

Notice of Meeting



Scan here to access the public documents for this meeting

Eastern Area Planning Committee Wednesday 5 October 2022 at 6.30pm in the Council Chamber Council Offices Market Street Newbury

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

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

If members of the public wish to attend the meeting they can do so either remotely or in person. Members of the public who wish to attend must notify the Planning Team by no later than 4.00pm on Tuesday 4 October by emailing planningcommittee@westberks.gov.uk.

Members Interests

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

Date of despatch of Agenda: Tuesday, 27 September 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 or email planningcommittee@westberks.gov.uk.

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

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



Agenda - Eastern Area Planning Committee to be held on Wednesday, 5 October 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

Agenda

Part I

Page No.

1. **Apologies for absence**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 5 - 48
To approve as a correct record the Minutes of the meeting of this Committee held on 24 August 2022.
3. **Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
4. **Schedule of Planning Applications**
(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications).
 - (1) **Application No. and Parish: 21/03260/COMIND – Land North and West Of Glebe End Accessed by Shortheath Lane, Sulhamstead, Reading** 49 - 66

Proposal: Change of use of agricultural land to equestrian and erection of stable block/yard, menage and creation of associated access. Retention of 4 No. temporary field shelters and mobile stable unit on skids.

Location: Land North and West Of Glebe End Accessed by Shortheath Lane, Sulhamstead, Reading

Applicant: Mrs Amanda Cottingham

Recommendation: To delegate to the Service Director of Development & Regulation to GRANT PLANNING PERIMSSION subject to conditions.

Agenda - Eastern Area Planning Committee to be held on Wednesday, 5 October 2022

(continued)

- (2) **Application No. and Parish: 21/02767/FULMAJ – 17 Clifton House, Reading Road, Pangbourne** 67 - 90
Proposal: Construction of 13 flats and courtyards with reconfigured car park. Demolition of single storey flat roofed building.
Location: 17 Clifton House, Reading Road, Pangbourne
Applicant: PBP Ltd
Recommendation: Grant planning permission subject to the completion of a s106 legal agreement.
- (3) **Application No. and Parish: 22/01080/FUL – Manns Farm, Nightingale Lane, Mortimer, Reading, RG7 3PS** 91 - 108
Proposal: Conversion of existing farm building and replacement of existing to provide a 'Wellness Centre' (Use Class E(e) and E(d)).
Location: Manns Farm, Nightingale Lane, Mortimer, Reading, RG7 3PS
Applicant: LJ Strang & Partners
Recommendation: Refuse 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.

Sarah Clarke

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

If you require this information in a different format or translation, please contact Sadie Owen on telephone (01635) 519052.



West Berkshire
C O U N C I L

This page is intentionally left blank

DRAFT

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

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 24 AUGUST 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

Also Present: Liz Allen (Consultant Landscape Architect) Sharon Armour (Principal Lawyer - Planning & Governance), Paul Bacchus (Senior Engineer (Drainage)) Stephen Chard (Democratic Services Manager), Bob Dray (Development Control Team Leader), Gareth Dowding (Principal Engineer (Traffic and Road Safety)), Elise Kinderman (Minerals and Waste Team Leader), Gemma Kirk (Senior Planning Officer), Kate Powell (Environmental Health Officer) Andrew Reynolds (Principal Engineer (Highways Maintenance)), Matthew Shepherd (Senior Planning Officer), Benjamin Ryan (Democratic Services Officer) and Vicki Yull (Principal Democratic Services Officer)

PART I

15. Minutes

The Minutes of the meeting held on 3 August 2022 were approved as a true and correct record and signed by Councillor Graham Pask subject to the inclusion of the following amendments:

On Pages 6-7 for Item 4(1) 'St Ives Road' and 'Volunteer Close' should read as 'St Ives Close' and 'Volunteer Road'.

16. Declarations of Interest

17. Schedule of Planning Applications

(1) Application No. and Parish: 22/01330/REG3, Wokefield

(Councillor Richard Somner declared a personal interest in Agenda Item 4(1) by virtue of the fact that that he was deputy to the Environment Portfolio Holder. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillor Geoff Mayes declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a member of the Berks, Bucks & Oxon Wildlife Trust (BBOWT), as well as being a consultant for environmental matters. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

Councillor Ross Mackinnon declared a personal interest in Agenda Item 4(1) by virtue of the fact he was a member of the Environment Board. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

(Councillor Graham Pask declared a personal interest in Agenda Item 4(1) by virtue of the fact that he was a member of BBOWT. As his interest was personal and not

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 22/01330/REG3, in respect of the construction and operation of a solar farm and battery storage system together with cable route and all associated works, equipment and necessary infrastructure.

Mr Matthew Shepherd (Senior Planning Officer) introduced the item which took into account all the relevant policy considerations and other material planning considerations.

In accordance with the Council's Constitution, Councillor Chris Faulkner, Wokefield Parish Council representative, Mr Neil Callan (on behalf of the Bloomfield Hatch Residents Association), Mr Steven Davies and Mr Craig White, objectors, Mr Miles Roberts, applicant, Mr Ernie Shelton, agent and Councillor Graham Bridgeman, Ward Member addressed the Committee on this application.

Parish Council Representations:

Mr Faulkner in addressing the Committee raised the following points:

- That use of the agricultural land for a solar farm would have exacerbated Britain's self-sufficiency issues surrounding food production and would leave the national economy vulnerable to global markets.
- The solar farm would limit biodiversity, as it would restrict 70% of the available farmland and this was in opposition to West Berkshire Council's Environment Strategy.
- Solar panels would have been better placed on existing brownfield sites, as this would not have limited the use of viable farmland.
- The Committee had recently refused a similar application, which was then overturned by Central Government, however Mr Faulkner believed that attitudes had changed within Parliament as prominent MPs, such as Rishi Sunak and Liz Truss had expressed views on protecting British farmland.

Member Questions to the Parish Council:

- The Chairman asked how many farms there were within the Parish and Mr Faulkner responded that there were 20 in total, however this farm was one of only a few dairy farms within West Berkshire.
- Councillor Mayes enquired as to the size of the farm and whether the field south of Cross Lane was part of the farm, as well as what the field was used for. Mr Faulkner replied that the farm was 115 acres and 75 acres would be used for the solar farm. The field to the south was part of the farm ownership, which was rotated between grazing and growing maize.
- In response to a question from Councillor Jeremy Cottam, Mr Faulkner explained that the farm bred chickens.

Objector Representations:

Mr Callan, Mr Davies and Mr White in addressing the Committee raised the following points:

- A previous proposal on Clappers Farm for a travellers' site in 2014, was turned down due to the 1936 Palmer family conveyance and that this was also applicable to the land within the application. The conveyance stated that no temporary building or

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

sleeping quarters should be erected on the land and that the proposed use of ten steel containers would be contrary to this.

- In the 2006 to 2026 Core Strategy, English Heritage laid out that any build must protect the local distinctive nature and character of an area and that if the solar farm was built it would conflict with this, as it would have been built on farmland that dated back to at least 1086.
- Policy 'EM: 8' stated that commercial proposals for the commercial generation of energy would be permitted, unless there were adverse environmental, economic and social impacts, which included loss of farmland.
- An alternative access route would need to be used, due to the increased noise and traffic caused by the site and that car parking would be required contrary to what the applicant stated.
- George Palmer had left the farm to the community in his will for purposes of farming.
- The plans did not provide adequate flood mitigation and the solar panel run off could affect the farms septic tank.
- There was no evidence that the required full assessment of transport impact had taken place.
- The plan and site displays had not complied with West Berkshire Council's own standards.

Member Questions to the Objectors:

Councillor Alan Law enquired over why the installation of solar panels would increase the chances of a potential flood risk and Mr White answered that this was because the solar panels could create a concentrated run off which would channel and accelerate storm water flow.

Councillor Mayes pondered whether there was any risk of contamination of livestock from the proposals and Mr Davies explained that there was a risk, so allowing people onto the site would need to be managed.

Applicant/Agent Representations:

Mr Roberts and Mr Shelton in addressing the Committee raised the following points:

- That boosting the UK's own energy supply by building solar farms could allow the UK to dictate its own energy prices.
- The scheme would generate enough power for 7570 homes for 30 years and the carbon reduction would be equivalent to taking 2000 cars off the road. In total the scheme would reduce West Berkshire's carbon footprint by 48% each year.
- The land that was used by the solar farm could still be used for sheep farming.
- Only 0.08% of British land was used for solar farms and the environmental impact was minimal compared to the likes of pony paddocks.
- The National Farmers Union supported the installation of solar panels on farms.
- Continued global warming would lead to further flooding and droughts, which would affect farm production far more than the installation of solar panels.

Members Questions to the Applicant/Agent:

Councillor Alan Law questioned the financial viability of building a solar farm and Mr Shelton replied that if the predicted revenue was based on the lowest average price of an

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

electricity long term run rate of 5p per kWh, the farm would generate £1.1 million, which would be offset by maintenance costs, debt repayment and operational costs. Mr Shelton also stated that to build the farm would cost in the region of £19 million.

Councillor Mayes wanted to understand how the network would output its energy and Mr Shelton explained that solar panels generated on average 1,500 volts DC, which would be converted to AC at 33,000 volts, which would then be connected below ground north of the Burghfield site and then to Scottish and Southern Energy (SSE) overhead power lines. Councillor Mayes then queried whether it would be possible to connect closer to the site, to which Mr Shelton stated that Ofgem rules expressed that SSE had to provide a connection site that would be the closest and cheapest, however there was a possibility of a second connection site. Councillor Mayes then proposed the site at Cross Lane as an option and Mr Shelton answered that the site at Cross Lane did not have the ability for reverse power, therefore would not meet the solar farm's needs.

Councillor Somner wanted clarification over the farmer's ability to continue to use the farmland and Mr Shelton explained that, if the farmer wanted to continue leasing the land, he could do what he wanted with the site, however the understanding at the time was that the chicken farming would continue and that the farmer would start to rear sheep which would help maintain the land.

Councillor Law was unsure of the aforementioned figures by Mr Shelton after working out costs, to which Mr Shelton stated that there had been a lot of financial analysis which showed that at the lower end of energy price estimates, the farm would still give a return after borrowing and if energy prices remained high, it would give an extremely generous offering to the Council.

Councillor Cottam wanted to know why the financial implications of the site were relevant to the planning decision, of which Councillor Law explained that financial impact was part of the three levels of sustainability, which were financial, social and economic.

Councillor Tony Linden wanted to understand the impact that a rise in interest rates would have on the solar farm and asked Mr Shelton to comment on the farmer's remarks about sheep herding being difficult on solar farms. Mr Shelton explained that the solar farm would be sensitive to rising interest rates and that the financial modelling had been done with the use of the Public Works Loan Board (PWL) investment in mind. Mr Shelton emphasised that if interest rates went up, energy costs usually followed a similar pattern.

In terms of sheep on the land, other farmers across Europe and the UK did successfully herd sheep alongside solar farms, however Mr Shelton conceded that it could make it slightly harder to get sheep in and out of the field. Councillor Linden asked how the predicted fluctuation of energy costs could affect the solar farm and Mr Shelton explained that there were two ways of predicting energy prices. Firstly, you could predict energy prices by 'sentiment' this entailed the prediction of what could happen, for example in Eastern Europe with the Ukraine crisis, which would be a potential market response and that this was a difficult parameter to predict. Secondly, you could make estimations based on 'fundamentals' and these included factors such as, the need to electrify transport and heat, which would create further demand for electricity. The 'fundamentals' were easier to predict and suggested that there would be a sharp dip in energy prices, followed by a slow and steady increase, as supply and demand began to level out. Councillor Linden added that although some were trying to get rid of nuclear power there were some, such as Rolls Royce, who were trying to revive it and this could have an impact on solar energy.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Councillor Mayes asked whether they had allowed for loss in transmission within their costed models and whether the farmer would incur the cost of changing his farming practices. Mr Shelton explained that they had accounted for loss of transmission and that conversations had occurred between West Berkshire Council and the farmer where choices had been discussed, however it would be up to the farmer.

Ward Member Representations:

Councillor Bridgman in addressing the Committee raised the following points:

- The Committee needed to be impartial and could only consider the application as the Planning Committee and not as West Berkshire Councillors.
- The site had previously been put up for development.
- There were questions over the quality of the land.
- The Committee needed to consider whether the increased number of vehicle movements would actually be an issue and whether the access road would be safe.
- At 6.69 of the report it stated that there would be no increase of flooding, however 6.70 stated there would be a speeding up of rain water run-off, which led to concerns over the septic tanks flooding.
- Condition 3 required the word 'after' to be inserted between '14 days' and 'prior notice' to make grammatical sense.
- The date of generating electricity should be inserted by the applicant to avoid potential mismanagement in regards to the dismantling of the site after 30 years and six months, once electricity had been produced.
- Condition 13 in regards to the Atomic Weapons Establishment (AWE) emergency zone, discussed the installation of a landline and that this practice needed to be modernised.
- Condition 21 was in regards to the bird nesting season which stated that it was March to August inclusive and this in fact should have been March to July inclusive, as this would be in line with the Royal Society for the Protection of Birds (RSPB) website.

Members Questions to the Ward Member:

Councillor Macro questioned Councillor Bridgman's doubts over traffic movements, to which Councillor Bridgman replied that the road was set at the national speed limit, however there would be enough of a sight line to exit and enter the site, as well as doubts over how much traffic the site would actually generate.

Members Questions to the Officers:

Councillor Law wanted to know how solar panels could exacerbate the run-off issues and Mr Paul Bacchus explained that even though solar panels were an impermeable surface they should not be considered the same as rooftops or pavements. The application did recognise that there would be a speeding up of the run-off water and it had been suggested that they would have infiltration trenches to circumnavigate the issue.

Councillor Mayes raised concerns over the trenches potentially damaging the land quality, to which Mr Shepherd highlighted that Condition 3 stated that the land would have to be restored to its original state.

Councillor Macro questioned whether West Berkshire Council could be sure that they could prevent water run-off into the south west corner where residents were concerned of sewage flooding. Mr Bacchus explained that the site was downhill of the property and the location of the panels meant that the flood risk was highly minimal.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Councillor Linden wanted assurance that The Granary area would not be flooded and Mr Bacchus answered that this area was higher than the site, so would not suffer from flooding as a result of the development.

Councillor Cottam queried where the financial impact was discussed in the report. Mr Dray emphasised Councillor Law's aforementioned point on the three areas of sustainability and that in terms of Planning's assessment of the site, it would be combined with in principle development and the focus would have been on the economy as a whole.

The Chairman wanted clarification on the sight line figures on 6.57, 6.59 and the summary on 6.54, within the report. Mr Gareth Dowding explained that the sight line figures were given based on the 85th percentile speed recording along the road and that this was represented in the first set of visibility displays given on 6.57 of the report. There were two versions of the sight lines provided, one where the offset was at 1 metre from the kerb and one which was on the kerb. The X distance had been measured 2 metres from the road and 2.4 meters from the edge road and this showed how the difference of 0.4 altered the sight lines, as displayed on the Y axis. In whole the sight lines did not affect the development, because they were not near the 85th percentile speeds. However, there were mitigation plans proposed that could resolve the issue and why temporary traffic signals were proposed during the construction period. After construction there would only be two additional vehicle movements a week, so there would be no need for further traffic controls. The Chairman then asked for clarification over the total vehicle movements, to which Mr Dowding explained that during construction there would be 11-12 additional vehicle movements per week and after construction there would be only two additional vehicle movements.

Mr Dray stated that the standard model for solar farms was that after 30 years and six months they were removed and a notice erected for enforcement purposes. The requested landline was from the Emergency Planning Officer. In the future it would include mobile coverage, but a landline had been included due to the nature of the site. Finally, in regards to bird nesting, the condition should state 'to August inclusive', as different species of birds had different nesting seasons.

Mr Gareth Ryman explained that the addition of sheep at an appropriate level would benefit bio-diversity compared to an intensively grazed system and that the biodiversity net gain system suggested that the area would go from fairly poor to fairly good levels of bio-diversity.

Councillor Bridgman raised the importance of the Planning Authority being informed of when exactly electricity would start to be generated from the site and Mr Dray explained that the recording of the 30 years and 6 months could be added as a condition.

Debate:

Councillor Cottam argued that nuclear power would be very expensive in the future and carried the obvious environmental impact, in a world where flooding and drought were increasing, finding environmentally friendly energy sources was necessary.

Councillor Macro addressed the objections. Firstly, the flood risk, which the Committee had been reassured would not be an issue. Secondly, road safety, however with only two vehicle movements a week, this was not seen as an issue and finally, food sustainability and supply, which had to be balanced with the concerns over energy supply, as well as climate change, of which the Council had to do as much as possible to counter.

Councillor Linden believed there was a need for energy production that was environmentally friendly and understood the need for increased food production. The Councillor was pleased that the land could still be used for sheep herding, he noted that

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

the farm was going to be assigned for housing before the site was designated within the AWE emergency zone. The Councillor believed the West Berkshire Council had to play its part in helping provide clean energy to the grid and to help improve sustainability, which meant that the building of a solar farm was a good use of the land.

Councillor Law reinforced the point that the Committee needed to be impartial from West Berkshire Council and that the environmental argument had two sides, carbon reduction and sustainability. The current local plan did not mention anything of solar farms, however the emerging one did and yet the Committee did not consider the emerging plan for previous decisions. On the other hand National Policy supported the development of solar farms. He added that if the agricultural land was of higher quality this might have been a different debate. Councillor Law emphasised that the economic benefits outweighed the benefits of cattle farming, as a result Councillor Law proposed Officer Recommendation with the insertion of 'after' between '14 days' and 'prior notice' in condition 3 and requested that notice be given of when the electricity would be generated which would commit the applicant to a commencement date for the 30 years and six months. This was seconded by Councillor Linden.

Councillor Somner expressed that looking into the economic viability of the farm had been interesting, however this was not the key reason and that the environmental benefits were seen as a good way to deliver on West Berkshire Council's environmental goals.

The Chairman invited Members of the Committee to vote on the proposal by Councillor Law and Seconded by Councillor Linden to approve Officers' Recommendation. At the vote the motion was carried.

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

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:

Site Location Plan and Red Line Boundary - 302-014-008 REV C

Proposed Layout Plan - 302-014-004 REV D

Intake Substation Plan - 302-014-009 REV B

Proposed Installation Elevations - 302-014-005 REV D

Proposed Ecological Mitigation Works & Planting - 302-014-007 REV D

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

3. Lifetime of development

No electricity shall be generated by the development hereby permitted until 14 days after prior notice has been submitted to the Local Planning Authority in writing. The development hereby permitted shall be removed in its entirety and the land restored to its

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

former condition within 30 years and six months of the date that electricity was first generated by the development, or within six months of the development failing to generate electricity for 12 consecutive months, whichever occurs first. The land shall be restored to its former condition to enable it to revert to agricultural use in accordance with a scheme of decommissioning work and land restoration that shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the land is restored to its original undeveloped condition following the expiry period or once the development fails to generate electricity, in the interests of protecting the amenity of the open countryside. This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS10, CS14, CS15 and CS19 of the West Berkshire Core Strategy (2006-2026).

4. Decommissioning removal of operational development

As part of the decommissioning process required by Condition 3, all operational development in, on, over or under the land enclosed by the red line on the Location Plan associated with the development hereby permitted shall be completely removed from the application site within 30 years and six months of the date that electricity was first generated by the development, or within six months of development failing to generate electricity for 12 consecutive months, whichever occurs first.

Reason: To ensure that the land is restored to its original undeveloped condition following the expiry period or once the development fails to generate electricity, in the interests of protecting the amenity of the open countryside. This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS10, CS14, CS15 and CS19 of the West Berkshire Core Strategy (2006-2026).

5. Materials

No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. This condition shall apply irrespective of any indications as to these matters which have been detailed in the current application. Samples of the materials shall be made available for inspection on request. Thereafter the development shall be carried out in accordance with the approved materials.

Reason: To ensure that the external materials respond to local character. This condition is imposed in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP6, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is required because the materials we need to be agreed prior to construction.

6. Hours of work (construction/demolition)

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

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

8:30am to 1:00pm Saturdays;

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

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

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.

7. Drainage measures

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

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and the WBC SuDS Supplementary Planning Document December 2018 with particular emphasis on Green SuDS and water re-use;
- b) 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;
- c) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels. Soakage testing shall be undertaken in accordance with BRE365 methodology;
- d) Include run-off calculations based on current rainfall data models (FEH 2013 preferred), 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 construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- f) 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;
- g) Include a management and maintenance plan showing how the SuDS measures will be maintained and managed after completion for the lifetime of the development. This plan shall incorporate arrangements for adoption by the Council, Water and Sewage Undertaker, 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;
- h) Include measures with reference to Environmental issues which protect or enhance the ground water quality and provide new habitats where possible;
- i) Include details of how surface water will be managed and contained within the site and along the cable routes, during construction works to prevent silt migration and pollution of watercourses, highway drainage and land either on or adjacent to the site;
- j) Include an Application for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc);

Thereafter, the development shall be undertaken in accordance with the approved details. The development shall not start generating electricity until the drainage measures have been completed in accordance with the approved details.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

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 the Sustainable Drainage Supplementary Planning Document (December 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.

8. Archaeological work

No development including site clearance shall take place within the application area until a Stage 1 written scheme of investigation (WSI) for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by Stage 1, then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI no site clearance work or development shall take place other than in accordance with the agreed WSI, which shall include:

- a) The statement of significance and research objectives, the programme and methodology of archaeological site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting archaeological material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.

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 2021 National Planning Policy Framework and is in accordance with the requirements of Policy CS19 of the West Berkshire Core Strategy (2006-2026). A pre-condition is required because the WSI will need to be adhered to through construction activities.

9. Arboricultural supervision

No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: The Local Planning Authority must 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. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

supervision 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.

