed in the report, by a suitably qualified tree specialist. This shall also apply to works on land to the north of the Bowling Green Road site where spoil is to be deposited.</p> <p>Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with the objectives of the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
7.	<p>Archaeology</p> <p>No development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological supervision (watching brief) which has been submitted to and approved in writing by the Local Planning Authority. This requires archaeologists to be present to monitor earth moving from the start and for the depth of disturbance to be factored into the specification. Thereafter the development shall be undertaken in accordance with the approved statement.</p> <p>Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 205 of the National Planning Policy Framework.</p>
8.	<p>Construction method statement</p> <p>No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:</p> <ul style="list-style-type: none"> (a) The parking of vehicles of site operatives and visitors (b) Loading and unloading of plant and materials (c) Storage of plant and materials used in constructing the development (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing (e) Wheel washing facilities (f) Measures to control the emission of dust and dirt during construction (g) A scheme for recycling/disposing of waste resulting from demolition and construction works (h) A site set-up plan during the works <p>Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)</p>
9.	Visibility splays before development

	<p>No development shall take place until visibility splays of 2.4 metres by 43 metres have been provided at the access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.</p> <p>Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).</p>
10.	<p>Hours of work condition</p> <p>No construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority: 7:30am to 6:00pm Mondays to Fridays; No work shall be carried out at any time on Saturdays, Sundays or Bank Holidays.</p> <p>Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy 2006-2026.</p>
11.	<p>Construction Environmental Management Plan (CEMP)</p> <p>No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:</p> <ul style="list-style-type: none"> (a) Risk assessment of potentially damaging construction activities. (b) Identification of “biodiversity protection zones”. (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). (d) The location and timing of sensitive works to avoid harm to biodiversity features. (e) The times during construction when specialist ecologists need to be present on site to oversee works. (f) Responsible persons and lines of communication. (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. (h) Use of protective fences, exclusion barriers and warning signs. <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction. The condition is needed to ensure biodiversity enhancements are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
12.	<p>Landscape and Ecological Management Plan (LEMP)</p> <p>No development shall take place until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:</p> <ul style="list-style-type: none"> (a) Description and evaluation of features to be managed. (b) Ecological trends and constraints on site that might influence management. (c) Aims and objectives of management. (d) Appropriate management options for achieving aims and objectives. (e) Prescriptions for management actions.

	<p>(f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).</p> <p>(g) Details of the body or organization responsible for implementation of the plan.</p> <p>(h) Ongoing monitoring and remedial measures.</p> <p>The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.</p> <p>The approved plan will be implemented in accordance with the approved details.</p> <p>Reason: A pre-commencement condition is required because the LEMP may need to be implemented during construction. The condition is needed to ensure the biodiversity enhancements are maintained and managed to deliver long term benefits. This condition is applied in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
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Informatives

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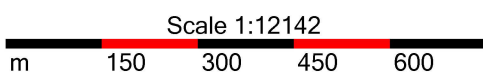
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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	19 May 2022
SLA Number	0100024151



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Agenda Item 4.(4)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(4)	21/03079/COMIND Thatcham	23 rd March 2022 ¹	<p>Construction of a detention basin with an area of 0.17 hectares and a 0.6m to 1.5m high earth bund to the west and south of the scheme. The crest of the bund will be set at 82.00m AOD and will accommodate a 10m wide spillway at a level of 81.70m AOD. Realignment of an existing ditch for 230m into the proposed basin and regrading 50m of existing ditch to the west of the site. The basin is set at a level of 80.30m AOD with a stilling basin set at 80.00m AOD. A 300mm diameter pipe will convey flows from the basin to the existing ditch to the west before outfalling to the existing Thames Water sewer to the south west. The provision of a 3.0m wide access track from Bath Road. Removal and deposition and levelling of soil on land north of Tull Way and Bowling Green Road.</p> <p>Land at junction of Floral Way, Bath Road</p> <p>West Berkshire Council</p>

¹ Extension of time agreed with applicant until 8th June 2022

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03079/COMIND>

Recommendation Summary: Delegate to the Service Director of Development and Regulation to grant planning permission.