10. Tree protection

All tree protective fencing and ground protection shall be erected and installed in accordance with the submitted plans, reference Woodland and Countryside Management drawing numbers WWCM/SSR/HPE/ES/BHF/TP/1 dated May 2022. The protective fencing shall be implemented and retained intact for the duration of the development, unless otherwise agreed in writing by the Local Planning Authority. Within the fenced area(s), there shall be no excavations, storage or mixing of materials, storage of machinery, parking of vehicles or fires.

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.

11. Landscaping

No development shall take place until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:

- a) Detailed plans with planting a retention schedules, noting species, plant sizes and proposed numbers/densities.
- b) A programme or work including an implementation programme providing sufficient specifications to ensure successful cultivation of trees, shrub and grass establishment.

All landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first operation of the development (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within the lifetime of the development five years of completion of the approved landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: Comprehensive landscaping is essential to ensure the development is appropriately assimilated into the environment, and detailed specifications and a programme of works are necessary to ensure proper establishment and maintenance. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD. A pre-condition is required because landscaping is essential to landscape and visual mitigation and so a clear strategy must be agreed before the development is built out.

12. Landscape maintenance

No development shall take place until a Landscape Maintenance and Management Strategy has been submitted to and approved in writing by the Local Planning Authority. Such a strategy shall detail the maintenance and management of the landscape during the lifetime of the development. Thereafter the development shall be carried out and operated in accordance with the approved details.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Reason: To ensure that the landscaping remains of a sound quality throughout the lifetime of the solar farm, to the benefit of the character of the area and neighbouring properties. This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

13. AWE Emergency Plan

No development shall take place until a site-specific Emergency Plan has been submitted to and approved in writing by the Local Planning Authority. The Emergency Plan shall provide policies and procedures for the preparedness and response to an incident at AWE Burghfield. The Plan should cover both the construction and operational phases of development, or two separate plans may be provided for each phase. The Emergency Plan must cover the processes for:

- a) Activation of the Plan.
- b) Sheltering.
- c) Supporting the vulnerable residents, staff and visitors whilst in sheltering conditions.
- d) Evacuation.
- e) Recovery.

Thereafter, the development shall be carried out with the implementation of the approved Emergency Plan(s), or an approved revision. Upon the site being commissioned for operations to commence the approved measures within the Emergency Plans shall be implemented in full, shall be kept up-to-date by the site manager/operator and management/owners. Thereafter, the Plan should be reviewed and amended as necessary and at least annually. The Local Planning Authority may at any time require the amendment of the plan by giving notice pursuant to this condition. The Local Planning Authority may at any time require a copy of the then current Emergency Plan for the site which shall be submitted to the Local Planning Authority within 1 month of notice being given.

A landline phone shall be installed on site to ensure the AWE Telephone Alerting System can operate successfully, to inform the workers in the event of a radiation emergency at AWE.

Reason: The approval and implementation of a site-specific Emergency Plan is necessary to mitigate the residual risk posed to public safety by the close proximity of AWE Burghfield, to ensure appropriate preparedness and response in the event of an incident at AWE, and to ensure that the development does not adversely affect the AWE Off-Site Emergency Response Plan. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS8 of the West Berkshire Core Strategy 2006-2026.

Note: For queries relating to the content of the site-specific Emergency Plan, please contact the Joint Emergency Planning, West Berkshire Council, Council Offices, Market Street, Newbury, RG14 5LD. Tel: 01635 503535, Email: emergencyplanning@westberks.gov.uk. Please quote the application reference. In order to provide assurance that an effective plan will be put in place, normally this means that only the final contact details and names are not completed.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

14. Construction Traffic Management Plan (CTMP)

The development shall be carried out in accordance with the approved Construction Method Statement and site set-up plan, unless otherwise agreed in writing by the Local Planning Authority.

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).

15. Access and visibility splays

The first development operation shall be the construction of the site access onto Cross Lane in accordance with the approved details. No further development shall take place until the access has been completed in accordance with the approved details, and the visibility splays shown on the approved drawings, including within the CTMP, have been provided at the site access. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.9 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). A pre-condition is necessary because safe access must be maintained from the outset of construction.

16. Agricultural Land Management Strategy

The development hereby approved shall not begin producing electricity until an Agricultural Land Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include the following:

- a) A strategy for reinstatement, restoration and after plans for the soil to return the soil to the former land quality grade or as close as reasonably possible.
- b) A agricultural land management plan for the lifetime of the development.

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

Reason: Soil is a finite resource which plays an essential role within sustainable ecosystems, performing an array of functions supporting a range of ecosystem services, including storage of carbon, the infiltration and transport of water, nutrient cycling, and provision of food. The soil before the solar panels need to be maintained so that the land can be returned to its original condition This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

17. Construction Environmental Management Plan

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

- (a) Risk assessment of potentially damaging construction activities.
- (b) Identification of "biodiversity protection zones".

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

- (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: This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because the LEMP may need to be implemented during construction.

18. Landscape and Ecological Management Plan (LEMP)

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

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

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

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

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

Reason: This condition is imposed in accordance with the National Planning Policy Framework, and Policies ADPP1, ADPP6, CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required because the LEMP may need to be implemented during construction.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

19. Time constraints for ecological plans/updated reports

Bat reports will need to be updated every 12 months and all other surveys after 3 years. As such after 12months/3 years (as appropriate to their validity) from the date the approved report is written a further supplementary ecological survey will need to be undertaken and submitted to and approved in writing by the Local Planning Authority along with any mitigation measures updated. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: Ecological surveys are valid for limited periods of time. As such, they will need to be kept under review to ensure the appropriate mitigation measures are in place in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

20. Lighting strategy (Landscape/Ecology)

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

- (a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.
- (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species.
- (c) Include isolux contour diagram(s) of the proposed lighting.
- (d) Ensure all lighting levels are designed within the limitations of the appropriate Environmental Lighting Zone , as described by the Institute of Lighting Engineers.

No external lighting shall be installed on site except in accordance with the above strategy.

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

21. Restrictions during bird breeding season

No demolition, or site/vegetation clearance shall take place during the bird breeding season (March to August inclusive) unless carried out under the supervision of an experienced ecologist, who will check the habitat to be affected for the presence/absence of any birds' nests. If any active nests are found then works with the potential to impact on the nest must temporarily stop, and an appropriate buffer zone shall be established, until the young birds have fledged and the nest is no longer in use.

Reason: To prevent harm to nesting birds from demolition and vegetation clearance. This condition is applied in accordance with the statutory provisions relating to nesting birds, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

22. Hard landscaping

The development hereby permitted shall not commence until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

Informatives

1. Proactive statement

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

2. Compliance with conditions

Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.

3. Pre-conditions

This decision notice contains pre-conditions that impose requirements which must be met prior to commencement of the development. Failure to observe these requirements could result in the Council taking enforcement action, or may invalidate the planning permission and render the whole of the development unlawful.

4. Compliance with approved drawings

Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.

5. Access construction

The Asset Management team, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD, or highwaysassetmanagment@westberks.gov.uk should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

6. Damage to footways, cycleways and verges

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

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

7. Damage to the carriageway

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

8. 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) Application No. and Parish: 20/02029/COMIND, Burghfield

The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 20/02029/COMIND in respect of the development of an Energy Recovery Centre and adjacent Data Centre, as well as associated infrastructure.

Ms Elise Kinderman (Team Leader (Minerals and Waste)) introduced the item which took into account all the relevant policy considerations and other material planning considerations. It was reported verbally that a letter had been received from Matt Rodda MP making representations on the application. This was received post the publication of the update report, but did not raise any new material issues.

In accordance with the Council's Constitution, Mr Graham Hudson, objector, Mr Mark Westmoreland-Smith, Ms Jennifer Hepworth, Mr Jay Mould, Mr Kevin Parr and Mr James Whatton, applicant/agent, and Councillor Bridgman, Ward Member, addressed the Committee on this application.

Objector Representations:

Mr Hudson in addressing the Committee raised the following points:

- That West Berkshire Council had never mentioned the installation of an incinerator during the 2019 West Berkshire Climate Conference.
- That Reading Borough Council wanted to be consulted on the application, if approved, over details such as; haulage routes, pollution and traffic generated matters, as well as for it to be considered against national policy and the Local Plan.
- Thames Water noted that the report did not require their services, however they could come under pressure whilst the site was operational. If Thames Water did need to get involved this could cause serious traffic issues.
- Emissions from 150,000 tonnes of waste annually could cause a large amount of CO2.
- Within the report the wrong local MP was listed as the President of United Nations Climate Change Conference (COP 26). It was noted as the Reading East MP where it should have been the Reading West MP.

Members Questions to the Objector:

There were no questions for the objector.

Applicant/Agent Representations:

Mr Westmoreland-Smith, Ms Hepworth, Mr Mould, Mr Parr, and Mr Whatton in addressing the Committee raised the following points:

- The proposed site was already a Waste Management facility.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

- This was a unique proposal with an energy recovery system and data centre, which could provide two pieces of necessary infrastructure.
- This facility would have been able to divert 150,000 tonnes of waste from landfill, with 20,000 tonnes coming from the site itself, which would have saved waste miles.
- The site would have allowed West Berkshire to be self-sufficient in waste management.
- The facility would generate a secure and low carbon source of energy. Generating 11MW of electricity, which would have been enough to power 30,000 homes. The facility would provide 33 permanent jobs.
- The air quality would have been adequately assessed by the strict regulations of an Environmental Permit and would not have posed a significant risk to residents of West Berkshire.
- There would be considerable bio-diversity net gains, as shown by the removal of the Wildlife Trust objection.
- There would be no significant effect on transport.
- The site would provide a saving in greenhouse emissions compared to current methods.

Members Questions to Applicant/Agent:

- Councillor Pask enquired into how much waste would be brought into the facility from elsewhere and Mr Westmoreland-Smith explained that 130,000 tonnes would be imported through external contracts with around 78 HGV movements a day, however these would be controlled by conditions.
- Councillor Linden raised concerns over the potential pollutants and the size of the site. Mr Westmoreland-Smith reassured that pollution control was a sophisticated process and the promoter could only work within the remit of an Environmental Permit, which was monitored closely. Councillor Linden asked whether this was public information and this was confirmed to be the case.
- Councillor Macro pondered whether all the plastic would be removed when burning the waste, to which Mr Westmoreland-Smith explained that as much plastic as possible would be removed and recycled.
- Councillor Law queried whether CO₂ was considered a pollutant and Mr Westmoreland-Smith stated that it was. Councillor Law further probed over how the developer would minimise the negative impact on climate change, reduce vulnerability and provide resilience to the impacts of climate change. Mr Westmoreland-Smith answered that the machine managed waste and generated electricity, which compared to landfill would save 200 kilos of CO₂ per tonne of residual waste, as well as providing a significant reduction in methane. Compared to the electricity produced by the site, the facility would produce the equivalent of 183g of CO₂ per kWh, which compared to the stock generation of the grid that used combined cycle gas turbines (CCGT), which produced 340g per CO₂ equivalent, was a significant decrease in CO₂ production.
- Councillor Cottam raised concerns over the potential particulate pollution and pondered how the 50m chimney prevented the particles affecting local residents, to which Mr Westmoreland-Smith explained that there would be a scrubbing process throughout the stack, however some particulates would escape and the height of the chimney was designed for proper dispersal. Furthermore the monitoring of the

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Environmental Agency would make sure that the facility would be properly managed and therefore would not pose a health risk to the general population.

- Councillor Somner wanted to know where the 130,000 tonnes of imported waste would be imported from, of which Mr Westmoreland-Smith could not confirm exactly where, however models suggested that waste would be collected near West Berkshire and that most third parties would look to dispose of their waste as close as possible, due to the cost of transport.

Ward Member Representations:

Councillor Bridgman in addressing the Committee raised the following points:

- That the emerging Minerals and Waste Local Plan was at a stage where some value should be attached to it.
- The facility would sit in the middle of the site, which would reduce the visual impact, however not completely.
- There was an over-capacity of waste in the system according to United Kingdom Without Incineration Network (UK WIN) and UK WIN considered that a reason for refusal, however in opposition of this was the self-sufficiency argument for West Berkshire.
- It was questioned where the waste was going and whether the vehicle movements were longer at the time compared to that of the potential site.
- Air quality was an issue that could be affected by wind direction and that those that were not directly living by the site might still be effected.

Member Questions for Ward Member:

Councillor Linden asked whether Councillor Bridgman was referring to a particular site, of which the Councillor replied he was not speaking of any site and that he just questioned where the waste was going.

Member Questions for Officers:

Councillor Cottam wanted reassurance that the regulation would be thorough and why Public Health regarded the site as municipal even though it would be privately owned. Ms Kinderman stated that the definition of municipal, in this case, included local authority collected waste, as well as a similar fraction of commercial waste, which would be of the same composition. Ms Kinderman also explained that the Environmental Agency would monitor the site. Councillor Cottam queried whether West Berkshire's Environmental Health would be involved and Ms Kate Powell explained that Environmental Health would not be involved with the site.

Councillor Cottam wanted clarification on whether the permit would be part of the application, or whether it would need to be applied for. Mr Dray explained that the permit would be separate from planning and that inclusion within the conditions would lead to unnecessary duplication. The Chairman emphasised that there might be several technicalities that the Committee might not have knowledge of, but the Committee must trust other agencies to do their job properly, which was compounded by Mr Dray who stated that the Committee had to base decisions on the assumption that other authorities would work effectively.

Councillor Mayes wanted to know where the Englefield Lagoon was and what the drainage strategy was in regards to the lagoon. Ms Kinderman explained that it was to the north of the site and that the drainage strategy was to have surface water drain into the lake at a controlled outfall, after being collected on site. Councillor Mayes asked

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

whether any pollutants could enter the Thames Water aquifers and Ms Kinderman explained that there were two separate systems, so there was little chance of any cross-contamination. There was also the inclusion of oil interceptors within the water disposal system. Mr Bacchus further commented that the system would be fully sealed with a membrane around the attenuation tank, which would be used prior to discharge and the applicant would need to make sure the system was fully sealed and that conversations between Officers and the applicant had occurred to guarantee this. Councillor Mayes further questioned where the water for firefighting would come from and Mr Bacchus clarified that there was a difference between drainage, which would be dealt with by the applicant and supply, which would be dealt with by Thames Water.

Councillor Linden wanted officers to comment on Veolia's waste disposal to other sites outside of West Berkshire. Ms Kinderman stated that the waste went to places in Hampshire, Slough and Oxfordshire, however this changed year on year. For example the Hampshire contract would end in 2030 and there was also uncertainty over the future of the site in Slough.

Councillor Law highlighted Section 6.43 and wanted to know why the site was not included within the preferred areas and Ms Kinderman explained that the Minerals and Waste Local Plan did not define preferred areas for waste management sites, however it did set criteria for potential sites and because the application would be developed on an existing waste management site, it met the criteria for the Minerals and Waste Local Plan.

Debate:

Councillor Linden highlighted the visual impact on the M4, but believed West Berkshire needed to be able to deal with its waste needs and that the location was generally remote, as a result Councillor Linden proposed Officer's Recommendations and this was seconded by Councillor Cottam.

Councillor Macro explained that there was a table on page 126 of the Agenda that expressed where some of the waste from West Berkshire was going and in conversation with Oxfordshire County Council, West Berkshire was, at the time, sending 45,000 tonnes of waste to Sutton Courtenay and that this site would close in 2030. The South East Waste Planning Advisory Group stated that Britain had been exporting 2.6 million tonnes of waste to Europe each year. Councillor Macro did have concerns over the visual impact of the site, however despite that he was willing to support the application.

Councillor Mackinnon expressed concerns over the visual impact and due to the lack of information over the potential pollution and how the Environmental Permit would be enforced. The Councillor sympathised with residents' concerns over the burning of waste close to their homes and as a result felt he could not support the application.

Councillor Cottam expressed that the 50m chimney was at least a guarantee that the pollution would not go locally, as the prevailing wind blew westerly. Councillor Cottam had concerns for the local population and stated that if the Environmental Agency did not do their job properly, the Council should have some responsibility and that the Committee needed to trust the scientific data.

The Chairman invited Members of the Committee to vote on the proposal by Councillor Linden and seconded by Councillor Cottam to approve Officer Recommendations. At the vote the motion was carried.

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

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Conditions

1. Commencement

The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority within seven days of such commencement.

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. List of Approved Documents

The development hereby permitted shall be carried out in accordance with the approved drawings and other documents listed below, except as they may be amended by another condition in this decision notice, or updated by another document in this list.

- (i) Application Boundary Plan, Drawing No. CRM.1144.010.PL.D.002.A, dated September 2020
- (ii) Ownership Boundary Plan, Drawing No. CRM.1144.010.PL.D.002.B, dated September 2020
- (iii) Proposed Site Plan, Drawing No. 2000, Rev K, dated 31.05.2022
- (iv) HGV Access Route Plan, Drawing No. CRM.1144.010.PL.D.004.D, dated September 2021
- (v) Site Access Visibility Splays, Drawing No. 1059-010, Rev A, dated September 2021
- (vi) Existing Access Visibility Splays and Visibility from Proposed Footway/Cycleway, Drawing No. 1059-010, Rev A, dated September 2021.
- (vii) ERC Floor Plan, Drawing No. 2010, Rev E, dated 31.05.2022
- (viii) Roof Plan, Drawing No. 2020, Rev J, dated 31.05.2022
- (ix) ERC Elevations – North and South, Drawing No. 2030, Rev G, dated 31.05.2022
- (x) ERC Elevations – East and West, Drawing No. 2040, Rev F, dated 31.05.2022
- (xi) Data Centre Ground Floor Plan, Drawing No. 2050, Rev E, dated 31.05.2022
- (xii) Data Centre First Floor Plan, Drawing No. 2060, Rev E, dated 31.05.2022
- (xiii) Data Centre Second Floor Plan, Drawing No. 2070, Rev E, dated 31.05.2022
- (xiv) Data Centre Elevations, Drawing No. 2080, Rev E, dated 31.05.2022
- (xv) ERC and Data Centre Views, Drawing No. 2090, Rev F, dated 31.05.2022
- (xvi) Ancillary Buildings/Plant Elevations, Drawing No. 2110, Rev B, dated 31.05.2022
- (xvii) Site Sections Showing Existing Ground Levels, Drawing No. 2120, Rev C dated 31.05.2022
- (xviii) Views, Drawing No. 1040, Rev E, dated 03.12.2020
- (xix) Planning Statement, ref CRM.1144.010.PL.R.001, dated August 2020
- (xx) Design and Access Statement, ref CRM.1144.010.PL.R.005, dated August 2020
- (xxi) Updated Environmental Statement, reference CRM.1144.010.PL.R.100, dated December 2021
- (xxii) Air Quality Assessment, ref 01.0009.024 (v2), dated August 2020
- (xxiii) Air Quality Assessment - Stack Height Determination, ref 01.0009.024_SHD (v2), dated August 2020
- (xxiv) Traffic Pollution: Air Quality Impact Assessment, ref 01.0009.024/AQ v3. Dated December 2021
- (xxv) BS 5837:2012 Arboricultural Survey, ref CRM.1144.010.AR.R.001, dated August 2020
- (xxvi) BS 5837:2012 Arboricultural Impact Assessment and Method Statement, ref 1144.010.ENZ.XX.00.RP.AR.45.002, dated June 2022
- (xxvii) Ecological Impact Assessment, ref CRM.1144.010.EC.R.004, dated 14th October 2021

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

- (xxviii) Biodiversity Metric 3.0 Calculation Tool, dated 15th June 2022
- (xxix) UK Habitat Map, Drawing No. CRM.1144.010.EC.D.001.B, dated June 2022
- (xxx) UK Retained/Lost Habitat Map, Drawing No. CRM.1144.010.EC.D.002, dated June 2022
- (xxxi) UK Created Habitats Map, Drawing No. CRM.1144.010.EC.D.003, dated June 2022
- (xxxii) Stage 1 HRA Screening Report, ref CRM.1144.010.R.005, dated 14th October 2021
- (xxxiii) Water Framework Directive Screening Technical Note, ref CRM.1144.010.PL.R.003
- (xxxiv) Energy Statement, by Stroma Built Environment, dated 05.05.2022
- (xxxv) BREEAM Pre-Assessment Report, by Stroma Built Environment, dated 05.05.2022
- (xxxvi) Response to West Berkshire Core Strategy Policy CS15, by Air Quality Consultants, dated May 2022
- (xxxvii) Greenhouse Gas Assessment, by Air Quality Consultants, dated December 2021
- (xxxviii) Updated Flood Risk Assessment, ref CRM.1144.010.HY.R.001.B, dated March 2022
- (xxxix) Historic Environment Assessment, by Heritage Archaeology, dated December 2020
- (xl) Human Health Risk Assessment: Reading Quarry Energy Recovery Centre, by Air Quality Consultants, dated August 2020
- (xli) Surface and Foul Water Drainage Strategy, Drawing No. 101 P06, dated 09/06/22
- (xlii) Indicative Highway Drainage, Drawing No. 102 P01 (P03), dated 27/09/21
- (xliii) Mitigation Plan, ref ENZ-01-xx-DR-L-00-021 (Figure 8.21), rev P04, dated June 2022
- (xliv) Mitigation Plan – Access Road, ref CRM.1144.010.LA.D.020 (Figure 8.20), rev P04, dated June 2022
- (xlv) Phase 1 Preliminary Risk Assessment, ref CRM.1144.010.GE.R.002, dated August 2020
- (xlvi) Socio-Economic Statement, ref CRM.1144.010.PL.R.002, dated August 2020
- (xlvii) Health Impact Assessment, ref CRM.1144.010.PL.R.010, dated October 2021
- (xlviii) Transport Assessment and Travel Plan Statement Addendum, by Key Transport Consultants Ltd., dated December 2021
- (xlix) Alternative Site Assessment, ref CRM.1144.010.PL.R.003, dated August 2020
- (l) Letter to the Environment Agency, ref CRM.1144.010.HY.L.001, dated 27th October 2020
- (li) Letter to West Berkshire Council Planning Officer, ref CRM.1144.010.PL.L.007, dated 09th June 2022
- (lii) Letter and Report to Highways England, ref CRM.1144.010.HY.L.002, dated 06th January 2021
- (liii) Letter from Air Quality Consultants Ltd. and Isopleth Regarding Air Quality and Human Health, dated 29th January 2021.
- (liv) Letter to Lead Local Flood Authority, ref CRM.1144.010.HY.L, dated 15th February 2021.
- (lv) Letter to Lead Local Flood Authority, ref CRM.1144.010.HY.L.003.B, dated 17th February 2021.
- (lvi) Response to Lead Local Flood Authority, ref. CRM.1144.010.HY.L.004, dated 04th March 2022

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

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

3. Display of Conditions

A copy of the planning permission for the development hereby permitted and any amendments subsequently approved shall be made available at the site office during working hours, and shall be made known to any person(s) given responsibility for the management and control of operations on the site.

Reason: To ensure that all employees may readily make themselves aware of the requirements of this permission so as to ensure the orderly operation of the site.

4. Operating Hours (Construction)

No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 07:30 and 18:00 Monday to Friday and 08:30 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

5. Operating hours (Deliveries)

No material deliveries shall take place outside of the following hours unless agreed in writing with the Local Planning Authority:

Mondays to Saturdays: 06:00 to 19:00

Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

6. Construction Method Statement

No development shall take place until details of a scheme (Construction Method Statement) to control the environmental effects of the demolition and/or construction work has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:-

- (i) the control of noise
- (ii) the control of dust, smell and other effluvia
- (iii) the control of rats and other vermin
- (iv) the control of surface water run-off
- (v) details of excavation and dewatering methods to prevent silt pollution
- (iv) the proposed method of piling for foundations (if any)
- (vi) proposed construction and demolition working hours
- (vii) hours during the construction and demolition phase when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the site.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

The development shall be carried out in accordance with the approved scheme.

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 WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policies OVS.5 and OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary because insufficient detailed information regarding mitigation measures during the construction phase accompanies the application so it is necessary to approve these details before any development takes place.

7. Annual Throughput

The throughput associated with the Energy Recovery Centre shall not exceed 150,000 tonnes per annum.

Reason: In the interests of local amenity. This condition is imposed in accordance Policy WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy CS14 of the West Berkshire Core Strategy (2006 - 2026), Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policies OVS.5 and OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

8. Waste Permitted

(i) No waste shall be treated at the ERC other than residual waste which cannot be reasonably managed further up the waste hierarchy in accordance with a scheme approved from time to time under part (ii) of this condition;

(ii) The ERC facility shall not be brought into use until a scheme has been submitted to and approved by the local planning authority in writing and which aims to minimise recyclable and reusable waste received at the ERC, showing:

- (a) the sources and types of waste to be treated;
- (b) the steps to be taken to ensure that (so far as practicable) there will have been prior treatment to ensure as much reusable and recyclable material is removed from that waste, and
- (c) arrangements for the review of the scheme at not more than 3 yearly intervals.

(iii) Any scheme approved under part (ii) above shall be implemented in full during the period in which the ERC facility is operational until replaced by a subsequently approved scheme.

Reason: To enable the implementation of the waste hierarchy as required by The Waste (England and Wales) Regulations 2011 (as amended). This condition is imposed in accordance with Policy 3 of the West Berkshire Minerals and Waste Local Plan.

9. No wastes other than those defined in the application (being residual non-hazardous municipal, commercial and industrial wastes) shall be imported to the Energy Recovery Centre.

Reason: To enable the implementation of the waste hierarchy as required by The Waste (England and Wales) Regulations 2011 (as amended) and to ensure the significant

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

environmental effects associated with the proposal as assessed by the Environmental Statement are accurately taken into account. This condition is imposed in accordance with Policy WLP27 of the Waste Local Plan for Berkshire 1998-2006 and Policy 3 of the West Berkshire Minerals and Waste Local Plan.

10. Receipt of Waste

No more than 130,000 tonnes of the annual throughput for the Energy Recovery Centre shall be sourced from locations other than the existing Waste Transfer Facility (WTF) at Reading Quarry.

Reason: To ensure the likely significant environmental effects regarding traffic, as assessed by the Environmental Statement, are accurately taken into account. This condition is imposed in accordance with Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

11. No waste materials shall be accepted at the site directly from members of the public, and no retail sales of wastes or processed materials to members of the public shall take place at the site.

Reason: In the interests of local amenity and to ensure the implementation of the waste hierarchy as required by The Waste (England and Wales) Regulations 2011 (as amended). This condition is imposed in accordance Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy CS14 of the West Berkshire Core Strategy (2006 - 2026), Policies OVS.5 and OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policies 3 and 26 of the West Berkshire Minerals and Waste Local Plan.

12. Records of Waste

From the date the site begins to receive waste a record of the monthly receipt of waste (including source and volume) shall be maintained and shall be made available to the Local Planning Authority at any time upon request. All records shall be kept for at least 24 months following their creation or such longer period as the Local Planning Authority may specify in writing.

Reason: To enable the implementation of the waste hierarchy as required by The Waste (England and Wales) Regulations 2011 (as amended) and to ensure the significant environmental effects associated with the proposal as assessed by the Environmental Statement are accurately taken into account. This condition is imposed in accordance with Policy WLP27 of the Waste Local Plan for Berkshire and Policy 3 of the West Berkshire Minerals and Waste Local Plan.

13. Sheeting of waste

All loaded (heavy) goods vehicles transporting waste entering/leaving the site shall ensure that the waste is netted, sheeted, or placed within containerised vehicles.

Reason: In the interests of local amenity. This condition is imposed in accordance with the National Planning Policy Framework, the National Planning Policy for Waste, Policies TRANS.1 and OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006 - 2026), and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

14. R1 Efficiency Status

Prior to operation of the Energy Recovery Centre, details verifying that the ERC has achieved R1 status from the design stage shall be submitted to the Local Planning Authority. Within 24 months of the first operation of the ERC, details verifying that the operating facility has achieved R1 status through certification from the Environment Agency shall be submitted to the Local Planning Authority. Thereafter, R1 status shall be maintained for the lifetime of the facility, and confirmation shall be provided to the Local Planning Authority on request.

Reason: To ensure that the Energy Recovery Centre is classified as a recovery operation and not a disposal operation in order to comply with the Waste Hierarchy, as set out in the Waste (England and Wales) Regulations 2011 (as amended) and in compliance with the Waste Management Plan for England (2021). This condition is imposed in accordance with Policy WLP27 of the Waste Local Plan for Berkshire 1998-2006 and Policy 3 of the West Berkshire Minerals and Waste Local Plan.

15. Electricity Grid Connection

The Energy Recovery Centre shall not be brought into use until the electric links from the ERC to the National Electricity Grid and/or the Data Centre have been constructed and are capable of transmitting the electrical power produced by the ERC. Thereafter, except during periods of maintenance and repair and unless required to do so by the National Grid, no waste shall be processed by the plant unless power is being generated.

Reason: To ensure that the Energy Recovery Centre is able to recover available energy and be classified as a recovery operation in order to comply with the Waste Hierarchy, as set out in the Waste (England and Wales) Regulations 2011 (as amended), and in accordance with the renewable/low carbon energy requirements of West Berkshire Core Strategy Policy CS15.

16. Heat Export

The ERC shall not be brought into use until a scheme detailing arrangements for the on-site use of a minimum of 2MW of heat from the ERC has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To maximise the recovery of energy from the ERC, and thus increase the relative carbon benefits of the facility in accordance with the Resources and Waste Strategy for England (2018), Waste Management Plan for England (2020) and National Planning Policy for Waste paragraph 4.

17. The ERC shall not be brought into use until a Combined Heat and Power (CHP) Feasibility Review, assessing potential commercial opportunities for the use of heat from the plant, shall be submitted to and approved in writing by the Waste Planning Authority. The Review shall provide for the ongoing monitoring and full exploration of potential commercial opportunities to use heat from the plant, at not more than 3 yearly intervals. Once a viable heat customer is identified, a plan for the construction of heat offtake to the customer(s), and a signed agreement that they will accept the heat available for export from the ERC shall be included within the Feasibility Review. Reviews shall be conducted until all of the reasonably available heat for export is utilised.

Reason: To maximise the recovery of energy from the ERC, and thus increase the relative carbon benefits of the facility in accordance with the Resources and Waste

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Strategy for England (2018), Waste Management Plan for England (2020) and National Planning Policy for Waste paragraph 4.

18. Solar Panels

The Data Centre shall not be brought into use until the solar panels are constructed and the electric link has been constructed and is capable of transmitting the electrical power produced by them to the Data Centre.

Reason: To ensure compliance with the requirements of West Berkshire Core Strategy Policies CS14 and CS15 and West Berkshire Minerals and Waste Local Plan Policy 25.

19. Data Centre

The Data Centre shall utilise the building methods for energy efficiency as prescribed in sections 6.1 and 6.2 of the Energy Statement by Stroma Built Environment, dated 05.05.2022.

Reason: To ensure compliance with the requirements of West Berkshire Core Strategy Policies CS14 and CS15 and West Berkshire Minerals and Waste Local Plan Policy 25.

20. The Data centre shall not be brought into use until the electric and heat links from the ERC to the Data Centre have been constructed and are capable of transmitting the electrical power and heat produced by the ERC.

Reason: In accordance with the renewable/low carbon energy requirements of West Berkshire Core Strategy Policy CS15.

21. 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 [or is intermittent in nature] when measured in accordance with BS4142:2014 at a point one metre external to the nearest residential or noise sensitive property.

Reason: To protect the occupants of nearby residential properties from noise. This condition is imposed in accordance with Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006 and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

22. The ERC shall not be brought into use until a Noise Validation Report has been submitted to the Local Authority, confirming that outdoor noise levels are as predicted, when the facility is running at maximum capacity.

Reason: To protect the occupants of nearby residential properties from noise. This condition is imposed in accordance with Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Policy WLP30 of the Waste Local Plan for Berkshire 1998-2006 and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

23. Notwithstanding any submitted details, the building envelope of the Energy Recovery Centre shall be constructed with “acoustic wall panels/sheets”, in addition to acoustic louvres for openings.

Reason: To protect the occupants of nearby residential properties from noise. This condition is imposed in accordance with Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

24. Pest Management Plan

Prior to the ERC being brought into use, a Pest Management Plan, which shall include measures for the management and control of pests such as flies and vermin, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of local amenity. This condition is imposed in accordance Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

25. External Lighting

Prior to the installation of any external lighting full details of lighting and its location shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). The development shall thereafter be undertaken in strict accordance with the approved details prior to the first occupation of the development hereby permitted and retained in accordance with the agreed specification.

Reason: To mitigate any adverse impact from the development on the M4. To ensure that the M4 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

26. Boundary Treatments

No fencing or other means of enclosure of the Energy Recovery Centre shall take place except in accordance with a scheme that shall have been agreed with the Waste Planning Authority.

Reason: Limited details have been provided with the application, so to ensure any enclosure of the ERC is in keeping with the surrounding landscape details will need to be agreed before boundary treatments are applied. This condition is imposed in accordance with Policy WLP30 of the Waste Local Plan for Berkshire 1998–2006, Policy CS19 of the West Berkshire Core Strategy 2006–2026 and Policy 18 of the Minerals and Waste Local Plan for Berkshire.

27. Landfill Gas Risk Assessment

No development approved by this permission shall commence until a landfill gas investigation and risk assessment has been submitted to and approved in writing by the

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Local Planning Authority. Where a risk from gas is identified, appropriate works to mitigate the effects of gas shall be incorporated in detailed plans to be approved by the Local Planning Authority.

Reason: To protect future occupiers of the site and structures from the risks associated with the migration of toxic and flammable gasses. This condition is imposed in accordance with Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998–2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary because a Landfill Gas Risk Assessment is identified as being necessary in the Phase 1 Contaminated Land Report, but none has been supplied with the application. Therefore it is necessary to approve these details before any development takes place.

28. Highways

The development shall be carried out in accordance with the Offsite Highway Works General Arrangement shown on drawing 101 Revision P06 or such other scheme of works or variation substantially to the same effect, as may be approved in writing by the Local Planning Authority (in consultation with National Highways) and the approved scheme of highway works shall be completed fully prior to first occupation of the development hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the M4 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety. This policy is imposed in accordance with Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998–2006, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy 22 of the West Berkshire Minerals and Waste Local Plan.

29. Construction Traffic Management Plan

No development shall take place until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that the conclusions in the Transport Assessment and Air Quality Assessment are able to be applied to the construction period and ensure no additional effects arise during this period. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary because insufficient detailed information accompanies the application and construction traffic management measures may be required throughout the construction phase. Therefore it is necessary to approve these details before any development takes place.

30. Wheel Cleaner / Washer

Prior to operation of the Energy Recovery Centre, wheel cleaning facilities shall be installed in accordance with details of design, specification and position which shall have been submitted to and approved in writing by the Local Planning Authority. All (heavy) goods vehicles/commercial vehicles leaving the site shall pass through and use the wheel cleaning/washing equipment immediately prior to exiting the site.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP31 of Waste Local Plan for Berkshire 1998-2006, policy TRANS.1 of the West Berkshire District Local Plan, Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

31. Oil tanks/fuel/chemical storage

Any chemical, oil, fuel, lubricant and other potential pollutants shall be stored in containers which shall be sited on an impervious surface and surrounded by a suitable liquid tight bunded compound. The bunded areas shall be capable of containing 110% of the container's total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. The vent pipe should be directed downwards into the bund. There must be no drain through the bund floor or walls.

Reason: To minimise the risk of pollution of the water environment and soils. This condition is imposed in accordance with the National Planning Policy Framework, the National Planning Policy for Waste, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

32. Repair/Maintenance of Vehicles

Repair, maintenance and refuelling of plant and machinery shall, where practicable, only take place on an impervious surface drained to an interceptor and the contents of the interceptor shall be removed from the site.

Reason: To minimise the risk of pollution of the water environment and soils. This condition is imposed in accordance with the National Planning Policy Framework, the National Planning Policy for Waste, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

33. Contaminated Land

Prior to each phase of development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site Page 173West Berkshire Council Eastern Area Planning Committee 24th August 2022
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect sensitive receptors in line with paragraph 174 of the National Planning Policy Framework so they will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary, as contamination could be identified during the construction phase.

34. Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To protect sensitive receptors in line with paragraph 174 of the National Planning Policy Framework so they will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

35. Sustainable Urban Drainage Systems (SuDs)

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

Reasons: To protect sensitive receptors in line with paragraph 174 of the National Planning Policy framework so they will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. Permeable pavement infiltration drainage is proposed and it has the potential to mobilise contaminants from the soils. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

36. Surface Water Management Strategy

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

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

These details shall:

- m) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018;
- n) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site as per the agreed surface water drainage strategy on Drawing No. 101 P06, dated 09/06/22 at no greater than Greenfield run-off rates;
- o) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- p) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- q) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- r) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime;
- s) Include a Contamination Risk Assessment for the soil and water environment (assessing the risk of contamination to groundwater, develop any control requirements and a remediation strategy);
- t) Include measures with reference to Environmental issues which protect or enhance the ground water quality and provide new habitats where possible;
- u) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc);
- v) Include with any design calculations an allowance for an additional 10% increase of paved areas over the lifetime of the development;
- w) Provide details of how surface water will be managed and contained within the site during any construction works to prevent silt migration and pollution of watercourses, highway drainage and land either on or adjacent to the site;
- x) Provide a post-construction 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 to and approved by the Local Planning Authority on completion of construction. This shall include: plans and details of any 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.

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

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Berkshire Core Strategy 2006-2026, Policy 24 of the West Berkshire Minerals and Waste Local Plan, Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). A pre-commencement condition is necessary because insufficient detailed information accompanies the application. Surface water management 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.

37. Water Discharge

No discharge of water from the development shall be permitted except treated surface water from the outfall to Englefield Lagoon.

Reason: To protect sensitive receptors in line with paragraph 174 of the National Planning Policy framework so they will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

38. Pollution Prevention Plan and Maintenance Schedule

No development approved by this planning permission shall be commenced until a pollution prevention plan and maintenance schedule for the septic tank has been submitted and approved in writing by the planning authority. The approved details shall then be fully implemented in accordance with the approved details throughout the lifetime of the development.

Reason: The Thames River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact could cause deterioration of a quality element to a lower status class and cause deterioration of a drinking water protected area, in this case the Kennet and Holy Brook water body, because it would result in the release of untreated effluent. This condition is imposed in accordance with the National Planning Policy Framework, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary as insufficient detailed information detailed information accompanies the application.

39. Landscaping (including hard surfaces)

No development shall take place (including site clearance and any other preparatory works) until full details of both hard and soft landscape works (including those works in the field adjacent to the western boundary of the site as identified on Mitigation Plan, ref ENZ-01-xx-DR-L-00-021 (Figure 8.21), rev P04, dated June 2022) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the treatment of hard surfacing and materials to be used, a schedule of plants (noting species, plant sizes and proposed numbers/densities), an implementation programme, and details of written specifications including cultivation and other operations involving tree, shrub and grass establishment. The scheme shall ensure:

- a) Completion of the approved landscaping within the first planting season following the completion of the development; and Page 176

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

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

Thereafter the approved scheme shall be implemented in full.

Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 and Policy 18 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; landscaping 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.

40. Tree Protection (Scheme Submitted)

Tree Protection (Scheme Submitted)

All Tree Protective Fencing shall be erected in accordance with the submitted plans, reference drawing numbers 1144-010-ENZ-XX-01-DR-AR-45-001 Rev PL02 and 1144-010-ENZ-XX-01-DR-AR-45-002 Rev PL02, by Enzygo Environmental Consultants (Revised Jun 22).

The protective fencing shall be implemented and retained intact for the duration of the development.

Within the fenced area(s), there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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, Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006 – 2026 and Policy 18 of the West Berkshire Minerals and Waste Local Plan.

41. Arboricultural Supervision

No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the NPPF, Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026 and Policy 18 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site supervision 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.

42. Landscape and Ecological Management Plan (LEMP)

No development shall take place until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- a) Description and location of all ecological enhancements (including a minimum of 20 bird nesting opportunities, 3 reptile hibernacula and 5 bat roosting opportunities to cover habitat loss and disturbance during the construction phase).
- b) Habitat and enhancement installation/planting (including species list)
- c) Ongoing management prescriptions to cover the biodiversity net gain period
- d) Detailed design of the pond and surrounding habitats to demonstrate how the pond has been designed to enhance biodiversity; and
- e) Details of how the Local Wildlife Site will be protected from any adverse impacts resulting from the operation of the site.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

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

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

Reason: To ensure biodiversity protection and enhancement measures are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework, Policy CS17 of the West Berkshire Core Strategy 2006-2026 and Policies 18 and 20 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is required because insufficient detail has been included within the application and the LEMP may need to be implemented during the construction phase.

43. Construction Environmental Management Plan (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; and
- i) Details of how the Local Wildlife Site and its associated species will be protected during the construction phase.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

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

Reason: To ensure biodiversity is protected during the construction phase of development. This condition is applied in accordance with the National Planning Policy Framework, Policy CS17 of the West Berkshire Core Strategy 2006-2026, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006 and Policy 20 of the West Berkshire Minerals and Waste Local Plan. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.

44. Lighting Strategy for Biodiversity

Prior to occupation of any buildings, a “lighting design strategy for biodiversity” 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 wildlife 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;
- b) show how and where external lighting will be installed (through 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; and
- c) ensure boundary habitats are not subject to increased levels of artificial light.

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: Certain wildlife is 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, Policy CS17 of the West Berkshire Core Strategy 2006-2026, Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998–2006 and Policy 20 of the West Berkshire Minerals and Waste Local Plan.

45. Relevancy of Ecological Reports

Each Ecological Report (with regard to the aspect that it covers) shall only be valid for a period up to 3 years from the date it is written, with the exception of any aspects relating to bats, which shall be valid only for 12 months.

Reason: To ensure the ecological information presented is a representative basis for decision making and to determine compliance with relevant NPPF, and Local Plan policies.

46. BREEAM

The assessable elements of the ERC and Data Centre shall achieve Very Good under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). The buildings shall not be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

sustainable building which replaces that scheme) rating of Very Good has been achieved and a copy has been provided to the Local Planning Authority.

Reason: To ensure the development contributes to sustainable construction. This condition is imposed 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.

47. Schedule of Materials

No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the buildings hereby permitted, has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning Policy Framework, Policy WLP30 of the Waste Local Plan for Berkshire 1998-2006 and Policy CS14 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition it necessary as insufficient information has been included with the application, and the building materials will need be determined prior to construction.

48. Emergency Planning

No development shall take place until a comprehensive Emergency Plan has been submitted to and approved in writing by the Local Planning Authority in relation to the construction phase of the development.

Reason: The application site is within the Middle Consultation Zone of AWE Burghfield. To this end a robust emergency plan should be in place in order to ensure protect the health and safety of those working and visiting the site. This condition is imposed in accordance with Policy CS8 of the West Berkshire Core Strategy 2006 – 2026. A pre-commencement condition is necessary because no Emergency Plan has been submitted regarding the construction phase of the development and so it is necessary to approve these details before any development takes place.

49. No development shall take place until an outline Emergency Plan has been submitted to and approved in writing by the Local Planning Authority. This outline emergency plan should be in sufficient detail to provide assurance that an effective plan will be put in place, normally this means that only the final contact details and names are not completed.

Reason: The application site is within the Middle Consultation Zone of AWE Burghfield. To this end a robust emergency plan should be in place in order to ensure protect the health and safety of those working and visiting the site. This condition is imposed in accordance with Policy CS8 of the West Berkshire Core Strategy (2006 – 2026). A pre-commencement condition is necessary because no Emergency Plan has been submitted regarding the development and so it is necessary to approve these details before any development takes place.