Ward Member(s): Councillor Cottam and Councillor Dillon

Reason for Committee Determination: West Berkshire Council application

Committee Site Visit: 25th May 2022

Contact Officer Details

Name: Emma Nutchey
Job Title: Principal Planning Officer
Tel No: 01635 519111
Email: emma.nutchey@westberks.gov.uk

1. Introduction

- 1.1 The application site comprises agricultural land to the east of Floral Way and north of the A4 Bath Road. There is an existing drainage basin to the west of the site near to the roundabout which is to be retained but is separate to the application site.
- 1.2 This application seeks planning permission for a new detention basin which will provide approximately 4400m³ of flood water storage. The existing ditch will be diverted towards the proposed detention basin situated in the southwest corner of Siege Cross Farm in East Thatcham. The realigned ditch will have a depth of 0.6m and will divert flows into the basin before being culverted under the basin embankment and re-joining the existing ditch further down stream. These flows will then discharge into the existing Thames Water Sewer Network.
- 1.3 The detention basin will incorporate a stilling basin at its inlet to slow the flow of water, improve water quality and attenuate extreme surface water flows before discharging at a controlled rate into the existing ditch.
- 1.4 A flood embankment is proposed around the detention basin. The embankment has a 3m crest width with the maximum height being 1.5m. Should the bund overtop in extreme flood events a 10m wide spillway is proposed.
- 1.5 A 4.8m wide entrance is to be provided off Bath Road reducing to 3m in width within the site and will run along the northern edge of the basin. An informal 3m wide grass access track is also proposed along the realigned ditch for maintenance and access to the scheme.
- 1.6 The application also seeks permission for the removal of spoil from the site and its deposition on other land. The overall objective is to reuse most of the excavated material within the site however this is dependent on its suitability. Based on initial earthworks modelling this site could generate a surplus of approximately 144m³ of material. Excess material will be taken off site and deposited on land to the north of Tull Way (at an existing basin site) or to the north of Bowling Green Road where planning permission for a further flood basin is currently pending under application 21/03154/comind. These areas have been identified on the location plan accompanying the application.

2. Planning History

- 2.1 No relevant planning history.

3. Procedural Matters

- 3.1 Town and Country Planning (Environmental Impact Assessment) Regulations 2017: The development falls within the description of development in Schedule 2, Column 1, paragraph 10 (i) Dams and other installations designed to hold water or store it on a long-term basis. The development is not located within an environmentally sensitive area however it exceeds the relevant thresholds in Column 2 as the site area is greater than 1 ha. A screening opinion was carried out on the 11th May 2022. This confirmed that, taking into account the selection criteria in Schedule 3, the proposal is not considered to be EIA development.
- 3.2 Publicity: The application was originally advertised by way of 2 site notices which expired on the 9th February 2022. Following the receipt of amended plans and a change to the description of the application to include the deposition of spoil off site a new site notice

was displayed. This expired on the 20th May 2022. All third parties who originally made representations on the scheme were also notified directly.

- 3.3 CIL: Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the development. All new dwellings are CIL liable and as such CIL will be charged on this scheme. The relevant forms have been completed by the applicant and CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil.

4. Consultation

Statutory and non-statutory consultation

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

Thatcham Council:	Support. The application is essential for the protection of residents and the town from flooding.
WBC Highways:	Following the receipt of additional information no objections are raised.
Fisher German:	Initial objection withdrawn following discussions with the applicant. Exolum's apparatus will not be affected by the proposals.
Archaeology:	No objection subject to a condition securing a programme of archaeological supervision (watching brief) during the ground works.
Minerals and Waste:	No objection.
Ecology:	Following the receipt of additional information no objections are raised.
Trees:	No objection raised subject to conditions.