50. No occupation of the buildings, shall take place until a comprehensive Emergency Plan has been submitted to and approved in writing by the Local Planning Authority.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Reason: The application site is within the Middle Consultation Zone of AWE Burghfield. To this end a robust emergency plan should be in place in order to ensure protect the health and safety of those working and visiting the site. This condition is imposed in accordance with Policy CS8 of the West Berkshire Core Strategy 2006 – 2026.

51. The Emergency Plan must be implemented in full and shall be kept up-to-date by the site operator, thereafter, being reviewed and amended as necessary and at least annually. The Local Planning Authority may at any time require the amendment of either/both plan(s) by giving notice pursuant to this condition. The Local Planning Authority may at any time require a copy of the then current Emergency Plan for the site which shall be submitted to the Local Planning Authority within 1 month of notice being given.

Reason: The application site is within the Middle Consultation Zone of AWE Burghfield. To this end a robust emergency plan should be in place in order to ensure protect the health and safety of those working and visiting the site. This condition is imposed in accordance with Policy CS8 of the

52. Water Provision

Development shall not commence until details for the provision of a water supply including fire hydrants to meet firefighting needs throughout the development (including the installation arrangements and the timing of such an installation) have been submitted to, and approved in writing, by the Local Planning Authority. The approved measures shall be implemented in full accordance with the agreed details.

Reason: To ensure that adequate measures for firefighting can be incorporated into the development, including the construction phase. This condition is imposed in accordance with Policy WLP27 of the Waste Local Plan for Berkshire 1998-2006. A pre-commencement condition is necessary because insufficient information has been included within the application, and arrangements for fire-fighting may be necessary during the construction phase.

53. No development shall be occupied until confirmation has been provided that either:

- All water network upgrades required to accommodate the additional flows to serve the development have been completed; or
- A development and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. This condition is imposed in accordance with Policy WLP27 of the Waste Local Plan for Berkshire 1998-2006.

54. Local Liaison Group

The ERC shall not be brought into use until a local liaison panel for the Energy Recovery Centre has been established in accordance with details to be submitted to and approved in writing by the waste planning authority. The details shall include terms of reference

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

and frequency of meetings of the panel. The panel shall meet in accordance with the approved details.

Reason: In the interests of the local amenity of the area. This condition is imposed in accordance Policies WLP27 and WLP30 of the Waste Local Plan for Berkshire 1998-2006, Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy 26 of the West Berkshire Minerals and Waste Local Plan.

55. Decommissioning

If for any reason other than for extended maintenance or repair, the ERC and/or Data Centre cease to be used for a period of more than 36 months, a scheme for the demolition and removal of the buildings and related infrastructure (which shall include all buildings, structures, plant, equipment, areas of hardstanding and access roads) shall be submitted for approval in writing to the Council. Such a scheme shall include:

- (i) details of all structures and buildings which are to be demolished;
- (ii) details of the means of removal of materials resulting from the demolition and methods for the control of dust and noise ;
- (iii) timing and phasing of the demolition and removal;
- (iv) details of the restoration works; and
- (v) the phasing of restoration works.

The demolition and removal of the building and the related infrastructure and subsequent restoration of the site shall thereafter be implemented in accordance with the approved scheme.

Reason: To ensure a satisfactory restoration of the site upon the facility coming to the end of its operational life. This condition is imposed in compliance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006 – 2026 and Policy WLP31 of the Waste Local Plan for Berkshire 1998.

56. Prior to the decommissioning of the Energy Recovery Centre, a scheme and timetable for the decommissioning of the building and plant and decontamination and restoration of the land shall be submitted to and approved in writing by the Local Planning Authority. The decommissioning of the plant shall be carried out in complete accordance with the details approved in accordance with the timetable set out in the approved scheme.

Reason: To ensure a satisfactory restoration of the site upon the facility coming to the end of its operational life. This condition is imposed in compliance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006 – 2026 and Policy WLP31 of the Waste Local Plan for Berkshire 1998.

Informatives

1. Compliance with Conditions

Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

2. Pre-Conditions

Conditions nos. 6, 27, 29, 36, 38, 39, 41, 42, 43, 47 & 52 impose requirements which must be met prior to commencement of the development. Failure to observe these requirements could result in the Council taking enforcement action, or may invalidate the planning permission and render the whole of the development unlawful. Page 182
West Berkshire Council Eastern Area Planning Committee 24th August 2022

3. Compliance with Approved Drawings

Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.

4. Water Utilities

The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. The necessary processes will need to be followed if work is to be carried out above or near Thames Water pipes or other structures. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

5. Building Regulations

In the event that planning permission is granted for the proposed development, the development will need to be designed and built in accordance with the functional requirements of current Building Regulation requirements. The Fire Authority seeks to raise the profile of these requirements and requests that the relevant documentation is made available to the applicant and/or planning agent by means of web link: <https://www.gov.uk/government/publications/fire-safety-approved-document-b>
Full assessment of the proposed development in respect of 'Building Control' matters will be undertaken during the formal statutory Building Regulations consultation.

6. Gas Utilities

Your attention is drawn to the response by Southern Gas Networks, that there is a high pressure pipeline in the vicinity of your works. Your proposals would require the exact location of this pipeline and other SGN assets to be located before any work commences, either by electronic detection or by hand excavated trial holes as specified in the attached SW/2 document. These works must be supervised by an SGN representative, please contact Daniel Midwinter on 07411348949 / daniel.midwinter@sgn.co.uk to arrange a pre-works site visit and any future supervision.

7. Consultation

Reading Borough request being formally consulted on any future approval of details applications or legal agreement obligations (as appropriate) in respect of the following matters:

- Proposed haulage routes / traffic generation related matters Page 183

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

West Berkshire Council Eastern Area Planning Committee 24th August 2022

- Bus route measures / improvements
- Control of pollution measures
- Air Quality assessments

8. Decision Making

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

9. Environmental Impact Assessment

This decision has been made taking into account the relevant environmental information, as defined by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

(3) Application No. and Parish: 22/01541/TELE56, Purley-on-Thames

(In accordance with the Council's Constitution paragraph 7.13.5, the Chairman proposed a no notice motion to continue the meeting beyond 10.00pm on the basis that the business of the meeting be concluded by 10.30pm. This was seconded by Councillor Keith Woodhams and agreed by the Committee.)

The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 22/01541/TELE56 in respect of an application to determine if prior approval was required for a proposed 15m monopole tower to support antenna, associated radio-equipment housing and ancillary development thereto.

Ms Gemma Kirk (Senior Planning Officer) introduced the item which took into account all the relevant policy considerations and other material planning considerations.

In accordance with the Council's Constitution, Councillor George Nyamie, Purley on Thames Parish Council representative, Ms Cathy Walls and Mr Richard Farrow, objectors, and Councillor Rick Jones, Ward Member addressed the Committee on this application.

Parish Council Representation:

Councillor Nyamie in addressing the Committee raised the following points:

- That there was a better location for the site 200 metres down the road.

Members Questions for the Parish Council:

The Chairman asked what Councillor Nyamie believed was wrong with the proposed location and Councillor Nyamie stated that the preferred location was a dead space and remote, which would be favourable to residents.

Councillor Linden pondered whether the site referenced by Councillor Nyamie was near the Knowsley Road area, of which Councillor Nyamie confirmed and noted that it was a considered site.

Objectors Representations:

Ms Walls in addressing the Committee raised the following points:

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

- There was no real justification for the proposed location of the mast and that ease of access and cost were not viable reasons for permitting planning.
- The applicant (Dalcour Maclaren) described the mast as visually intrusive and this conflicted with planning policy.
- That the mast could be a potential distraction to drivers.
- There was already an existing mast at this location.
- There was no evidence that anyone had visited or given proper consideration to the site location.
- The tree line did not obscure the visual impact of the mast.
- Dalcour Maclaren had not consulted with local residents and schools despite their claims.
- Reading Borough Council had also turned down a similar application by Dalcour Maclaren for visual reasons.

Members Questions for Objectors:

For the benefit of those Members who were unable to attend the site visit, the Chairman clarified the distance between Ms Walls house and the proposed site as being of a similar distance as between the Chairman's seat and the speakers' lectern.

Ward Members Representations:

Councillor Jones in addressing the Committee raised the following points:

- The authority could only provide approval on appearance and location and could not recommend potential alternative locations.
- Councillor Jones supported the objections of the residents.
- The application could affect the green corridor.
- The site could be a road safety hazard by obscuring sight lines.
- The site was too close to residential houses and the developers seemed to have exaggerated the height of the tree screen.
- There was another potential site that could overcome residents' concerns.

Members Questions for Ward Members:

Members had no questions for the Ward Member.

Members Questions for Officers:

Councillor Law wanted clarification over whether the Committee could turn down the application on the basis that there were better sites that had not been properly assessed and that there were concerns over the mast boxes blocking the sight lines of drivers. Ms Kirk clarified that the boxes would be situated near the kerb of the road and Mr Dray stated that developers did offer alternatives and that it had been concluded there would be no harm to the location, as a result they did not need to consider other sites as the chosen one was considered acceptable.

The Committee could only consider alternative sites if they thought there would be considerable harm caused to the area by development. Councillor Law asked whether an obstruction to sight lines would be considered harmful and Mr Dray confirmed that the Committee could not turn down an application because they believed there would be a better location.

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

Mr Dowding explained that there needed to be a clearance from the roadside of 450mm, however in regards to visibility he was unsure about how the cabinets obscured driver's sight lines, although the pole itself would not be an issue.

Councillor Linden was concerned about the overgrowth on the road and road sign in the area. Mr Dowding said he would pass on the issue with regards to foliage.

Councillor Macro wondered why there was no response from the Tree Officer, to which Ms Kirk noted that the trees were considered a sufficient enough distance away and the trees themselves were not covered by a Tree Preservation Order, or within a Conservation Area.

Debate

Councillor Macro was concerned regarding the effect the boxes had on sight lines, as well as the visual impact they would have on the houses, as a result Councillor Macro proposed refusal on those grounds and Councillor Law seconded the proposal.

The Chairman noted that even though it was a 30mph zone, the boxes would definitely obscure sight lines.

Councillor Mayes believed that the bend was too steep to the left and would obscure the view of the drivers and that even if they were under the trees that would lead to issues with the tree roots.

Mr Dray asked whether Councillors Macro and Law meant that the mast was too close to houses in regards to a character appearance point of view or residential amenity and both Councillors answered that both were viable considerations.

The Chairman invited Members of the Committee to vote on the proposal made by Councillor Macro, seconded by Councillor Law, to refuse planning permission. At the vote the motion was carried.

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

Reasons

1) Oxford Road (A329) forms part of a green corridor which are sought to be protected and enhance under Policy CS18 of the Core Strategy. The verdant grass verge in which the proposed telecommunications development is proposed contributes to this green corridor. Behind the proposed development are trees and hedges that make a strong contribution to the green character of the area and street scene. This character also has a positive contribution for the residential dwellings to the west/south-west (Clairmore Gardens). Policies CS14 and CS19 of the Core Strategy seek high quality development that must respect and enhance the character of the area with particular regard to ensuring that new development is appropriate in terms of location, scale and design in the existing settlement form, pattern and character.

The proposed 15 metre monopole and cabinets are in a prominent position on the grass verge (close to the kerb) and due to the incongruous appearance would be intrusive in the street scene. The intrusion would not be sympathetic or well camouflaged and therefore harmful to the 'green' character of the area and its positive contribution to the residential properties at Clairmore Gardens. It is considered that the scheme would neither protect nor enhance the green corridor.

Both the siting and appearance of the telecommunications development are considered to be materially harmful to the green corridor and the positive contribution this has to the character of the area. The proposed development is therefore contrary to Policies CS14,

EASTERN AREA PLANNING COMMITTEE - 24 AUGUST 2022 - MINUTES

CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and paragraph 115 in the National Planning Policy Framework (2021).

2) The grass verge in which the proposed telecommunications development will be sited is adjoined to the west by the residential dwellings at Clairmore Gardens. The residential dwellings 3 Clairmore Gardens and 4 Clairmore Gardens adjoin the grass verge where the proposed telecommunications mast would be sited. Policy CS14 of the Core Strategy advises that development should make a positive contribution to the quality of life in West Berkshire.

Due to the proximity and height of the telecommunications development it is considered that there would be a harmful overbearing impact on these properties. This impact would impact on both residential gardens and dwellings of those identified to be adjacent to the development.

Both the siting and appearance of the telecommunications development are considered to be materially harmful to the amenity of residents. The proposed development is therefore contrary to the Policy CS14 of the West Berkshire Core Strategy (2006-2026) and the National Planning Policy Framework (2021).and the positive contribution this has to the character of the area. The proposed development is therefore contrary to Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and paragraph 115 in the National Planning Policy Framework (2021).

3) Policy CS13 of the Core Strategy advises that road safety is a key consideration for all development. The proposed radio equipment housing is positioned in close proximity to the A329 carriageway. The siting of the development is on a bend on the A329 and it is considered that the development, in particular the radio equipment housing, would interfere with the forward visibility splays. It is therefore considered that the siting would result in a hazard to highway users and is contrary to Policy CS13 of the West Berkshire Core Strategy (2006-2026) and the National Planning Policy Framework (2021).

(The meeting commenced at 6.30 pm and closed at 10.17 pm)

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	21/03260/COMIND Sulhamstead	29 th April 2022 (extension of time agreed until 16 th September 2022)	Change of use of agricultural land to equestrian and erection of stable block/yard, menage and creation of associated access. Retention of 4 No. temporary field shelters and mobile stable unit on skids. Land North and West Of Glebe End Accessed by Shortheath Lane, Sulhamstead, Reading Mrs Amanda Cottingham

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/03260/COMIND>

Recommendation Summary: To delegate to the Service Director of Development & Regulation to GRANT PLANNING PERIMSSION subject to conditions.

Ward Member: Councillor Ross Mackinnon

Reason for Committee Determination: 12 objections were received

Committee Site Visit: 7th September 2022

Contact Officer Details

Name: Sissi Yang
Job Title: Senior Planning Officer
Tel No: 01635 513979
Email: Sissi.Yang1@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for the change of use of agricultural land to equestrian and the erection of stable block/yard, menage and creation of associated access. It also seeks permission for the retention of 4 no. temporary field shelters and a mobile stable unit on skids.
- 1.2 The application site is located within the East Kennet Valley, on the southern side of Shortheath Lane, to the west of Burghfield Common. The site comprises of agricultural land. There are residential properties to its west and east sides.

2. Planning History

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

Application	Proposal	Decision / Date
14/02929/SCREEN	EIA Screening Request for Proposed Solar PV Farm on Land at Shortheath Lane	Not required. 29.01.2015
03/02715/TELE56	Application relating to land to the south-west of Holly Tree House - Proposed installation of 6 antennas and 4 dishes onto an existing pylon plus a ground level fenced compound enclosing an equipment cabin, and ancillary development thereto	No objection 03.02.2004
97/51638/FUL	Change of use from agricultural land to private grazing for horses (kept for recreational/leisure purposes)	Approved 28.11.1997
92/42081/ADD	9 hole pay as you play" golf course with building approx 45' x 21' for changing and office use/bowling green."	Refused 11.02.1993
86/27529/ADD	Dwelling house garage	Refused 27.11.1986

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 at site on 23.02.2022 for 21 days. The expiry of these site notice was on 16.03.2022. A further site notice was displayed at site on 01.04.2022 for amended plans for 21 days. The expiry of these site notice was on 22.04.2022.

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.

Highway Authority:	<p><u>Access</u></p> <p>The existing access onto Shortheath Lane is proposed to be utilised.</p> <p>This application will result in regular, daily vehicle movements to and from the site and so it must be ensured that a safe access is provided.</p> <p>Please could I request an access plan is submitted detailing achievable visibility splays at a 2.4 metre set-back, provided to the nearside carriageway edge in both directions. The road in this location is subject to a 60 mph speed limit. In accordance with Design Manual for Roads and Bridges (DMRB) visibility splays of 2.4 metres x 215 metres should be provided unless actual vehicle speeds are below this (normally demonstrated through a 7-day speed survey). Details of what is achievable from the access must therefore be confirmed.</p> <p>Are alterations to the access surfacing or provision of gates proposed? Details of both of these should also be shown on the plans.</p> <p><u>Vehicle movements</u></p> <p>I would request details of the anticipated daily and weekly vehicle movements are submitted. This should include the type of vehicle and the frequency of movement of each vehicle. Will any staff will be employed? If so, how many? Are there any existing vehicle movements generated from this access?</p> <p><u>Parking and turning</u></p> <p>Whilst the site is obviously sufficiently large enough to easily accommodate the required parking and turning, details of the area to be available for this should be detailed on the plans. This should also include a turning area for any delivery vehicles that will need to access the site. What will the surfacing of this be?</p> <p>The applicant submitted amended information and the Highway Officer raised no objection.</p>
Tree Officer:	<p>TPO – 875</p> <p>Objected to the submitted parking area shown on the block plan. It should be set 5m further south of the hedge with Shortheath Lane. This will avoid damaging the Root Protection Area of the</p>

	<p>hedge trees and help ensure their future retention and screening value.</p> <p>The applicant submitted amended information and Tree Officer raised no objection subject to informatives:</p> <ul style="list-style-type: none"> • To ensure that the trees/hedges which are to be retained are protected from damage, ensure that all works occur in a direction away from the trees. • In addition that no materials are stored within close proximity i.e. underneath the canopy of trees/hedges to be retained. • Ensure that all mixing of materials that could be harmful to tree/hedge roots is done well away from trees/hedges (outside the canopy drip line) and downhill of the trees if on a slope, to avoid contamination of the soil. • To ensure the above, erect chestnut pale fencing on a scaffold framework at least out to the canopy extent to preserve rooting areas from compaction, chemicals or other unnatural substances washing into the soil. • If this is not possible due to working room / access requirements The ground under the trees'/hedge canopies on the side of construction / access should be covered by 7.5cm of woodchip or a compressible material such as sharp sand, and covered with plywood sheets / scaffold boards to prevent compaction of the soil and roots. This could be underlain by a non permeable membrane to prevent lime based products / chemicals entering the soil. • If there are any existing roots in situ and the excavation is not to be immediately filled in, then they should be covered by loose soil or dry Hessian sacking to prevent desiccation or frost damage. If required, the minimum amount of root could be cut back using a sharp knife. • If lime based products are to be used for strip foundations then any roots found should be protected by a non permeable membrane prior to the laying of concrete.
Sulhamstead Parish Council:	No objection. Although the Parish Council have no objections, they wish to highlight that it is the intention of the applicants to install a water supply and an electrical supply, which doesn't appear to be included in the application.
Burghfield Parish Council:	No objection.
Ufton Nervet Parish Council:	No objections. The Parish Council questions if stabling for 16 horses is a business venture not just for personal use. There are also concerns that for security reasons there will be a requirement for residential accommodation.

Archaeology Officer:	We do hold information on the HER of archaeological cropmarks, possibly representing an area of medieval settlement, within the northern part of this land parcel. If present, they would appear to be close to where the proposed yard and menage would be constructed. However it also appears from historic mapping and our own records that this is an area of inactive mineral working (and presumably restored land). I would be grateful if some confirmation of this land-use could be provided. If this is the case, then clearly any below ground archaeological remains are likely to have been removed already - though oddly Historic England suggest the cropmarks were present in a 1994 aerial photo. I cannot see anything in more recent aerial images.
Planning Policy:	No comments received
Lead Local Flood Authority:	No comments received
Environmental Health:	No comments received
Ecology Officer:	<p>We are content that the applicants ecologist addresses our concerns in principle and that the following condition parameters can be applied:</p> <p>Condition parameters</p> <ol style="list-style-type: none"> 1. Biodiversity enhancements and mitigation measures plan: Including boundary treatments and species and habitat enhancements and Landscaping drawing(s) with a planting list and methods and timings to be used and a tree protection and retention plan as a pre commencement condition The Biodiversity enhancements and mitigation measures should clearly link up with the protected species and tree protection measures, isolux lighting plan and SuDS design and maintenance plan, being informed by the submitted and up to date at the time documents. The plans detail's/submission are to be subject to scrutiny by the LPA. This includes the environmental enhancement measures in submitted Ecology reports and the highlight text below in this email. 2. Construction method statement. Adherence to the protected species and tree protection measures and where materials storage areas are to be placed as a pre commencement condition, the plans details/submission are to be subject to scrutiny by the LPA. This includes the environmental safeguarding measures/RAMS in the submitted Ecology report. Have the materials storage areas been identified yet, if not then include in the construction method statement. 3. Lighting: A condition that requires the submission of an isolux lighting plan showing the predicted levels of lighting before external lighting can be installed, effectively removing PD rights for external lighting. Plans

	<p>details/submission are to be subject to scrutiny by the LPA.</p> <p>4. Ecology report validity: A condition stating that each ecological report (with regard to the aspect that it covers) is only valid for 3 years (for bat aspects of the report these will need updating after 12 months) from when it is written, this includes relevancy as to how these documents inform other necessary related submissions, the reports details/submission is subject to scrutiny by the LPA.</p>
--	---

Public representations

4.2 Representations have been received from 21 contributors, 13 of which object to the proposal and 8 of which support 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:

- Impact on traffic, highway and parking
- Noise and light pollution
- Change nature of area
- Impact on trees
- Work has been started on site
- Impact on wildlife
- Impact on character of the area
- Water and electricity supply
- Waste management
- Staff employment

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, CS1, CS5, CS10, CS12, CS13, CS14, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies TRANS1, OVS.5, OVS.6, ENV.29 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)
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
- Drainage and flooding
- Trees and ecology

Principle of development

6.2 According to Policy ADPP1, most development will be within or adjacent to the settlements in the hierarchy, and related to their transport accessibility and level of services. The urban areas will be the focus for most development. The scale and density of development will be related to the site's accessibility, character and surroundings. Only appropriate limited development in the countryside (outside of the defined settlement boundaries) will be allowed, focused on addressing identified needs and maintaining a strong rural economy.