Public representations

- 4.2 Representations have been received from 1 contributor which objects to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- Do not feel the location, design and landscaping treatment adequately maximises the benefits of the scheme whilst minimising the level of impact on the landowner.
 - The proposal does not maximise the benefit of the use of the existing facilities on the adjoining land, particularly the Thames Water balancing pond.

- Request to discuss the scheme with the Council to agree a design.

5. Planning Policy

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

- Policies ADPP1, ADPP3, CS13, CS14, CS16, CS17, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- WBC Quality Design SPD (2006)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance of the area
- Impact on neighbour amenity
- Highways
- Ecology
- Archaeology
- Trees

Principle of development

6.2 The application site is located within the open countryside although it does in parts adjoin the defined settlement boundary for Thatcham. Policy ADPP1 of the Core Strategy states that within the open countryside only appropriate limited development will be allowed focused on addressing identified needs and maintaining a strong rural economy.

6.3 Area Delivery Plan Policy 3 Thatcham states that ‘the risk of flooding within the area will be reduced and managed through the implementation of schemes within the Thatcham Surface Water Management Plan (SWMP) and in accordance with Policy CS16.’

6.4 Flood alleviation schemes for the areas in Thatcham at greatest risk have been constructed in recent years. These schemes provide protection to the residents of East Thatcham most at risk and have mitigated the major flow routes from the east. This proposed basin alongside two others which are currently proposed and pending planning permission (land to the north of Bowling Green Road and west of Heath Lane) will provide additional protection to those properties not benefitting from these developed schemes and will mitigate the existing flow routes identified in the Action Plan.

6.5 Policy CS5 states that the LPA will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development

and will seek to co-ordinate infrastructure delivery whilst protecting and enhancing local amenities and environmental quality. The applicant has engaged with relevant stakeholders including DREFA, Thames Water, the Environment Agency and the local community including the Thatcham Flood Forum. As such the proposal accords with Policy ADPP1, ADPP3 and CS5.

- 6.6 It is considered that the principle of development is acceptable in accordance with the Core Strategy and the guidance within the NPPF.

Character and appearance

- 6.7 The application site is situated in the north-eastern margins of the town of Thatcham to the east of Floral Way and north of the A4 Bath Road. This road network forms a physical barrier between the developed area to the east and south and the open countryside to the north and west. The boundary with Floral Way is defined by an established and robust belt of trees some 15m wide and the A4 by a tree lined hedgerow. To the north and east are grass fields and the land gently rises up to the semi-wooded skyline. Grazed pasture, hedgerows and mature and semi-mature trees and the wide tree belt along Floral Way are all important local landscape features of this area. The site is outside of the North Wessex Downs AONB.
- 6.8 To the east of the site is Siege Cross Farm. This contains a number of buildings, two of which are listed; the Cart Shed and the Barn. The proposals are not considered to have an impact on the setting of these buildings.
- 6.9 There are no public rights of way within the immediate area or across the application site. There is a pedestrian pavement and bus stop on the northern side of the A4 and a pavement on the western side of Floral Way.
- 6.10 Policy CS14 of the Core Strategy states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. This is further supported at a national level within the NPPF which emphasises the importance of conserving and enhancing the natural environment and local character distinctiveness. It also states that the intrinsic character of the countryside must be recognised.
- 6.11 Primary landscape mitigation measures have been included within the layout. The new access track has been located to avoid trees of value within the southern hedgerow adjacent to the A4 and a new northern field boundary will be created from hedgerow and tree planting. In addition to these there will be intermittent Oak tree planting within the site which will help integrate the scheme into the open countryside.
- 6.12 The site area including the bund and basin will be seeded with a native wild flower seed mix improving the overall biodiversity of the area.
- 6.13 Access to the site is achieved from the A4 with a new entrance proposed between two oak trees. These trees are to be retained and protected during construction. No objections have been raised by the Tree Officer.
- 6.14 A second element of the proposal is to allow for the deposition of approximately 144m³ of spoil off site on land north of Tull Way and Bowling Green Road. These two sites will accommodate all excess spoil from the three new basins proposed within Thatcham and the applications are accompanied by a Soil Spreading Strategy drawing 2005290-200 B which details the amount of spoil to be removed and the spreading locations and depths. It is acknowledged that the quantities specified are as per the modelling calculations carried out and this is subject to some variation. The main aim is to reuse material within the site. Spoil is to be spread to a depth of between 0.15m-0.3m. This is not considered to have a significantly detrimental impact on the character of the area.

6.15 In conclusion the landscape proposals are considered to conserve and enhance the existing landscape by strengthening and retaining existing boundary features and introducing additional Oak tree planting and a new field boundary hedgerow to the north to support the transition between the settlement and countryside and create new landscape features of long term value. As such the proposal complies with Policy CS14 and CS19 of the Core Strategy and the guidance within the NPPF.

Impact on neighbour amenity

6.16 By virtue of the location of the application site there are no immediate residential neighbours and the adjoining land comprises open fields. Concern has been raised by a third party for the location, design and landscaping of the scheme.

6.17 The site has been chosen due to the prevalent flow path for surface water runoff. Runoff arising from the land north of Bath Road follows a natural dip in the contours and is routed along the existing ditch, currently discharging unattenuated towards residential property south of Bath Road/London Road. To protect the existing residential areas it is necessary for the proposed scheme to intercept the runoff pathways and be sited on this land. The size of the basin is determined by the catchment size and flood event and the remainder of the schemes footprint comprises access tracks, bunds and ditches.

6.18 The question has been raised as to why the existing Thames Water balancing pond has not been used as part of the flood alleviation scheme. There are two reasons for this: firstly the existing Thames Water balancing pond and proposed flood alleviation scheme serve different catchments and directing these flows into the same existing pond would adversely affect the sewer network. It is good practice to keep surface water attenuation schemes serving developments separate from flood alleviation schemes hence the existing balancing pond has not been used. Secondly the pond is separated from the site by a water course and ecologically vulnerable trees as well as existing vegetation within the pond itself.

6.19 The proposed use is compatible with the adjoining agricultural use.

6.20 In conclusion the proposed basin is not considered to have a harmful impact on the amenity of neighbouring land uses and as such the scheme is in accordance with Policy CS14 of the Core Strategy and the guidance within the NPPF.

Highways

6.21 Policy CS13 of the Core Strategy seeks to ensure that new development does not have a negative impact on the local transport network. The impacts on the transport network will be felt during the construction phase of this development and once the site is complete very few vehicular movements will be generated.

6.22 During the course of the application additional information has been submitted to show visibility splays at the site entrance and tracking drawings. Following the receipt of amended plans no objections have been raised by Highways subject to conditions. As such the proposal accords with Policy CS13 of the Core Strategy and the guidance within the NPPF. These conditions have been agreed with the applicant.

Ecology

6.23 Policy CS17 of the Core Strategy states that biodiversity assets across West Berkshire will be conserved and enhanced. It also states that in order to conserve and enhance the environmental capacity of the district all new development should maximise

opportunities to achieve net gains in biodiversity. The application is accompanied by an Ecological Assessment and following a request for further information a biodiversity metric has been submitted. This shows a net gain in species and habitat diversity from the provision of multiple habitat types, specifically the proposed wildflower meadow, hedgerow, tree planting and wetland areas. The Ecologist has reviewed this information and no objections are raised.

- 6.24 The Ecologist is of the opinion that there is some potential for the soil spreading sites to have ground nesting birds and as such a LEMP and CEMP are required to successfully mitigate the impact on any species which may be present. This condition has been agreed with the applicant.
- 6.25 In conclusion the proposals accord with Policy CS17 of the Core Strategy and the guidance within the NPPF.

Archaeology

- 6.26 The application is supported by a heritage desk-based assessment by Cotswold Archaeology. This shows that the site has some archaeological potential particularly of the Iron Age/Romano-British and medieval periods although there are no known heritage assets of archaeological interest present. The land has been subject to some modern intrusion including a pipeline. The Council's Archaeologist supports the report's conclusion that it is unlikely that any archaeological features within the site would be of a level of significance to require preservation in situ or influence the design of the basin or bunds however some fieldwork is justified and therefore a condition is attached to request the commissioning of a programme of archaeological supervision (watching brief) during the groundworks.
- 6.27 In conclusion the proposal accords with Policy CS19 of the Core Strategy and the guidance within the NPPF.