6.3 The application site is located within the East Kennet Valley, the name given to the rural south-east of the district that lies east of Thatcham and outside of the AONB. The East Kennet Valley is also characterised by a number of villages along the route of the canal/river and others dispersed across farmland and some woodland. Policy ADPP6 is the spatial strategy for the East Kennet Valley. According to the policy, the character of all the settlements in this area will be conserved and enhanced by ensuring that any development responds positively to the local context. Development in the open countryside will be strictly controlled.

6.4 According to Policy CS12, proposals for equestrian related development that provides diversification opportunities for farmers, helps to strengthen the rural economy, and increases opportunities for people to enjoy the countryside in a sustainable way, will be supported.

6.5 According to Policy ENV.29, the Council will permit the erection of stabling and field shelters for horses, including the use of associated land for horse grazing, where:

- (a) the proposed buildings have been designed to blend in with the rural surroundings; and
- (b) the scale and location of such buildings and their use would not cause a material loss of amenity for the occupants of adjoining properties or other users of the countryside; and
- (c) there is sufficient space provided for the ancillary storage of food stuffs, bedding, tack and related equipment on a scale appropriate to the number of horses being accommodated; and
- (d) there is sufficient land being provided with the field shelter and / or stable to accommodate the number of horses; and
- (e) the access to and from the public highway is in a location and form which would prevent any hazard to riders and other users of the highway.

- 6.6 Notwithstanding the above factors such buildings will be unacceptable if they appear to urbanise an attractive rural area or spoil a key view or vista.
- 6.7 Taking together the above policies are generally supportive of equestrian uses within rural areas across the district, and where appropriately located and designed such uses and development are considered appropriate limited development in terms of Policy ADPP1. Criteria (a), (b) and (e) are considered in the remainder of this report, and the proposal is considered to comply.
- 6.8 With respect to criteria (c) and (d), it is considered that there is sufficient space for ancillary storage with 16 stables, and that there is sufficient land associated with the stabling. There will be also 4 mobile field shelters on site. Overall it is considered that the proposal comply with criteria (c) and (d).
- 6.9 The proposed use of the land is equestrian, but it has been stated by the applicant that it is for private recreational purposes, rather than any commercial venture. As such, a condition is recommended accordingly.
- 6.10 The principle of development is therefore accepted.

Character and appearance

- 6.11 As outlined in the principle of development policy ADPP1 includes consideration of character and surroundings.
- 6.12 According to Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Good design relates not only to the appearance of a development, but the way in which it functions. 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. Development shall contribute positively to local distinctiveness and sense of place.
- 6.13 Policy CS19 relates to landscape character. It states that particular regard be given to the sensitivity of the area to change and that development be appropriate in location, scale and design in the context of the existing settlement form, pattern and character.
- 6.14 The proposed permanent stable and menage would be located at western side of the site. The proposed stable would be 18m x 32m with height to eaves at 2.2m and to ridge at 3m. The stable would have a pitched roof with rooflights with timber claddings and framing. The proposed menage would be 40m x 60m. There will be new access from Shortheath Lane at northwest of the site with area covered in tarmac plantings. There are 1 mobile stable and 4 mobile field shelters on site which would be moved to 4 different locations in summer and winter. The scale and massing would be modest and the materials are timber which is considered appropriate.
- 6.15 Overall the proposal would be modest in terms of height, scale and massing and appropriate in terms of location and design. The materials would be appropriate. In the context of the wider site it is considered that the overall landscape character would be sufficiently protected and not result in a significant loss of landscape features. Overall it is considered that the proposal complies with policies ADPP1, ENV.27 and CS19.

Neighbouring amenity

- 6.16 According to Policy CS14, new development must demonstrate high quality and sustainable design that makes a positive contribution to the quality of life in West Berkshire. Paragraph 127 of the NPPF states planning decisions should ensure that

developments create places with a high standard of amenity for existing and future users.

- 6.17 Consequently, all development should be designed in a way to avoid any unacceptable harm to neighbouring living conditions. Applications will typically be assessed in terms of any significant loss of light, overlooking of neighbouring buildings or land, and whether the proposal would result in any undue sense of enclosure, overbearing impact, or harmful loss of outlook to neighbouring properties.
- 6.18 The proposed elements would have sufficient distance from the residential properties to its west, south and north. The scale and massing of the proposed elements are considered modest. Therefore it would not give rise to amenity issues, such as loss of privacy, overlooking, over shadowing or loss of natural light.
- 6.19 Objections have been raised in regards to noise. Given the scale and location of the proposal, it is considered it will not give raise to unaccepted noise levels which would be materially harmful to neighbouring amenity.
- 6.20 Two of the mobile shelters would be moved close to adjoining properties at eastern side during 'winter 2' time. Given the scale and massing of the structure and the fact the location is temporary, it is not considered to cause significant amenity impact to warrant refusal to the application.
- 6.21 During the committee site visit, concern was raised regarding the storage of manure, and a condition for details has been recommended accordingly.
- 6.22 Taking the above matters into account, it is considered the proposal will not have a materially harmful impact on neighbouring amenity. The proposal is considered comply with policy CS14 of the West Berkshire Core Strategy 2006-2026 and OVS5 of the West Berkshire Local Plan Saved Policies 2007.

Highways

- 6.23 Policy CS13 of the Core Strategy concerns transport. It emphasises that road safety in West Berkshire is a key consideration for all development. Particular focus should be given to the safety of pedestrians, cyclists, and other vulnerable road users.
- 6.24 The Council's Highway Officer requested information for access plan with visibility splays, parking and turning details. The applicant submitted the information and Highway Officer raised no objection.
- 6.25 Given the proposed location and scale of the proposal, it is considered the proposal will not have a material impact on highways. It is considered the proposal is compliant with CS13 of West Berkshire Core Strategy (2006-2026), and TRANS.1 West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Drainage and flooding

- 6.26 The site is not located within Flood Zone 2 and 3, which indicates the lowest risk of fluvial flooding. It is not located within any critical drainage area identified by the Strategic Flood Risk Assessment for the district. The proposal is therefore considered not to have unacceptable impact on drainage.
- 6.27 Notwithstanding the absence of any flood risk objections, Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS) in accordance with best practice and the proposed national standards and to provide attenuation to greenfield

run-off rates and volumes, for all new development and re-development and provide other benefits where possible such as water quality, biodiversity and amenity. The Council has adopted a Sustainable Drainage SPD which supports this policy, and provides examples of measures that can be incorporated into even minor developments.

6.28 Conditions will be attached to decision regarding drainage.

Tree and Ecology

6.29 There is a TPO tree on site. The Council's Tree Officer objected to the submitted parking area shown on the block plan and requested it to be set 5m further south of the hedge with Shortheath Lane. This will avoid damaging the Root Protection Area of the hedge trees and help ensure their future retention and screening value. The applicant submitted amended information and Tree Officer raised no objection subject to informatives.

6.30 The Council's Ecologist raised concerns regarding impacts to the hedgerow, improved grassland and general site biodiversity value. The applicant confirmed that:

- A native hedgerow will be planted along the west site boundary measuring 243m in length with a 2m buffer from the new access track.
- As stipulated through the Arboricultural Impact Assessment, a 5m buffer from the hedgerow enclosing the north of the site will be retained thus eliminating potential ecological impacts.
- The field is already grazed, and has been for a prolonged period. The grassland retains a very poor structural and species diversity and its baseline ecological value is limited; this was confirmed through the PEA.
- A grassland buffer will be retained between the grazing boundary and woodland on the east site boundary and will be left to grow long and diversify. This area measures approximately 10m at its widest and 3m at the most narrow sections due to the curved boundary of the woodland and straight boundary fence. This grassland buffer will provide suitable compensation for the improved grassland lost as a result of the access track and will in fact provide a significant ecological enhancement.

6.31 With this additional information, the Council's Ecologist raised no objection subject to conditions.

6.32 Subject to these provisions it is considered that the proposal would comply with Policy CS17.

7. Planning Balance and Conclusion

7.1 In conclusion, an in-depth consideration has been given to a range of planning matters and it is considered that the proposed development is in accordance with the aforementioned policies of the development plan, and is compliant with the National Planning Policy Framework. There are not considered to be any material considerations that justify withholding planning permission. Therefore, it is recommended that this application is approved.

8. Full Recommendation

8.1 To delegate to the Service Director of Development & 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:

- J0045728-21-03 Location Plan received 28.01.2022;
- Block Plan Showing Parking received 22.02.2022;
- Stable Proposed Side Elevations received 28.01.2022;
- Stable Proposed Front/Rear Elevations received 28.01.2022;
- Stable Proposed Internal Side Elevations received 28.01.2022;
- Stable Proposed Internal Front/Rear Elevations received 28.01.2022;
- Proposed Arena Fencing received 28.01.2022;
- Stable Yard Floor Plan received 28.01.2022;
- Menage Proposed Cross Sections 28.01.2022;
- Proposed Arena Surface Details received 28.01.2022
- Mobile Field Shelters received 22.02.2022;
- Twin Stable Elevations received 22.02.2022;
- Mobile Stable received 22.02.2022;
- Field Shelter 1 received 22.02.2022;
- J0045728-21-03 Proposed Mobile Shelters 22.02.2022;
- Information on Proposed Gateway received 22.02.2022
- Plan 8490/201 Site Access & Visibility Splay received 09.03.2022
- Parking Plan with 5m Hedge Root Protection Zone received 31.03.2022

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

3. Construction method statement

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

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

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

4. **Construction Environmental Management Plan**

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

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

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

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.

5. **Tree protection scheme**

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

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the National Planning Policy Framework, and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures may be required to be undertaken throughout the

construction phase and so it is necessary to approve these details before any development takes place.

6. Landscaping

The use hereby permitted shall not commence until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first use of the land for equestrian purposes (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

7. Biodiversity Mitigation and Enhancement Plan

No development shall take place until a Biodiversity Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall include measures to mitigate the impact of the development on existing ecological assets, and deliver biodiversity enhancements. The plan may include (but not necessarily be limited to) using the landscaping scheme to deliver biodiversity enhancements. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the Mitigation and Enhancement Plan will need to be adhered to throughout construction.

8. Lighting strategy (Landscape/Ecology)

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

- (a) Include isolux contour diagram(s) of the proposed lighting.
- (b) Ensure all lighting levels are designed within the limitations of the appropriate lighting zone, as described by the Institute of Lighting Engineers.

No external lighting shall be installed within the application site except in accordance with the above strategy.

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

9. Ecology report valid for 3 years

If the development hereby approved does not commence by 10th February 2025 (3 years from the original ecology survey), a further ecology survey shall be carried out and a report submitted to the Local Planning Authority for approval before any development takes place. Where the survey results indicate that changes have

occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

IMPORTANT: If any protected species are identified in the new surveys that were not previously known to be on site, and are likely to be harmed by the development, then a protected species licence might be required before works can commence. Advice should be sought from Natural England and/or a suitably qualified ecologist.

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

10. Materials

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

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).

11. Hours of work (construction/demolition)

No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:
8:30am to 6:00pm Mondays to Fridays;
9:00am 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.

12. Drainage

The construction of the stables and/or menage shall not commence until a drainage strategy for the development has been submitted to and approved in writing by the Local Planning Authority. The stables and/or menage shall not be brought into use until the drainage measures have been provided in accordance with the approved details.

Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006), Sustainable Drainage SPD (2008).

13. Number of horses

No more than 16 horses shall be stabled on the site at any one time.

Reason: To ensure the scale and intensity of the development is appropriate to its location. This condition is applied in accordance with the National Planning Policy Framework, Policies CS12, CS13 and CS14 of the West Berkshire Core Strategy

(2006-2026), and Policy ENV.29 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

14. **Hay store/tack room use**

The bedding & hay store and tack area(s) as indicated on the plans submitted with the application shall be used solely for these purposes, and shall not be used for the accommodation of horses.

Reason: To ensure the scale and intensity of the development is appropriate to its location, and to ensure adequate facilities are maintained. This condition is applied in accordance with the National Planning Policy Framework, Policies CS12, CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Policy ENV.29 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

15. **Manure storage and disposal**

The development shall not be first brought into use until full details of the method of storage of manure and its removal has been submitted to and approved in writing by the Local Planning Authority. Thereafter the methods of storage of manure shall be implemented in accordance with the approved details.

Reason: To prevent the proliferation of manure which would detract from the quality of the AONB and in the interests of amenity and to avoid any possible water/land contamination. This condition is applied in accordance with the National Planning Policy Framework, Policies CS12 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.5 and ENV.29 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

16. **Private equestrian use only**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or an orders revoking and re-enacting or amending those orders, with or without modification), the application site shall only be used for private recreational equestrian purposes. The site shall not be used for any other equestrian purpose including commercial riding, breeding, training or liveries.

Reason: In the interests of amenity and to ensure an appropriate intensity of use. This condition is applied in accordance with the National Planning Policy Framework, Policies CS12, CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Policy ENV.29 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Informatives

1. **Damage to footways, cycleways and verges**

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

2. **Damage to the carriageway**

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

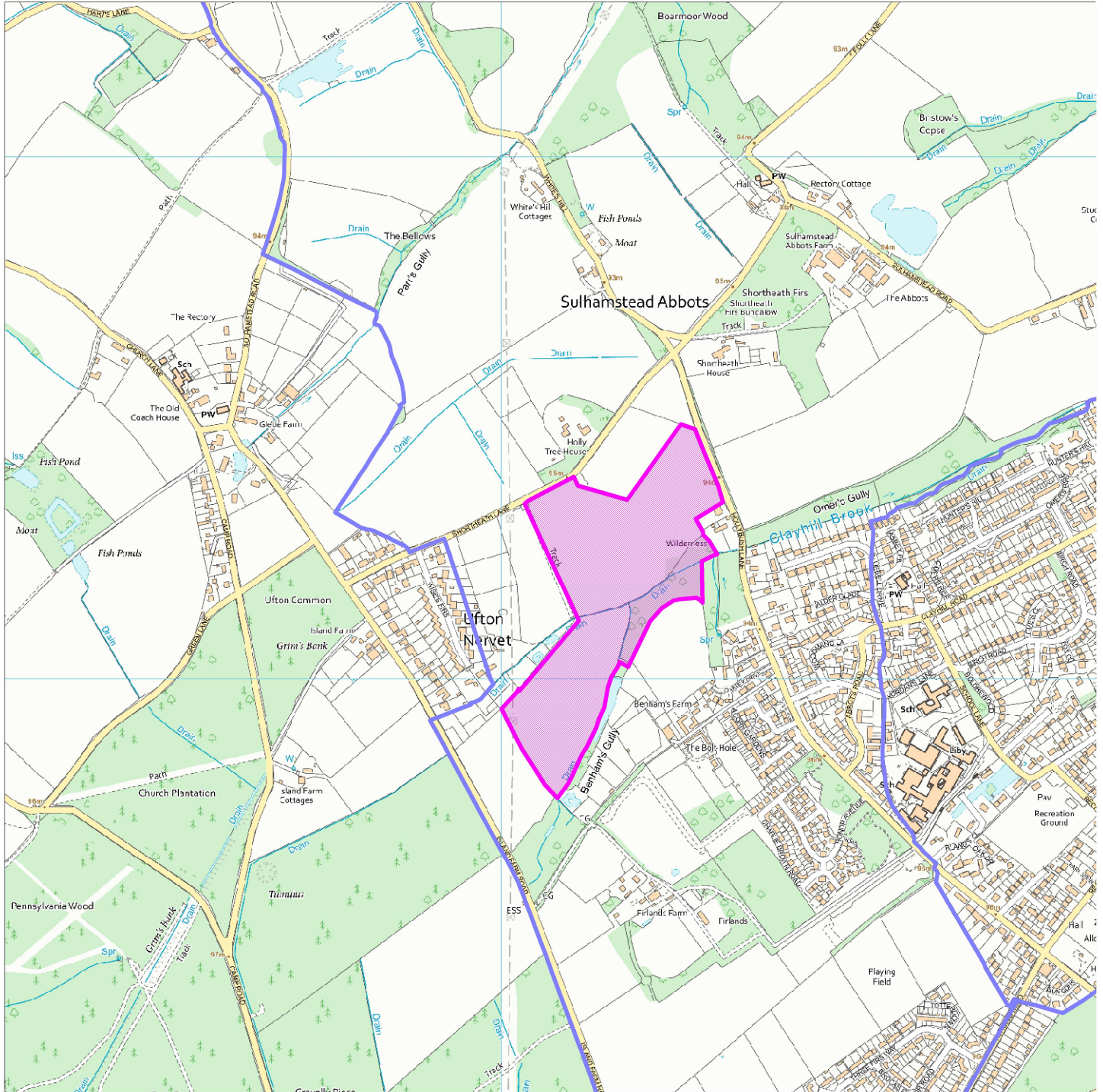
3. **Trees**

- To ensure that the trees/hedges which are to be retained are protected from damage, ensure that all works occur in a direction away from the trees.

- In addition that no materials are stored within close proximity i.e. underneath the canopy of trees/hedges to be retained.
- Ensure that all mixing of materials that could be harmful to tree/hedge roots is done well away from trees/hedges (outside the canopy drip line) and downhill of the trees if on a slope, to avoid contamination of the soil.
- To ensure the above, erect chestnut pale fencing on a scaffold framework at least out to the canopy extent to preserve rooting areas from compaction, chemicals or other unnatural substances washing into the soil.
- If this is not possible due to working room / access requirements The ground under the trees'/hedge canopies on the side of construction / access should be covered by 7.5cm of woodchip or a compressible material such as sharp sand, and covered with plywood sheets / scaffold boards to prevent compaction of the soil and roots. This could be underlain by a non permeable membrane to prevent lime based products / chemicals entering the soil.
- If there are any existing roots in situ and the excavation is not to be immediately filled in, then they should be covered by loose soil or dry Hessian sacking to prevent desiccation or frost damage. If required, the minimum amount of root could be cut back using a sharp knife.
- If lime based products are to be used for strip foundations then any roots found should be protected by a non permeable membrane prior to the laying of concrete.

4. **Proactive statement**

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

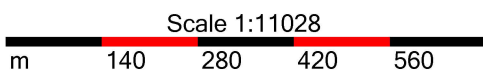


Map Centre Coordinates :

Scale : 1:11027

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

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



Organisation	West Berkshire Council
Department	
Comments	
Date	01 September 2022
SLA Number	0100024151

This page is intentionally left blank

Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	21/02767/FULMAJ Pangbourne	31 st January 2022 ¹	Construction of 13 flats and courtyards with reconfigured car park. Demolition of single storey flat roofed building. 17 Clifton House, Reading Road, Pangbourne PBP Ltd

¹ Extension of time agreed with applicant until 7th October 2022

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/02767/FULMAJ>

Recommendation Summary:	Grant planning permission subject to the completion of a s106 legal agreement
Ward Member:	Councillor Gareth Hurley
Reason for Committee Determination:	Called-in by Cllr Hurley in the interests of the village and concerns in relation to the impact on parking.
Committee Site Visit:	7 th September 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 This application seeks full planning permission for 13 flats on land to the north of Reading Road at Clifton House, Pangbourne. The site is currently largely occupied by car parking for adjacent businesses. The parking is laid out in an ad hoc way and many spaces would not be compliant with current size standards. There are three distinct areas of car parking with separate access points and separated by chain link fences. These are:
- Car park access from the driveway to the east of 17 Reading Road.
 - Car park access from the archway between 3 and 11 Reading Road. This also provides access to:
 - Former physiotherapy car park, previously accessed from the driveway adjacent to 21 Reading Road. That access has now been closed off.
- 1.2 At the north-west corner of the site is a disused single storey flat roofed building that has previously accommodated a physiotherapist. This is to be demolished.
- 1.3 The proposal seeks permission for a detached three and a half storey building with accommodation in the roof. The building is to be sited at the back of the plot directly in front of the existing access off Reading Road which will serve the new development. This will accommodate 13 flats: 8 x 2 bed and 5 x 1 bed. A further 2 bed flat is proposed above a new garage block and cycle store. The new buildings are arranged to create a court yard layout fronting onto an area of landscaped open space. The arrangement of the built form will also help to divide the parking areas which will be softened by new landscaping.
- 1.4 The proposal seeks to reconfigure the parking which will serve the new dwellings and provide for the existing businesses which currently utilise the car parking. The proposals provide 79 parking spaces of which 64 are for business use. The dwellings will be served by 15 parking spaces.
- 1.5 30% of the units will be affordable. This equates to 4 units. These will be shared ownership.

2. Planning History

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

Application	Proposal	Decision / Date
19/02460/FULD	9 flats and reconfigured car park	Approved - 24 th April 2020

3. Procedural Matters

- 3.1 **EIA:** Prior to the submission of this planning application, an application for a screening opinion was submitted in accordance with Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. A screening opinion was issued by the Local Planning Authority on the 9th June 2021.

The proposal falls within schedule 2 of the regulations column 10(b) (urban development projects). The site is located within a sensitive area, namely the North Wessex Downs Area of Outstanding Natural Beauty, but it does not exceed the relevant threshold in column 2 as the site area is less than 0.5 hectares. The proposal is therefore “Schedule 2 development” within the meaning of the Regulations. However, taking into account the selection criteria in Schedule 3, it was not considered that the proposal is likely to have significant effects on the environment. Accordingly, the proposal was not considered “EIA development” within the meaning of the Regulations.

3.2 **Publicity:** The application was advertised by way of a site notice which expired on the 8th December 2021. The notice was displayed to the right of the site entrance. Amended plans have been received during the course of the application and these have been subject to full re-consultation.

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.

Pangbourne Parish Council:	<p>23/11/2021 Objection raised for the following reasons:</p> <ul style="list-style-type: none"> - Additional flats of an inferior design with no lift and insufficient natural ventilation. - Request for sufficient level of affordable housing. - Concern for level for parking and overspill to surrounding roads. - Lack of open space provision and balconies. - Increase traffic movements into and out of the site via a difficult access. - Concern for refuse storage and collection. - Concern the parking under block B could be converted into a residential unit in the future. - Concerns for sustainability. <p>17/06/2022 – amended plans, no objection raised.</p>
-----------------------------------	--

Highway Authority:	Following the receipt of amended plans no objections raised subject to conditions.
Conservation:	No objection to the design or solar panels.
Lead Local Floor Authority:	Following the receipt of amended plans no objections raised subject to a compliance condition.
Ecology:	No objection subject to conditions.
Environmental Health:	No objection subject to conditions.
Housing:	No objections subject to securing 4 affordable dwellings.
Archaeology:	No objection subject to conditions.
Network Rail:	No objection subject to conditions.
Royal Berkshire fire & rescue:	No objection.
Thames Water:	No objection subject to conditions.
Trees:	Following the receipt of amended plans no objections raised subject to conditions.
Waste Management:	Concerns were raised for the location of the bin stores being in excess of 50m from the highway. Amended plans have been received. No further comments have been received from the Waste Team however the bin store areas are within 50m of the Highway.
Transport Policy:	Cycle storage acceptable.

Public representations

4.2 3 letters of objection have been received. The following material planning considerations have been raised:

- The existing flat roof building on the site (former physiotherapy building) forms the rear garden wall of properties 1-3 Pangbourne Place.
- Concern raised for the overlooking of and loss of privacy to the occupiers of numbers 1 – 3 Pangbourne Place.
- Concern for the proximity of the new building to the rear boundary of these properties.
- Concerns for security as a 3.5m high wall is replaced with a 1.8m high close boarded fence.
- Concern is raised for the disruption and potential damage caused to neighbouring gardens when the existing flat roof building is demolished however this is not a

material planning consideration and therefore officers are unable to give this any weight in the decision making process. The works will need to be managed in accordance with other legislation and any need to enter third party land to carry out works will require the landowners permission.

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, CS1, CS4, CS5, CS6, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS5, OVS6, TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- Policies 1 and 2 of the Replacement Minerals Local Plan for Berkshire 2001 (RMLP).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2019-2024
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Pangbourne Village Design Statement (2005)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance and impact on the Conservation Area
- Impact on Amenity of Neighbouring Properties
- Highways
- Trees
- Affordable Housing
- Energy Efficiency
- Ecology
- Drainage
- Network Rail

Principle of development

6.2 The site is located within the defined settlement boundary of Pangbourne within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The southern part of the site is also within the Pangbourne Conservation Area. The site is also within the defined Town Centre Commercial Area.

- 6.3 Policy ADPP1 states that most development will be within or adjacent to the settlements included in the settlement hierarchy. Pangbourne is identified as a Rural Service Centre. Rural Service Centres are recognised as providing a range of services and reasonable public transport provision. Policy ADPP5 of the Core Strategy plans for appropriate and sustained housing growth within the AONB, focused within the Rural Service Centres.
- 6.4 Core Strategy Policy CS1 requires new housing development to be located in accordance with the settlement hierarchy and Area Delivery Plan Policies. New homes will be developed in the first instance on suitable previously developed land within settlement boundaries. This proposal meets with the aims of this policy. In this context, Policy C1 gives a presumption in favour of residential development and redevelopment within the settlement of Pangbourne.
- 6.5 Policy CS4 states that residential development will be expected to contribute to the delivery of an appropriate mix of dwelling types and sizes to meet the housing needs of all sectors of the community. The mix should have regard to the character of the area, accessibility and access to services and evidence of housing need. The proposal seeks permission for 8 x 2 bed and 5 x 1 bed flats. There is an extant permission for 9 two bed flats on the site which is a material consideration. There are a mix of residential properties in the area and the proposal makes efficient use of a site in a sustainable location.
- 6.6 In accordance with the above policies, the principle of development is considered acceptable in this location.

Character and appearance and impact on the Conservation Area

- 6.7 The NPPF is clear that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 6.8 According to Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Good design relates not only to the appearance of a development, but the way in which it functions. 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. Development shall contribute positively to local distinctiveness and sense of place.
- 6.9 Policy CS19 states that 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.
- 6.10 The application site currently comprises a car park which is largely laid to tarmac with intersecting chain line fencing separating the site into smaller parking areas. There are a number of trees within the site as identified on the tree plan. To the north of the site is the railway embankment with the gantry above which is prominent from within the site. All other boundaries back onto existing buildings, to the south and west these are largely commercial premises which occupy the historic frontage of properties which front onto Reading Road. To the east is a residential development, Pangbourne Place, which comprises a mix of flats and houses set back from the road. The site is largely screened by these buildings but is sensitively located in the historic core of Pangbourne and partly within the Conservation Area.

- 6.11 Block A at the northern end of the site comprises the main building and has the benefit of closing off views of the unattractive gantry to the north when viewed from Reading Road and the southern part of the site. When looking at the wider pattern of development there are examples of small clusters of development beyond the principle buildings which front onto Reading Road and as such the location and form of the proposal is in keeping with the character of the area. It is further recognised that the footprint of the built form is reflective of the 9 flats approved under application 19/02460/FULD.
- 6.12 One of the key changes to the building now proposed compared to the extant permission is the height of the building which is now 12.75m to the ridge with accommodation in the roof. The building approved under the extant consent is a maximum of 12.1m high. The design of the building is such that it has been broken down into 1, 2 and 3 storey elements which helps to break up the overall scale. The depth of the building is also shallow which allows for narrower gable ends which reflect the form and scale of the surrounding, mostly historic buildings. Overall it is considered that the proposed buildings have been designed to harmonise with the style and character of the older properties within the conservation area to the south which is enhanced by the use of traditional detailing within the design. The high quality design of the buildings is complementary to the location of the site.
- 6.13 Block B comprises a carport at ground floor level, providing 5 parking spaces with a 2 bedroom flat above. The introduction of this new structure sits comfortably within the site, alongside Howarth Lodge, and creates a courtyard arrangement of buildings. This helps to increase natural surveillance and adds structure to the site breaking up the areas of car parking.
- 6.14 In order to help meet the requirements of Policy CS15, with regards to CO₂ reductions from regulated and unregulated energy use, solar panels are proposed. Amended plans have been received during the course of the application to show the location and number of panels required to achieve the 70.42% reduction identified within the supporting Energy Statement. The proposal seeks to use apportioned photovoltaic panels which sit discreetly within the roof, a visual of which is included within the Energy Statement. The design of the panels proposed are sympathetic and while visible from the front they are not considered to detract from the quality of the design to a harmful degree. The Conservation Officer has raised no objections to the panels and confirmed they are the most sympathetic available.
- 6.15 The proposed landscaping strategy successfully secures the retention of the most significant trees within the site and new planting is proposed to enclose the various parking courts that are created within the site by virtue of the layout of the new built form. The introduction of new trees and hedges reinforces the parking areas which will be further defined by the use of different surface materials such as block paving and tarmac.
- 6.16 The flats themselves are designed to be single aspect and to face south across communal gardens. Concern was raised by the Parish Council for this aspect of the design however it makes the most of the views and helps minimise any noise from the railway line. The windows in the northern elevation are shown to primarily serve corridors within the flats and not habitable rooms.
- 6.17 No objections have been raised by the Conservation Officer. No listed buildings are directly affected by the proposals, nor is there any harm to their setting.
- 6.18 In conclusion the proposals are considered to complement and enhance the character and appearance of the area and will improve the visual appearance of the site and in turn its contribution to the character of the area. The proposal will not result in any harm to the appearance of the conservation area or any listed buildings within the vicinity of

the site. As such the proposal is considered to comply with Policies CS14 and CS19 of the Core Strategy and the guidance within the NPPF with regards to good design.

Impact on Amenity of Neighbouring Properties

- 6.19 Policy CS14 of the Core Strategy seeks to promote high quality and sustainable development that respects and enhances the character and appearance of the area and makes a positive contribution to the quality of life in West Berkshire.
- 6.20 Properties back onto the site along three boundaries with the nearest residential neighbours being numbers 1-3 Pangbourne Place. The rear gardens of these dwellings are defined by the wall of the single storey flat roof building on the site which was formerly a physiotherapists. This building is to be removed and a 1.8m high fence is proposed to form the new boundary. Strong concern has been raised by the occupiers of these neighbouring properties for the impact of the removal of the building and hence their garden wall and its replacement. The concerns relate to security and overlooking and the loss of privacy. Impact on properties prices is not a material planning consideration.
- 6.21 In response to resident's concerns for the proposed fencing the applicant has agreed a willingness to consider alternative types of boundary treatment within this part of the site and a condition has been agreed requiring the submission of details of the new boundary treatment and its construction prior to the occupation of the new dwellings.
- 6.22 With regards to concerns for the proximity of the building to the boundary, the building is set back approximately 2.5m from the site boundary. This part of the building is single storey with an eaves height of 2.9m and a ridge height of 6.3m. A building of this scale is not considered to have an overbearing or loss of light impact.
- 6.23 Accommodation is proposed in the roof of this element of the building with dormer windows facing into the application site. No windows however are proposed in the roof slope facing Pangbourne Place and a condition has been included to remove permitted development rights for new openings. The proposed ground floor level window will face onto the proposed boundary and any overlooking can be mitigated by appropriate boundary treatment.
- 6.24 Other residential properties within Pangbourne Place look onto the proposed car parking. Much of the site is currently used for parking and the proposals are not considered to have an adverse impact. Properties to the south and west comprise commercial buildings, some with flats above. The separation distances with respect to these units are considered to be acceptable and the proposals are not considered to have any adverse impacts on the amenity of neighbouring land users.
- 6.25 In conclusion the proposal is considered to comply with policy CS14 of the Core Strategy and the guidance within the NPPF.

Highways

- 6.26 The accesses into the site off Reading Road are within a 20mph zone where the presence of the pedestrian crossing with an elevated crossover further reduces traffic speeds. The main vehicular access into the site, east of Clifton House is to be widened to 5.5m and the existing brick wall removed. Visibility spaces of 2.4m x 25m are to be provided in accordance with Manual for Streets. This design is considered suitable to accommodate the vehicle movements associated with this development.
- 6.27 The level of parking proposed to serve the new flats is in accordance with the requirements of Policy P1 of the Housing and Site Allocations DPD. Amended plans

have been received showing the internal dimensions of the car port spaces and the forecourt depth of 6m. The parking for the new flats is considered to be acceptable. A condition has been added to ensure that the car ports under Block B are retained for parking and garage doors are not installed.

- 6.28 The current car park within the site is not a public car park for general use. It is privately owned and permit controlled with spaces leased to local businesses. Some permits are issued on a temporary basis and could be removed/not renewed with no permission required by West Berkshire Council. According to survey data undertaken on behalf of the applicant a maximum of 59 car parking spaces were occupied at one time. The highway assessment of the 2019 application involved site visits by Highways Officers to survey the use of the existing car park. The number of occupied spaces did not exceed 60 at the time of any visits. The proposal seeks to provide 64 parking spaces to serve existing businesses and is deemed to be acceptable.
- 6.29 One of the main reasons this item has been called to committee is because of concerns for parking which are acknowledged to be an ongoing issue in Pangbourne. As explained above survey work has been carried out by the applicant and verified through Highway Officer site visits. The existing demand and number of spaces proposed demonstrate that the parking needs for those entitled to use the site can be met.
- 6.30 Cycle parking is provided in two stores; 18 stands within block A and 8 within Block B. This equates to a total of 26 cycle stands, 2 stands per flat which is considered acceptable.
- 6.31 In conclusion the proposal raises no Highway objections and the scheme is in accordance with Policy TRANS.1 of the West Berkshire Local Plan Saved Policies 2006-2026 and Policy CS13 of the West Berkshire District Local Plan 2006-2026 and the guidance within the NPPF with regards to highway safety.

Trees

- 6.32 Policy CS19 of the Core Strategy seeks to ensure that the diversity and local distinctiveness of the landscape character of the district is conserved. Landscaping plays a key role in good design and similarly Policy CS14 seeks the preservation and enhancement of trees and recognises the value of high quality open spaces within a development.
- 6.33 As part of the development 13 trees and one group of trees will be removed. The group of trees sits within the centre comprising of Pear, Cypress, Sumac and Plumb Cherry. These are identified as low quality trees and their removal is necessary to allow for the car park to be reconfigured. Within the group of tree however tree T6 (Cherry), T9 (Sumac) and T12 (Sycamore) will be retained. Much of the planting along the northern boundary next to the railway line will also be retained and cut back to the boundary as it is off site.
- 6.34 The retention of some trees within the site is welcomed and subject to conditions no objections are raised by the Tree Officer. The proposal is considered to comply with policies CS14 and CS19 of the Core Strategy and the guidance within the NPPF with regards to the importance of street trees.

Affordable housing

- 6.35 Policy CS6 of the Core Strategy seeks to secure the provision of affordable housing on new sites. The policy states that on sites of 10-14 dwellings 30% will be secured as affordable which equates to 4 units. This development will deliver 4 shared ownership units. This tenure mix has been determined to be acceptable due to the layout of the

site with 12 of the 13 units being under one roof and therefore having a single tenure will assist with the management of the site.

6.36 In conclusion the proposal delivers 30% affordable housing as required by policy.

Energy Efficiency

6.37 Policy CS15 requires residential development to reduce CO₂ emissions alongside energy efficiency measures. Whilst sustainable construction methods have largely been moved into building regulations the Council has declared a Climate Change Emergency and has published an Environment Strategy. Whilst this is not an adopted document as part of the Local Plan it is a material consideration. Policy CS15 states that major residential development should be zero carbon from 2016.

6.38 This application is supported by an Energy Statement by Energy Calculations Ltd which demonstrates that with the use of air to water heat pumps and Photovoltaic cells the development will achieve an overall reduction of 70.42% in CO₂ emissions. The development does not meet with the Zero Carbon standard however the development will make a significant contribution towards reducing emissions. The supporting energy statement considers different technologies available and a review of the advantages and disadvantages of each some of which have been ruled out due to the size of the development which makes installation unviable, absence of available local networks or water source, visual impact etc.

6.39 Given the sensitive location of the site just within the conservation area and within a historic setting the visual appearance of the solar panels has been given due consideration. The panels to be used are considered to be the most sensitive design available and the Conservation Officer raises no objections to their appearance. A condition has been recommended to secure details of the precise position/number and appearance of the panels.

6.40 In conclusion the scheme will make a valuable contribution towards meeting the aims of the policy. While the development is not zero carbon and this weighs against the proposal the shortfall is not considered to be significant enough as to warrant a refusal for this reason alone and the merits of the scheme will be weighed up in the planning balance.

Ecology

6.41 Policy CS17 of the Core Strategy states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. The application is supported by an Ecological Impact Assessment. The site largely comprises of hardstanding and buildings of negligible ecological importance. Bat surveys have been carried out demonstrating bats are likely to be absent from the site. The northern boundary vegetation provides a suitable habitat for commuting bats and hazel dormouse. The Ecological Impact Assessment sets out mitigation measures, the implementation of which are secured by condition.

Drainage

6.42 Policy CS16 relates to site drainage. The application is supported by a Surface Water Drainage Strategy by Glanville. This has been amended during the course of the application and supplemented with further site investigations. Following receipt of the final report the Drainage officer has confirmed that the proposals are acceptable and no objections are raised. A condition has been attached to secure the implementation of the approved strategy.

Network Rail

- 6.43 To the north of the application site runs the railway line. The boundary is marked by palisade fencing and dense vegetation and planting which overhangs the site. Network rail are a statutory consultee and have raised no objections to the application subject to conditions which seek to protect the railway line and the safety of its users. The applicant has confirmed the proposed conditions are acceptable.

7. Planning Balance and Conclusion

- 7.1 All planning authorities are required to determine planning applications in accordance with the development plan, unless material considerations indicate otherwise. In addition, the NPPF seeks to significantly boost the supply of homes through a plan-led approach. The provision of 13 dwellings of which 4 would be affordable is a significant social benefit in the balance. The proposal complies with the strategic and housing supply policies within the Core Strategy and this attracts substantial weight in favour of granting planning permission.
- 7.2 The proposal is considered to be a high quality design respectful of the historic setting of the site and its location partly within and visible from the conservation area. The scheme is enhanced by the retention of some existing trees and will be supported by a comprehensive landscaping scheme. Environmentally the development will improve the appearance of the site. Weighing against this however is the fact that the development itself is not zero carbon however measures have been incorporated into the design of the building to reduce energy emissions and this level of reduction is considered to make a necessary and significant contribution to meeting with the aims of the policy as a whole. As such, on balance the environmental benefits of the scheme when taken as a whole weigh in favour of the development.
- 7.3 No objections have been raised by any technical officers.
- 7.4 In conclusion it is considered that the development will deliver social, environmental and economic benefits through the redevelopment of this sustainable site. As such the application is recommended for approval subject to planning conditions which have been agreed with the applicant.

8. Full Recommendation

- 8.1 PROVIDED THAT a Section 106 Agreement has been completed by 14th December 2022 (or such longer period that may be authorised by the Service Director – Development & Regulation, in consultation with the Chairman or Vice Chairman of the Eastern Area Planning Committee), to delegate to the Service Director – Development & Regulation to GRANT PLANNING PERMISSION subject to the conditions listed below.
- 8.2 OR, if a Section 106 Agreement is not completed, to REFUSE PLANNING PERMISSION for the reasons 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:

Site location plan 02-00
Red line boundary and site access 02-60 Rev. B
Proposed site plan 02-03 Rev. C
Proposed site block plan 02-02 Rev. C
Proposed site plan with PV panels 02-04 rev. A
Proposed block A elevations (1 of 2) 05-10 rev. B
Proposed block A elevations (2 of 2)
Proposed block B elevations 05-12 Rev. B
Proposed first floor plans 03-11
Proposed second floor plans 03-12
Proposed third floor plans 03-13
External works details 05-20
Proposed ground floor plans 03-10 Rev. B
Ecological Impact Assessment by ECOSA
Arboricultural Impacts Assessment by SJ Stephens Associates
Proposed Landscape Strategy 02-04 Rev. B
Planning Noise Assessment by RSK Acoustics report 206/0400/R1
Planning Statement
Carbon Energy Statement
Archaeological desk-based assessment by Thames Valley Archaeological Services
Surface Water Drainage Strategy by Glanville Issue 4
Proposed site drainage 02-63 Rev. B
Transport Statement by Bellamy Roberts
Highways technical Note by Bellamy Roberts 20th Dec 2021
Site ownership and car parking strategy 02-65 Rev. B
Proposed bin and bike store 02-53 Rev.A
Semi vertical bike rack information sheet

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

3. **Schedule of materials**

No development shall commence until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is required because the approved materials will be used throughout construction.

4. **Floor levels**

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

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. This condition is imposed in accordance with the National Planning Policy Framework, Policies Cs14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is required because the ground levels need to be established before works start.

5. **Hard landscaping**

No property shall be occupied until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.

The scheme must include a suitable trespass proof steel palisade fence of at least 1.8m in height adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon or over-sailing of Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way.

Reason: Landscaping is an integral element of achieving high quality design and safety fencing is required adjacent to the railway line at the request of Network Rail to ensure public safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

6. **Details of solar panels**

No property shall be occupied until the PV panels have been installed in accordance with the approved details which have first been submitted to and approved in writing by the Local Planning Authority. The details shall include the make of the panels and details to show how they sit within the roof and their coverage. The panels shall thereafter be retained in accordance with the approved details.

Reason: To ensure that the PV panels are sympathetic to the appearance of the property and do not harm the character and appearance of the conservation area. This is in accordance with the guidance within the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

7. **Construction method statement**

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works

(h) A site set-up plan during the works

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, 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). A pre-commencement condition is necessary because insufficient detailed information accompanies the application and measures may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

8. Hours of work (construction/demolition)

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

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

8:30am to 1:00pm Saturdays;

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. Unexpected contamination

If any previously unidentified contaminated land is found during demolition and/or construction activities, it shall be reported immediately in writing to the Local Planning Authority (LPA). Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. These submissions shall be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation). The remediation scheme shall ensure that, after remediation, as a minimum, the land shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. Thereafter, any remediation measures shall be carried out in accordance with the approved details. Unless otherwise agreed in writing by the LPA, the development shall not be occupied until any approved remediation measures have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any unexpected contamination encountered during the development is suitably assessed and dealt with, such that it does not pose an unacceptable risk to human health or the environment. This condition is applied in accordance with paragraphs 170, 178, 179 and 180 the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

10. Noise mitigation measures

The development hereby approved shall not be occupied until the noise mitigation measures as set out in the Planning Noise Assessment by RSK Acoustics ref 206/0400/R1, submitted with the application, have been completed in accordance with these approved details. The noise mitigation measures shall be retained and maintained thereafter.

Reason: To protect future residents from noise from the railway line. To ensure a satisfactory relationship between the proposed development and the adjacent Railway. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

11. Lighting design strategy for light sensitive biodiversity

No property shall be occupied until a lighting design strategy for biodiversity has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those areas/features on site that are particularly ecologically sensitive 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 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: The introduction of artificial light might mean 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.

12. Landscape and Ecological Management Plan (LEMP)

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

- (a) Description and evaluation of features to be managed.
- (b) Plans to show the location of at least 4 bat roosting features and 10 swift boxes integrated within the new buildings.
- (c) Plans shall highlight any areas where breathable roofing membrane is used within the roof.
- (d) Ecological trends and constraints on site that might influence management.
- (e) Aims and objectives of management.
- (f) Appropriate management options for achieving aims and objectives.
- (g) Prescriptions for management actions.
- (h) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period detailing the ongoing monitoring and remedial measures and the organisation responsible).