Trees

- 6.28 The application is accompanied by an Arboricultural Impact Assessment and includes a Tree protection Plan and an Outline Arboricultural Method Statement. Policy CS19 of the Core Strategy seeks to ensure that new development conserves and enhances the local distinctiveness and landscape character of an area.
- 6.29 The site is well screened by existing tree belts along Floral Way and the A4. In order to accommodate the northern section of the new drainage channel, a headwall and some of the track a section of hedge will be removed internally from part of the site and a small section along the A4. These trees are mostly semi-mature or small trees and their losses are mitigated by the proposed planting scheme.
- 6.30 Given the proximity of some of the works to tree roots the Arboricultural Method Statement sets out certain construction practices and measures which will need to be followed to minimise any potential harm to the trees. Such measures can be secured by a planning condition.
- 6.31 The proposals have been reviewed in respect of the impact of spoil spreading on trees within the two identified sites: land adjoining the Bowling Green Road basin site and land north of Tull Way. It is understood from the soil spreading statement that the soil spreading will not encroach on the trees along the western boundary of the Bowling Green Road site and that tree and root protection measures will be incorporated where necessary. The trees along the western boundary are high quality and a tree protection plan is requested to show the proposed protection measures along with a commitment

for arboricultural supervision during the works. These two requirements will be secured by condition.

- 6.32 Subject to conditions no objections are raised by the Tree Officer and the application accords with Policy CS19 of the Core Strategy. These conditions have been agreed with the applicant.

7. Planning Balance and Conclusion

- 7.1 In conclusion the proposed works are not considered to have a negative impact on the character and appearance of the area and any loss of trees and hedgerows can be mitigated by the proposed landscaping plan. The proposals will deliver a significant social benefit in terms of providing essential flood protection measures to properties within Thatcham which are currently vulnerable to flooding. This subsequently has significant economic benefits to residents and businesses.
- 7.2 In conclusion the proposals comply with the policies in the Core Strategy and the guidance within the NPPF and as such the application is recommended for approval subject to conditions.

8. Full Recommendation

- 8.1 To delegate to the Service Director of Development and Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1.	<p>Commencement of development The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2.	<p>Approved plans The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below: Location Plan 2005300-002F Bund and Swale Construction Details sheet 1 of 2 2005300-018 Bund and Swale Construction Details sheet 2 of 2 2005300-019 Flood Alleviation Access Road Construction Details 2005300-017 Outflow Control Structure Details Proposed Earthworks Cut and Fill Volumes 2005300-007 Access Road General Arrangement 2005300-015A Existing Utilities Plan 2005300-005B Constraints Plan 2005300-004B Tree and Hedge Removal Plan 2005300-014 Landscape Proposals 01-9C/2021-22/WB/LAEPLA Rev.A Site Wide General Arrangement 2005300-001D Proposed Access Road Swept Path Analysis 20052300-021B Fire Tender Swept Path Analysis 2005300-022A Soil Spreading Strategy 2005290-200B Soil Spreading Statement ref: DF-SM/2005290/N&E Design & Access Statement by Ardent, Nov 2021</p>