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

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

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

Reason: This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the LEMP may need to be implemented during construction.

13. Construction Environmental Management Plan

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

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

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

Reason: This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.

14. Ecological Impact Assessment

The development hereby approved shall be carried out in accordance with the Ecological Impact Assessment by ECOSA dated October 2021 unless otherwise agreed in writing by the Local Planning Authority. The measures shall thereafter be retained and maintained in accordance with the approved details.

Reason: To protect species on site in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

15. Archaeology

No development including site clearance shall take place within the application area until a Stage 1 written scheme of investigation (WSI) for a programme of archaeological work has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by Stage 1, then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the WSI no site clearance work or development shall take place other than in accordance with the agreed WSI, which shall include:

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

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

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 2021 National Planning Policy Framework and is accordant with the requirements of Policy CS19 of the West Berkshire Local Plan (2006-2026) 2012.

16. Electric Charging Points

No development shall take place until details of electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the electric vehicle charging points have been provided in accordance with the approved drawings. The charging points shall thereafter be retained and kept available for the potential use of an electric car.

Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the location of points must be determined prior to construction work.

17. Access construction prior to occupation

No dwelling shall be occupied until the alterations to the access onto Reading Road have been constructed in accordance with the approved drawings.

Reason: In the interest 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).

18. Visibility splays before development

First works on site shall constitute the creation of the approved visibility splays of 2.4 metres by 25 metres at the site 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).

19. Parking/turning in accord with plans

No dwelling shall be occupied until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plans. No doors shall be erected on the front of the car ports to enclose them. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

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

20. **Cycle parking**

No dwelling shall be occupied until the cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. 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).

21. **No doors on car ports**

The car ports hereby permitted shall be kept available for parking (of private cars and/or private light goods vehicles) at all times. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order with or without modification), no physical alterations shall be made to the car ports (including enclosing the sides / installed doors), unless permission has been granted by the Local Planning Authority as a result of an application being submitted for that purpose.

Reason: To ensure that the car ports are kept available for vehicle parking, and are not converted into garages, in the interest of road safety. The residential parking standards of Policy P1 do not count garages towards parking provision. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD 2006-2026, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

22. **Thames Water**

No development hereby approved shall commence until a Source Protection Strategy detailing how the developer intends to ensure the water abstraction source is not detrimentally affected by the proposed development both during and after its construction has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. The development shall be constructed in line with the recommendations of the strategy.

Reason: To ensure that the water resource is not detrimentally affected by the development. This condition is attached in accordance with the guidance within the National Planning Policy Framework. More detailed information can be obtained from Thames Waters' Groundwater Resources Team email GroundwaterResources@Thameswater.co.uk Tel: 0203 577 3603.

23. **Arboricultural supervision condition**

No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has first been submitted to and approved in writing by the Local Planning Authority.

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 National Planning Policy Framework and Policies ADPP1, ADPP5, CS14, CS17, CS18 and CS19 of

West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site supervision 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.

24. Tree Protection

All Tree Protective Fencing shall be erected in accordance with the submitted SJ Stephens Tree Protection Plan, reference drawing number 1418-02 dated Feb 2022. The protective fencing shall be implemented and retained intact for the duration of the development. Within the fenced area(s), there shall be no excavations, storage or mixing of materials, storage of machinery, parking of vehicles or fires.

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 National Planning Policy Framework and Policies ADPP1, ADPP5, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

25. Landscaping

No development shall take place until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first occupation of the new dwelling (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

26. Details of boundary treatment

The dwellings hereby approved shall not be occupied until details of the proposed boundary treatments to the rear of numbers 1-3 Pangbourne Place have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall thereafter be installed in accordance with the approved details prior to the occupation of the dwellings. This condition shall apply irrespective of the detail shown in the application documents.

Reason: To allow for different boundary treatment options to be considered and to ensure the boundary is marked by a safe and secure structure. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006 - 2026), and the Quality Design SPD.

27. Drainage Strategy

The development hereby approved shall be carried out in accordance with the Surface Water Drainage Strategy by Glanville, Issue 4: 6 July 2022 unless otherwise agreed in writing by the Local Planning Authority. No dwelling shall be first occupied until the drainage measures have been completed in accordance with the approved details. The

measures shall thereafter be retained and maintained in accordance with the approved details.

Reason: To ensure a suitable drainage strategy is secured in accordance with Policy CS16 of the West Berkshire Core Strategy 2006-2026 and the guidance set out within the National Planning Policy Framework.

Heads of Terms for Section 106 Agreement

1. **Affordable housing**
Secure 4 shared ownership apartments.

Refusal Reasons (if Section 106 Agreement not completed)

1. **Planning obligation**
The application fails to provide an appropriate planning obligation to secure 4 affordable housing units on site (30% provision) as is required by Policy CS6 of the West Berkshire Core Strategy 2006-2026 and in accordance with the National Planning Policy Framework and the Council's Planning Obligations SPD. This policy seeks to ensure the provision of affordable dwellings within the district where there is an identified need for such housing.

Informatives (if granted planning permission)

1. **Positive statement**
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. **CIL**
The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil
3. **Access construction**
The Asset Management team, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD, or highwaysassetmanagement@westberks.gov.uk should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.

4. **Damage to footways, cycleways and verges**
The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.
5. **Damage to the carriageway**
The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
6. **Excavation in close proximity to the highway**
In order to protect the stability of the highway it is advised that no excavation be carried out within 15 metres of a public highway without the written approval of the Highway Authority. Written approval would be obtained from the Asset Manager, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD or highwaymaintenance@westberks.gov.uk
7. **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.
8. **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.
9. **Thames Water**
A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
10. **Thames Water**
Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
11. **Network Rail**
Please see full comments from Network Rail dated 24th November 2021. This raises important issues with regards to drainage, fencing, and encroachment onto the railway, scaffolding, vibro-impact machinery, crane use, a 2m gap and lighting. It is essential this is read before works start on site.

This page is intentionally left blank

21/02767/FULMAJ

17 Clifton House, Reading Rd, Pangbourne RG8 7LU



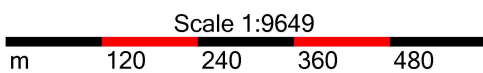
Map Centre Coordinates :

Scale : 1:9649

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

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

Organisation	West Berkshire Council
Department	
Comments	
Date	01 September 2022
SLA Number	0100024151



This page is intentionally left blank

Agenda Item 4.(3)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	22/01080/FUL Stratfield Mortimer	08 th July 2022 ¹	Conversion of existing farm building and replacement of existing to provide a 'Wellness Centre' (Use Class E(e) and E(d)). Manns Farm, Nightingale Lane, Mortimer, Reading, RG7 3PS LJ Strang & Partners

¹ Extension of time agreed with applicant until 22nd July 2022

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=22/01080/FUL>

Recommendation Summary: Refuse planning permission

Ward Members: Councillors Graham Bridgman, Royce Longton, Geoff Mayes

Reason for Committee Determination: Called in by Councillor Bridgman if the application is recommended for refusal. To provide the committee an opportunity to debate the question of supporting the rural economy.

Committee Site Visit: 7th September 2022

Contact Officer Details

Name: Gemma Kirk
Job Title: Senior Planning Officer
Tel No: 01635 519111
Email: Gemma.Kirk@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for the conversion of an existing agricultural building and the replacement of an existing steel barn to provide a 'Wellness Centre'.
- 1.2 Manns Farm is located to the north-east of Mortimer, outside of a defined settlement boundary, and accessed from Nightingale Lane. The existing tenancy farm business at Manns Farm is solely arable and comprises of 432 acres of land and several agricultural buildings that are adjacent to Nightingale Lane. The two buildings subject to the application are located at the front of the complex of farm buildings immediately adjacent to the highway. The applicant advises that these buildings are redundant because they are unsuitable to modern day farming practices.
- 1.3 The 'Wellness Centre' is proposed to fall within Use Class E(d) and E(e) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. Use Class E(d) refers to 'indoor sports, recreation and fitness' and E(e) is the provision of 'medical/health services'. The centre will be used for complementary and alternative medicines (CAM) including in-house treatments and rooms to hire to wellness practitioners for classes or treatments (e.g. yoga, pilates, dancing, sign language, cooking etc.). The buildings will provide 2 treatment rooms along with 2 studio spaces as well as service facilities (toilets/changing areas, reception and kitchenettes). It was advised that the centre would not be open for general community uses (Use Class F).
- 1.4 It is intended that the 'Wellness Centre' will operate on 07:00-21:00 Monday to Friday, 08:00-18:00 Saturday and 10:00-16:00 on Sunday. The smaller studio is proposed to accommodate a maximum of 8 people, the larger studio a maximum of 24 people and 2 treatment rooms that could have a new client in every hour.
- 1.5 To create the 'Wellness Centre' it is proposed to convert and refurbish an existing timber cart-shed (immediately adjacent to Nightingale Lane). To create the space required the steel barn to the south of the cart-shed will be demolished and replaced with a building that is designed to reflect the existing timber cart-shed. These buildings will be linked by a curved extension that acts as a reception.
- 1.6 The 'Wellness Centre' will use the existing farm entrance and visitors will drive up the track and around the existing farm buildings (to the north-east of the cart-shed) to the parking area to be provided between the proposal and an existing modern agricultural building. This parking area was extended during the course of the application to include an area of grass to the south-east of the new building. Landscaping is also indicated on the plans including retention of the existing hedge which will be supplemented with mixed native hedges.

2. Planning History

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

Application	Proposal	Decision / Date
21/02415/CLASSR	Application to determine if prior approval is required for a proposed change of use under 150 Sq Mts from Agriculture to Flexible Use falling within Classes A1, A2, A3, B1, B8, C1 or D2, pursuant to Schedule 2, Part 3, Class R of	Not required. 17.11.2021.

	the Town and Country Planning (General Permitted Development) (England) Order 2015.	
--	---	--

- 2.2 Both the Design, Access and Planning Statement and the applicant's Highway Consultant refer to a suggested fall-back position provided by 21/02415/CLASSR (in which the conversion is underway).
- 2.3 Under Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (now referred to as GPDO) it is permitted development to change the use of agricultural buildings to Use Class B8 (storage or distribution), Class C1 (hotels) and Class E (commercial, business or service). Where the floor space is under 150 square metres the prior approval of the Local Planning Authority is not required, but notice must be given. 21/02415/CLASSR is the giving of this notice.
- 2.4 Whilst these permitted development rights exist, it is considered that for this application limited weight can be given to this fall-back position. Firstly, the operational development (demolition and re-building of the steel barn) proposed as part of this application could not be carried out under permitted development. Furthermore, there are reservations as to whether the existing steel barn would be able to provide the facilities listed in this application without carrying out building operations (re-building, external structural alterations or additions). Therefore, it is considered there would be a material difference in the intensity of use between the conversion under permitted development rights and that proposed by this application.
- 2.5 It is also noted the floor space proposed by this application would be over 150sqm under Class R in the GPDO this would have required the local planning authority to determine if prior approval was required for: (i) transport and highways impacts of the development, (ii) noise impacts of the development, (iii) contamination risks on the site; and (iv) flooding risks on the site.

Procedural Matters

- 2.6 **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.
- 2.7 **Publicity:** As site notice was displayed on 27th May 2022 at the entrance to Manns Farm; the deadline for representations expired on 19th June 2022.
- 2.8 **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). Based on the CIL PAAIR form, it appears that the development would not be CIL liable. However, 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.
- 2.9 **Amendments:** An amended plan PL-05 A (Proposed Block Plan) was received during the course of the application to demonstrate that the existing hedge at Manns Farm was not to be removed by the proposal and additional parking could be accommodated at

the site. During the course of the application further details on the intended use and responses to the Highway Officer's objections were submitted. A phase 2 protected species survey was also submitted. Further information on the intended visitors to the 'Wellness Centre' was also received on 14th September.

3. Consultation

Statutory and non-statutory consultation

3.1 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.

Stratfield Mortimer Parish Council:	<ul style="list-style-type: none"> • Supports the proposed development under its NDP (policy 11.2.4 Use of Farm Buildings) on the assumption the barn is not listed. • Concerns that there is sufficient parking spaces when at full capacity. • Parish Council not aware of pre-submission consultation.
Highways Authority:	<ul style="list-style-type: none"> • Objection on the grounds of sustainable location (comments expanded upon in report).
Environmental Health:	<ul style="list-style-type: none"> • No objections.
Archaeological Officer:	<ul style="list-style-type: none"> • Mann's Farm is a historic farmstead (18th century origins). Cart-shed might be a non-designated heritage asset. • Welcome the retention and conversion of the cart-shed. The steel framed Dutch barn appears to be of a less historic interest. • Internal photos sufficient for records.
Conservation Officer:	<ul style="list-style-type: none"> • Cart shed is a non-designated heritage asset due to local historic and architectural interest. • No objections: proposal consistent with paragraphs 203 and 197 of the NPPF.
Ecology Officer:	<ul style="list-style-type: none"> • Objection due to the loss of hedge was withdrawn following the submission of Drawing PL-05 A. • Conditions recommended including securing protection measures identified in the ecology reports submitted.
Tree Officer:	<ul style="list-style-type: none"> • No objection: the hedge along Nightingale Lane does not look especially species rich, so any enhancement (e.g. new planting) is welcome.

	<ul style="list-style-type: none"> Recommended native, mixed species hedge (majority Hawthorn) is planted as whips in two staggered roads with 5/6 plants per metre.
Lead Local Flood Authority:	<ul style="list-style-type: none"> No comments received at time of writing the report.
Public Rights of Way Officer:	<ul style="list-style-type: none"> No comments received at time of writing the report.
Public Health & Wellbeing:	<ul style="list-style-type: none"> Queries need for the CAM space (any clear evidence), active travel and whether Environmental Health have been consulted. Make applicants aware that consideration required for operations with regard to risks of running a business on a working farm. Wouldn't have an issue with the application in theory.
Economic Development:	<ul style="list-style-type: none"> Support: compliance with Policy CS10 of the Core Strategy by supporting the long-term viability of the agricultural enterprise by creating a new stream of revenue. A priority for the Council's Economic Development Strategy. Provides a modest benefit to Mortimer village by drawing people to the rural service centre for purpose of visiting the Wellness Centre. Consider that the support to the rural diversification should outweigh the concerns relating to creating additional vehicle movements on rural roads- where there is no alternative for reaching locations where more sustainable infrastructure has not yet been built.
Emergency Planning:	<ul style="list-style-type: none"> Low density area within the Detailed Emergency Planning Zone, low number of staff and visitors no adverse comments. Conditions requested for comprehensive emergency plan during the construction phase, an outline emergency plan for the wellness centre and a comprehensive emergency plan for the wellness centre.
Office for Nuclear Regulation:	<ul style="list-style-type: none"> No objections due to adequate assurance from WBC Emergency Planners that this can be accommodated within their off-site emergency plan arrangements. Supports recommended conditions. Does not present a significant external hazard for the safety of the nuclear site.
AWE:	<ul style="list-style-type: none"> No comments received at time of writing the report.

NatureSpace Partnership (Newt Officer, Berkshire):	<ul style="list-style-type: none"> • Objection due to the loss of hedge was withdrawn following the submission of Drawing PL-05 A.
Ramblers Association:	<ul style="list-style-type: none"> • No comments received at time of writing the report.

Public representations

- No public representations were received during the course of the application.

4. Planning Policy

4.1 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 (Spatial Strategy), ADPP6 (East Kennet Valley), CS8 (Nuclear Installations- AWE Aldermaston and Burghfield), CS10 (Rural Economy), CS11 (Hierarchy of Centres), CS13 (Transport), CS14 (Design Principles), CS15 (Sustainable Construction and Energy Efficiency), CS16 (Flooding), CS17 (Biodiversity and Geodiversity), CS18 (Green Infrastructure), CS19 (Historic Environment and Landscape Character) of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS.5 (Environmental Nuisance and Pollution Control), OVS.6 (Noise Pollution), ENV.16 (Farm Diversification), ENV.19 (The Re-use and Adaptation of Rural Buildings), TRANS.1 (Meeting the Transport Needs of New Development) of the West Berkshire District Local Plan (WBDLP) 1991-2006 (Saved Policies 2007).
- Policies C1, C2, C6 and C7 (Commercial), B1-3 (Biodiversity and Environmental Gains), GD1-6 (General Design) of the Stratfield Mortimer Neighbourhood Development Plan (NDP) (2017).

4.2 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)
- Local Transport Plan for West Berkshire (2011-2026)
- Stratfield Mortimer Village Design Statement (2007)

5. Appraisal

5.1 The main issues for consideration in this application are:

- Principle of development
- Sustainable location
- Character and appearance
- Neighbouring amenity

- Highway safety
- Ecology and trees
- Other matters

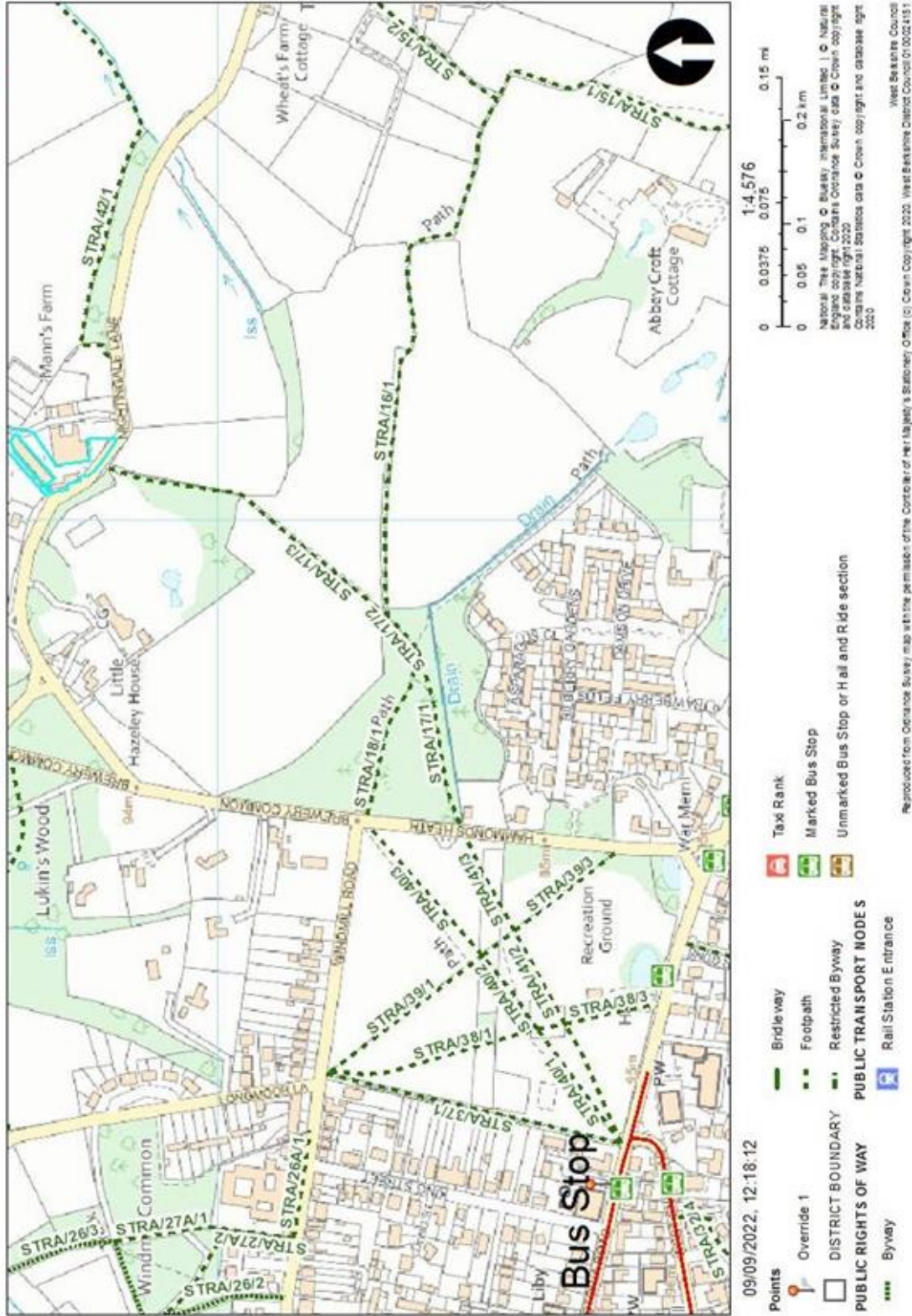
Principle of development

- 5.2 Manns Farm is located outside of a defined settlement boundary and therefore within the open countryside. According to Policy ADPP1 of the Core Strategy, only appropriate limited development in the countryside will be allowed focused on addressing identified needs and maintaining a strong rural economy. This is re-enforced by Policy ADPP6, the spatial strategy for the East Kennet Valley, where development will be strictly controlled in the open countryside.
- 5.3 The proposed change of use and operational development seeks to create a secondary business at the existing arable farm. Policy CS10 of the Core Strategy advises that proposals to diversify the rural economy will be encouraged, particularly where they are located in or adjacent to Rural Service Centres and Service Villages. The Economic Development Officer offers their opinion that the proposal would fall within the scope of Policy CS10 of the Core Strategy.
- 5.4 The Design, Access and Planning Statement applies Saved Policy ENV.19 of the WBDLP. However, the proposal seeks an extension to the cart-shed and replacement building and therefore this policy would not apply as criteria (b) requires no extensive alteration, rebuilding or enlargement of existing buildings. Officer's also considered the relevance of Saved Policy ENV.16 of the WBDLP. The Economic Development Officer advises the proposal would bring modest benefits to the economy of the rural area and therefore the policy would be relevant. The criteria in this policy to permit farm diversification schemes include: buildings are appropriate and where possible replacement buildings should be located within an existing group; the proposal should maintain or enhance the landscape character and rural surroundings; it does not generate traffic of a type or amount inappropriate for rural roads affected by the proposal; it would not cause an unacceptable level of disturbance, nuisance or environmental harm; and would not cause demonstrable harm to existing nature conservation sites or important habitat areas.
- 5.5 The NPPF is also relevant for the principle in which paragraphs 84 provides guidance of determining applications supporting a prosperous rural economy. Paragraph 84 states that decisions should enable the sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well-designed new buildings. The proposal would help the applicant's develop their existing freelance CAM business.
- 5.6 The Stratfield Mortimer NDP also informs the principle of development. It is noted the Parish Council refer to policy C6 for the use of farm buildings. Similarly to Saved Policy ENV.16 this policy would not fully apply because of the demolition and re-building of the steel barn. However, it is considered that policy C7 in the NDP is relevant. This policy advises that new, renovated or extended buildings for employment and commercial activity will be supported providing they meet a range of criteria including adding high value sustainable employment, prevent creeping urbanisation, retain and respect any architectural and historic features of the buildings, are sustainably located and of appropriate scale, form and high quality design so they do not adversely affect the setting of the village of Mortimer, the character of the area, views within the village and the amenities of residents and other countryside users. In addition, to the location outside of the settlement boundary the developments should make a long-term contribution to sustaining the agricultural enterprise or other land-based activities and are accompanied with any appropriate surveys and mitigation for protected species.