	<p>Landscape Appraisal, proposed landscape Scheme, Planting Details and Landscape management and Maintenance Plan by Liz Allen, Nov 2021 Arboricultural Implications Report by SJA Trees, November 2021 Heritage Desk-Based Assessment by Cotswold Archaeology, September 2021 Flood Risk Assessment by Ardent, December 2021 Geotechnical Interpretative report by Geo-Environmental, Nov 2021 Ecology Assessment by Derek Finnie Associates, November 2021 Soil Spreading Receptor Areas BNG, Excel spreadsheet</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>Landscaping All landscape works shall be completed in accordance with the submitted plans, reference drawing numbers 01-09C/2021-22/WB/LAEPLA – Rev A dated 25/11/2021.</p> <p>The approved landscaping plan shall be implemented within the first planting season following completion of development.</p> <p>Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p> <p>Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality. This is to ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
4.	<p>Tree protection in accordance with submitted scheme All Tree Protective Fencing shall be erected in accordance with the submitted plans, reference drawing numbers SJA TPP 21537-044 dated Nov 2021 by SJA Trees.</p> <p>The protective fencing shall be implemented and retained intact for the duration of the development.</p> <p>Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.</p> <p>Reason: Required to safeguard and to enhance the setting within the immediate locality to ensure the protection and retention of existing trees and natural features during the construction phase in accordance with the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
5.	<p>Tree Protection for spoil disposal No spoil shall be deposited on the land identified for soil spreading north of the Bowling Green Road site until a scheme for the protection of trees to be retained is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012. All such fencing shall be erected prior to any spoil deposition 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</p>

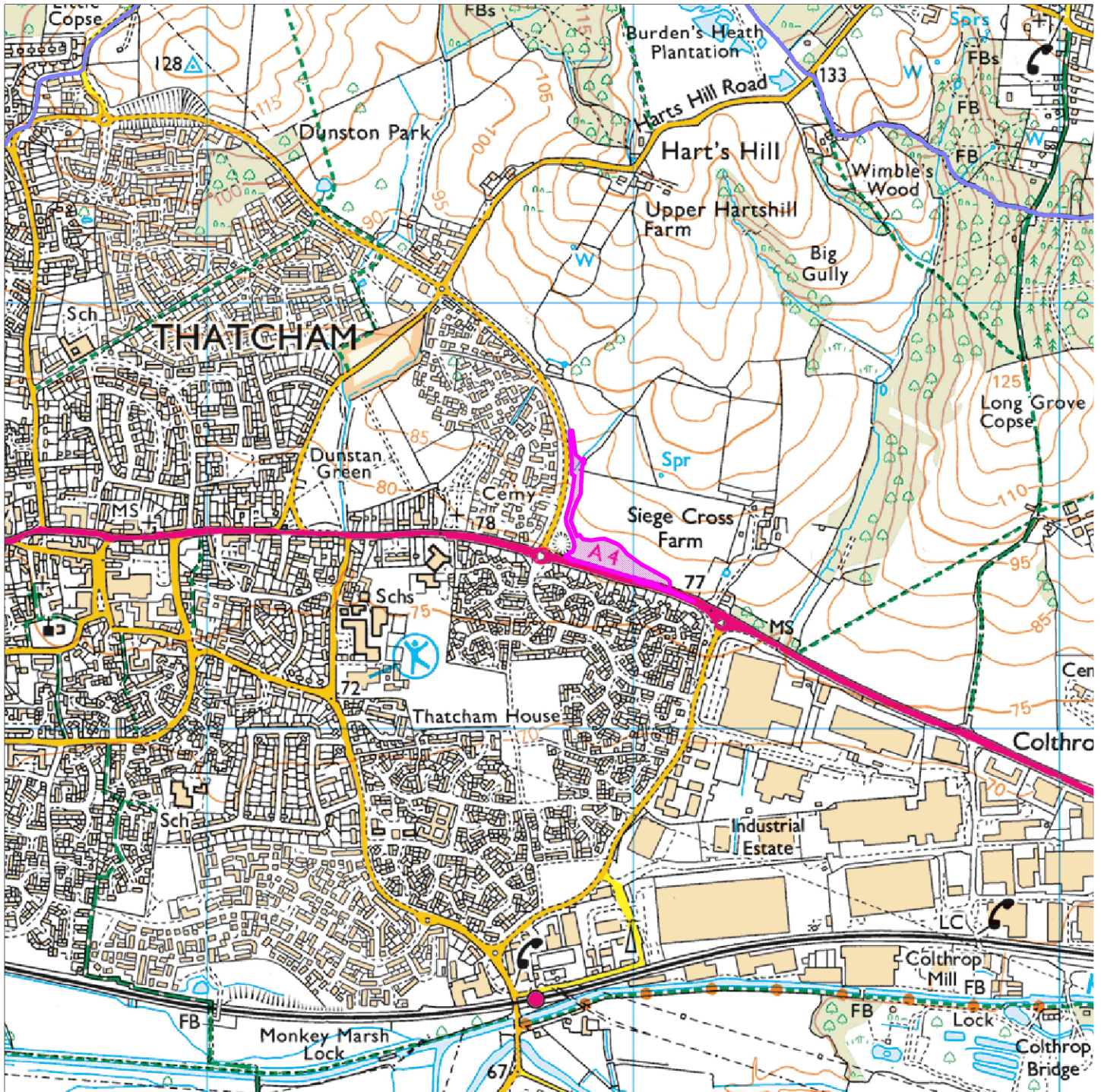
	<p>in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.</p> <p>Reason: To ensure the retention of existing trees and natural features during the construction phase in accordance with the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
6.	<p>Arboricultural site supervision</p> <p>The Arboricultural Method Statement by SJA Trees dated Nov 2021, and plan SJA TPP 21537-044 dated Nov 2021 (within that report) submitted in support of the application shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision, detailed in the report, by a suitably qualified tree specialist. This shall also apply to the tree protection measures required prior to the deposition of any spoil on the land to the North of Bowling Green Road.</p> <p>Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with the objectives of the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
7.	<p>Archaeology</p> <p>No development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological supervision (watching brief) which has been submitted to and approved in writing by the Local Planning Authority. This requires archaeologists to be present to monitor earth moving from the start and for the depth of disturbance to be factored into the specification. Thereafter the development shall be undertaken in accordance with the approved statement</p> <p>Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 205 of the National Planning Policy Framework.</p>
8.	<p>Construction method statement</p> <p>No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:</p> <ul style="list-style-type: none"> (a) The parking of vehicles of site operatives and visitors (b) Loading and unloading of plant and materials (c) Storage of plant and materials used in constructing the development (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing (e) Wheel washing facilities (f) Measures to control the emission of dust and dirt during construction (g) A scheme for recycling/disposing of waste resulting from demolition and construction works (h) A site set-up plan during the works <p>Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire</p>

	Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)
9.	<p>Construction Environmental Management Plan (CEMP)</p> <p>No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:</p> <ul style="list-style-type: none"> (a) Risk assessment of potentially damaging construction activities. (b) Identification of “biodiversity protection zones”. (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). (d) The location and timing of sensitive works to avoid harm to biodiversity features. (e) The times during construction when specialist ecologists need to be present on site to oversee works. (f) Responsible persons and lines of communication. (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. (h) Use of protective fences, exclusion barriers and warning signs. <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction. The condition is needed to ensure biodiversity enhancements are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
10.	<p>Landscape and Ecological Management Plan (LEMP)</p> <p>No development shall take place until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:</p> <ul style="list-style-type: none"> (a) Description and evaluation of features to be managed. (b) Ecological trends and constraints on site that might influence management. (c) Aims and objectives of management. (d) Appropriate management options for achieving aims and objectives. (e) Prescriptions for management actions. (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period). (g) Details of the body or organization responsible for implementation of the plan. (h) Ongoing monitoring and remedial measures. <p>The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.</p> <p>The approved plan will be implemented in accordance with the approved details.</p>

	Reason: A pre-commencement condition is required because the LEMP may need to be implemented during construction. The condition is needed to ensure the biodiversity enhancements are maintained and managed to deliver long term benefits. This condition is applied in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.
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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. The local planning authority has worked proactively with the applicant to secure a development that 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



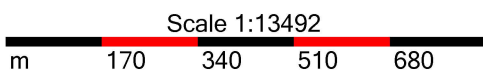
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Organisation	West Berkshire Council
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Comments	Not Set
Date	19 May 2022
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