- 5.7 There is a general principle of support in both national and local policies for the development of local rural businesses. However, at both national and local policy there are considerations that the development is required to meet for the proposal to be acceptable in principle this includes whether the location is sustainable.

Sustainable location

- 5.8 Paragraph 85 of the NPPF states that planning decisions “*should recognise that sites to meet local business and community needs in rural area may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that the development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).*”
- 5.9 This is reflected in local policy in which Policy CS11 of the Core Strategy seeks town centre uses (including health and fitness centres) to be directed to town and district centres. Furthermore, Policy C7 of the Stratfield Mortimer NDP requires development to be located in a sustainable location. Saved Policy ENV.16 of WBDLP also requires a proposal not to generate traffic of a type or amount that would be inappropriate for the rural roads affected by the development.
- 5.10 The proposed use and scale is considered to be too intense for its location to be sustainable and in accordance with Paragraph 85 of the NPPF. The proposed treatment rooms and studios would significantly increase the traffic generation to the site. The Highway Officer estimates that overall could be 93 vehicle movements per day.
- 5.11 The Highway Officer advises that as a result of the specialised use that those visiting the ‘Wellness Centre’ would be deliberate trips (with very limited uses being by pass-by, diverted or transferred trips). Furthermore, due to the type of use and the smaller population it is highly likely that the trips would be drawn in from outside of Mortimer from the wider area, including for instance, Reading. The Highway Officer is not satisfied that the village of Mortimer on its own would sustain the prescribed use and to be viable and would need to cater to a wider area that would likely mean car travel.
- 5.12 The increase in traffic generation would be in a location that is unsustainable because there are no footways within the vicinity of the site. The map on the next page identifies the network of Public Right of Ways, including a footpath to the south (STRAT/17/3). However, this would be unlit and across fields which is considered to not encourage walking particularly during the winter months and evenings.
- 5.13 Due to the nature of Nightingale Lane it would not encourage cycling. The map on the next page demonstrates that there are no public transport services or bus stops within 1-1.2km of the site. The closest bus stop (marked on the map) is served by the Reading Buses 2/2a (Central Reading to Mortimer via Burghfield Common) and runs every half an hour on Monday-Saturday. It is considered that there would be little encouragement to walk from the nearest bus stop to the site for the reasons provided in paragraph 5.12. The Highway Officer advises that most journeys would be made by motorised vehicle.



5.14 On 14th September further information was received from the agent to provide context to the location of practitioners that would use the centre and the customers. This was provided to address the concerns from the Highway Officer that the village of Mortimer would not sustain the prescribed use to be viable. The information included letters from four practitioners that live/work in Burghfield or Mortimer and statistics which seek to demonstrate that there would be sufficient number of customers in the Burghfield and Mortimer ward. It is acknowledged the intention to attract visitors and practitioners from

the local area. However, as per paragraphs 5.12 and 5.13 there are concerns that even those that live locally would choose to travel by car due to the rural nature of Nightingale Lane and Public Right of Way footpaths. Furthermore, it is likely that these trips to the 'Wellness Centre' would be deliberate.

- 5.15 The location for the proposed 'Wellness Centre' is not considered to comply with paragraph 85 in the NPPF in terms of sustainable location. Furthermore, the increase in motorised vehicles to the site would be contrary to Policy CS13 of the Core Strategy and chapter 9 in the NPPF which promote sustainable transport. It would also be at odds with the Council's Climate Change Emergency declaration.
- 5.16 The Transport Consultant for the applicant advises that consideration should be given to the fall-back position in which a 'Wellness Centre' could be implemented at the site. However, it is considered that the intensity achieved by this proposal would be significantly greater than that achieved under 21/02415/CLASSR. Therefore, it is considered that this does not alter the objection to the proposal under the sustainable location grounds.
- 5.17 It is noted in the further information submitted on 14th September that it is advised that there would be 18 or 19 persons per day visiting the site. However, the accepted traffic generation as per the Transport Note and Highway Officer's response is 93 vehicle movements per day. This is considered to be an intense use at Manns Farm.
- 5.18 Whilst, it is recognised that there is a need to support rural businesses it is considered that the intensity of the use in this location would be unsustainable which would be unacceptable and contrary to both national and local policy.

Character and appearance

- 5.19 Policy C7 in the NDP requires development to be of an appropriate scale, form and high quality design. Regard is given to the general design policies in the NDP.
- 5.20 Policy CS14 and CS19 of the Core Strategy also reflects this seeking development that respects and enhances the character of the area with particular regard given to the sensitivity of the area to change and ensuring new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 5.21 The proposal will retain the existing cart-shed and construct a new link and extension that reflects the form and design of the existing car shed. The materials are intended to reflect the style of the existing cart shed. The extensions to the cart shed will be a small increase in scale from the steel-framed building to be demolished and therefore would not be inappropriate to the site.
- 5.22 The 'Wellness Centre' is positioned within the existing complex of built form and therefore would reduce the impact on the rural landscape and setting. It is acknowledged that as a result of the proposal there would be some light spill from the windows and external lighting that would likely be installed. It is considered that there would not be a significantly harmful impact on the landscape as the glazing would face into the existing complex and retain the blank elevations adjacent to the road. Furthermore, external lighting can be controlled by a condition for details to be submitted and agreed prior to installation including hours in which the lighting is used.
- 5.23 The existing timber cart-shed is considered to be a non-designated heritage asset. The Conservation Officer and Archaeological Officer were pleased to see the retention of this building. It was considered that the proposal would be consistent with paragraph 197 of the NPPF which advises that local planning authorities take into account the

desirability of sustaining the significance of the heritage asset and putting them to viable uses consistent with their conservation.

- 5.24 It is considered that the proposed use and associated development would be acceptable in terms of impact to the rural character of the area, the wider setting (including the setting of Mortimer) and the character of the site.

Neighbouring amenity

- 5.25 Policy C7 in the NDP requires that the amenities of local residents and other countryside users to not be adversely effected by the proposal. Saved Policies OVS.5 and OVS.6 in WBDLP require development not to give rise to unacceptable levels of pollution including noise with consideration given to sensitive locations.
- 5.26 The proposed building operations associated with the proposal will be contained within the existing complex of agricultural buildings. Therefore, the impact of the built form, including overbearing impact, daylight/sunlight impact and privacy would be minimal for the nearest residential dwellings.
- 5.27 It is noted that the farm access is close to 1 and 2 Mann's Farm Cottages. Therefore, the proposed use would result in some additional disturbance to these properties due to the proposed vehicle movements in and out of the site. There is approximately 13.6 metres separation distance between the access and the amenity space for the two neighbouring cottages and therefore on balance there would not be a significantly harmful impact to warrant refusal.
- 5.28 In addition, it is considered that, with conditions to restrict opening hours, that this would help to reduce the disturbance to the nearest neighbouring properties.

Highway safety

- 5.29 Policy CS13 of the Core Strategy states that road safety is a key consideration for all development.
- 5.30 The Highway Officer's comments from 28th July consider all highway matters and are summarised below:
- **Access:** Using the Automatic Traffic Counter data and the recorded traffic speeds it was determined visibility splays of 2.4 by 35.0 metres were required at the access. These can be achieved and therefore access arrangements are acceptable.
 - **Existing traffic generation:** The existing cart-shed and steel barn would generate on average 4 vehicle movements per day.
 - **Proposed traffic generation:** The Highway Officer notes there will be a significant increase in traffic generation at the site with the maximum of 93 vehicle movements per day (46/47 in, 46/47 out).
 - **Traffic impact:** Traffic levels and speeds on Nightingale Lane are very low. If approaching from the east there are very few passing places. However, it is expected most traffic would approach from the west which is shorter with more passing place opportunities. Therefore, on balance the Highway Officer raised no objection on traffic impact in terms of highway safety.
 - **Car parking:** Highway Officer originally raised concerns that the parking provided would not be sufficient and electric vehicle charging points should be provided.

- 5.31 On 19th August an amended Block Plan (PL-05 A) was received which indicated further parking could be provided to the south-east of the replacement barn. The Highway Officer considered this would be acceptable to address the concerns raised.
- 5.32 In terms of highway safety it is considered that the proposed development would on balance not result in demonstrable harm to warrant refusal.

Ecology and trees

- 5.33 Policy CS17 and CS18 of the Core Strategy seek the protection and enhancement of biodiversity and green infrastructure in the District. The application site is in a Biodiversity Opportunity Area. The NDP supports biodiversity and environmental gains from proposals.
- 5.34 The application is accompanied by the preliminary ecological appraisal and phase 2 surveys for protected species.
- 5.35 It is identified by the Council's Ecologist that a European Protected Species Licence (EPSL) is required to be obtained from Natural England before works commence due to one of the buildings supporting protected species. An EPSL can only be granted if the development proposal is able to meet the three tests:
- The consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
 - There must be 'no satisfactory alternative'; and
 - The action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.
- 5.36 It is considered that there is an imperative economic reason in supporting a rural business, there are no satisfactory alternatives within Manns Farm, and that given the proposed mitigation measures there would not be a detrimental impact on the protected species.
- 5.37 It is considered that with conditions the protected species on the site could be protected and enhanced.
- 5.38 The Council's Ecologist and the Berkshire Newts Officer did have objections to the application as the original plans appeared to indicate the removal and replacement of the hedgerow adjacent to Nightingale Lane. However, this was clarified by Drawing PL-05 A, that landscaping would supplement the existing hedgerow. Therefore, the ecology objections were withdrawn. It is noted part of the proposed planting would be outside of the application site, it is understood the applicants as part of wider scheme are carrying out planting at the farm but this would not form part of the application.
- 5.39 With the use of appropriate conditions including: the submission of a Landscape Environmental Management Plan, adherence to protected species and tree protection measures, the submission of details for external lighting, details of SuDs if required, a condition requesting reports to be updated if they expire and request for evidence of the EPS licence it is considered that the impact on biodiversity and the existing hedgerow would be acceptable.

Other matters

- 5.40 **Detailed Emergency Planning Zone (DEPZ):** The site is located within AWE Burghfield DEPZ. No objections were received from the Council's Emergency Planner or ONR subject to conditions that require an emergency plan to be secured during construction and operation of the business.
- 5.41 **Flooding and Drainage:** The application is located in Flood Zone 1 and therefore in accordance with Policy CS16 of the Core Strategy. Some details of drainage have been submitted. However, it is considered a condition could secure a drainage scheme for the proposed development.
- 5.42 **Public Rights of Way:** STRA/17/3 is located to the south-west of the application site and the entrance is on the opposite side of Nightingale Lane to Manns Farm. It is considered that there would not be a harmful impact on the footpath.
- 5.43 **Operational Matters:** Comments were received from Public Health and Wellbeing referring to health and safety considerations for operating a business on a working farm. It is considered that these operational matters are covered under separate legislation and not a matter for planning. Environmental Health raised no objections to the development.
- 5.44 **Sustainable Construction and Energy Efficiency:** The Design, Access and Planning Statement advises that 'Excellent' BREEAM standards could not be achieved due to economic and technical viability. Due to the use of the existing cart-shed it is considered that this is a reasonable justification. However, to ensure that every effort is made to achieve a sustainable construction it is recommended a condition is applied for an energy statement to be provided which would demonstrate how the building would both mitigate and adapt to climate change.

6. Planning Balance and Conclusion

- 6.1 The proposed 'Wellness Centre' would provide economic and social benefits. These benefits include supporting an existing agricultural enterprise, providing some limited opportunities for local employment, supporting existing practitioners and draw visitors to Mortimer. In addition, it would also bring social benefits by providing a place for social interaction and health benefits. The proposed development would also deliver environmental benefits by restoring a non-designated heritage asset and demolishing an existing steel barn which is in a poor condition.
- 6.2 However, the intensity of the use would significantly increase the amount of motorised vehicles visiting the site and on Nightingale Lane. The proposal does not provide opportunities for sustainable modes of transport and due to the location and nature of Nightingale Lane would unlikely encourage customers to walk or cycle to the site. The permitted development rights under Class R of the GPDO are acknowledged but limited weight is applied to this as a fall-back position as the proposed development would have a greater intensity. The proposed development would be contrary to the advice in the NPPF at paragraph 85 (supporting a prosperous rural economy) and chapter 9. It would also conflict with local policies including ADPP1, ADPP6, CS10, CS11 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy C7 of the Stratfield Mortimer NDP (2017), the Local Transport Plan for West Berkshire (2011-2026), Saved Policy ENV.16 of the West Berkshire District Local Plan (2007) and the Council's declared Climate Change Emergency.
- 6.3 The recommendation is finely balanced with consideration given to the conflicting views of consultees. Greater weight has been attached to the unsustainable location due to

the intensity of the proposed 'Wellness Centre' use which is considered to be inappropriate in the rural location.

7. Full Recommendation

- 7.1 To delegate to the Service Director – Development & Regulation to REFUSE PLANNING PERMISSION for the reason listed below.

Refusal Reason

1. **Unsustainable location**

Manns Farm is located outside of a defined settlement boundary and therefore within the open countryside. Policies ADPP1 and ADPP6 in the Core Strategy advise only appropriate limited development will be allowed. Policy CS10 of the Core Strategy supports proposals to diversify the rural economy in appropriate locations and Policy CS11 directs main town centre uses to town and district centres. This is supported in the NPPF where proposals for local rural businesses are sensitive to the surrounding area, do not have an unacceptable impact on local roads and exploits opportunities to make a location more sustainable.

The proposed 'Wellness Centre' will significantly increase traffic in a remote rural location that has no pedestrian or nearby bus routes and is accessible only by rural roads which are not conducive to cycling. Accordingly, by virtue of the nature, intensity and location of the development it would significantly increase traffic where the mode of travel can only reasonably be reached by the use of private car. The proposal is therefore in an unsustainable location.

The proposed development is therefore contrary to Policies ADPP1, ADPP6, CS10, CS11 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy C7 of the Stratfield Mortimer NDP (2017), Saved Policy ENV.16 of the West Berkshire District Local Plan (2007), the Local Transport Plan for West Berkshire (2011-2026), the NPPF and West Berkshire's Climate Change Emergency.

Informatives

1. **Proactive Statement**

In attempting to determine the application in a way that can foster the delivery of sustainable development, the local planning authority has approached this decision in a positive way having regard to Development Plan policies and available guidance to try to secure high quality appropriate development. In this application the local planning authority has attempted to work proactively with the applicant to find a solution to the problems with the development, however; an acceptable solution to improve the economic, social and environmental conditions of the area could not be found.

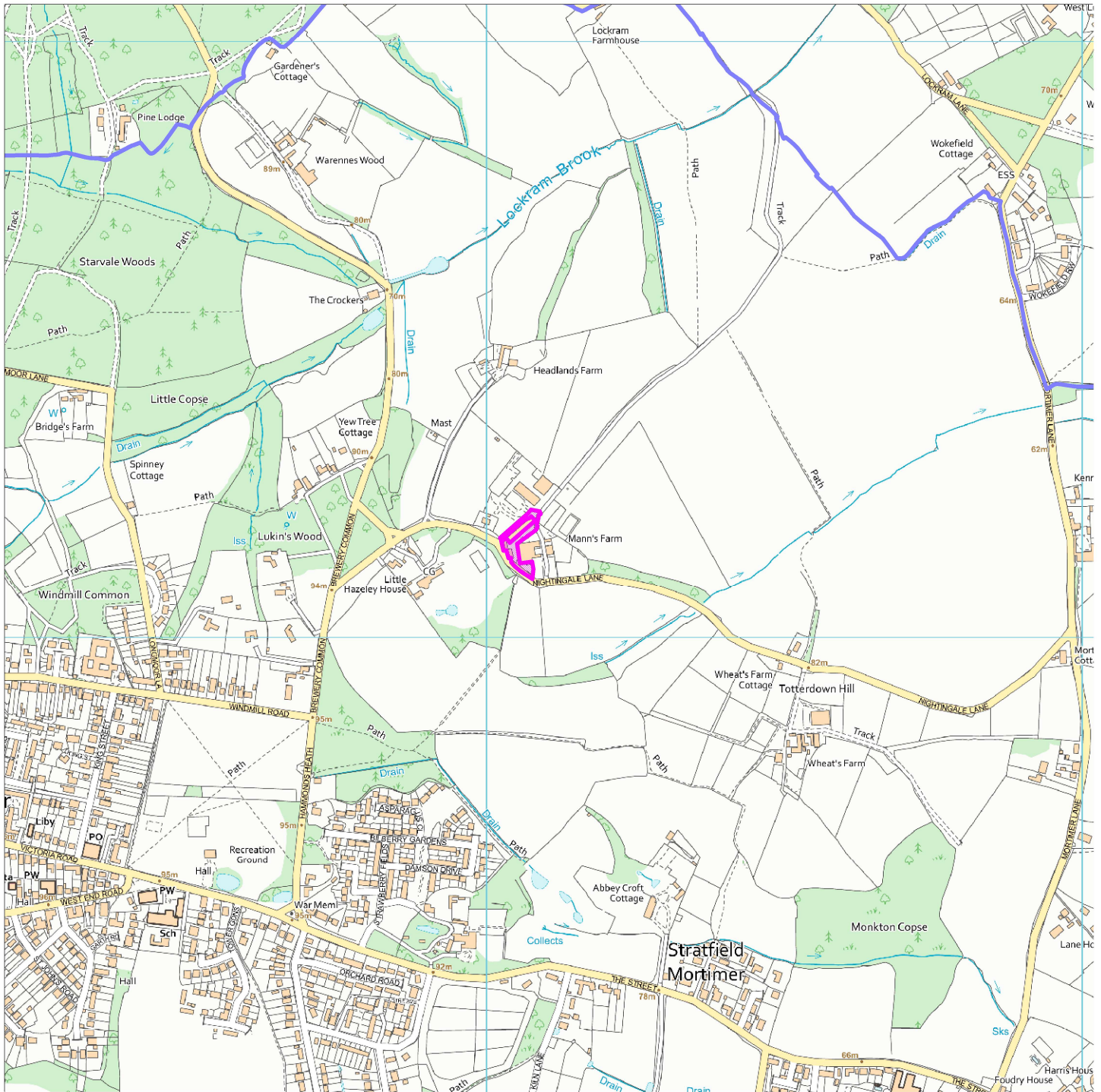
2. **Plans considered**

The following plans/documents have been considered in the determination of this application:

- (i) Application Form received on 04.05.2022 (with amended page received on 09.05.2022);
- (ii) Drawing PL-04 (Ex Location and Block Plan) received on 04.05.2022;
- (iii) Drawing PL-05 A (Proposed Block Plan) received on 19.08.2022;
- (iv) Drawing PL-06 (Proposed Floor Plan) received on 04.05.2022;
- (v) Drawing PL-07 (Proposed Elevations) received on 04.05.2022;

- (vi) Drawing 1025-01 (Steel Barn: Existing Plan and Elevations) received on 04.05.2022;
- (vii) Drawing 1025-02 (Timber Barn: Existing Plan and Elevations) received on 04.05.2022;
- (viii) Drawing 1032-03 (Existing Plan and East Elevation) received on 04.05.2022;
- (ix) Photographs of Barns (Soul Barns) at Manns Farm) received on 04.05.2022;
- (x) Internal photographs inside of Cart Shed (Soul Barns) at Manns Farm received on 23.06.2022;
- (xi) Design, Access and Planning Statement (April 2022, 10041, BCM) received on 04.05.2022;
- (xii) Email from Agent: Use Classification received on 17.06.2022;
- (xiii) Email from Agent: ENV.16 Farm Diversification received on 15.06.2022;
- (xiv) Highway Technical Note (produced by Nick Culhane) received on 04.05.2022;
- (xv) Highway Technical Note (August 2020, produced by Nick Culhane) received on 04.08.2022;
- (xvi) Email from Nick Culhane re: Class R fall-back position received on 30.08.2022;
- (xvii) Preliminary Ecological Appraisal and Preliminary Roost Assessment (Enims, April 2022, EC1917) received on 04.05.2022;
- (xviii) Interim Bat Roost Survey Report (Enims, June 2022, EC1917-02) received on 20.06.2022;
- (xix) Bat Survey Report (Enims, June 2022, EC1917-02) received on 06.07.2022;
- (xx) Email from Agent: Context of location of customers received on 14.09.2022

This page is intentionally left blank



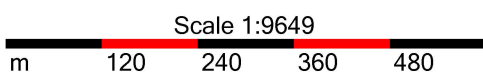
Map Centre Coordinates :

Scale : 1:9649

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

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

Organisation	West Berkshire Council
Department	
Comments	
Date	01 September 2022
SLA Number	0100024151



This page is intentionally left blank