

Notice of Meeting



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Eastern Area Planning Committee Wednesday, 5 July, 2023 at 6.30 pm

In the Council Chamber, Council Offices,
Market Street, Newbury

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

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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 4 July 2023 by emailing planningcommittee@westberks.gov.uk.

Members Interests

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

Date of despatch of Agenda: Tuesday, 27 June 2023

Further information for members of the public

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

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

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

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



Agenda - Eastern Area Planning Committee to be held on Wednesday, 5 July 2023
(continued)

To: Councillors Alan Macro (Chairman), Richard Somner (Vice-Chairman),
Jeremy Cottam, Paul Kander, Ross Mackinnon, Geoff Mayes,
Justin Pemberton, Vicky Poole and Clive Taylor

Substitutes: Councillors Jeff Brooks, Laura Coyle, Lee Dillon, Jane Langford, Biyi Oloko
and Joanne Stewart

Agenda

Part I

Page No.

1. **Apologies for absence**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 7 - 14
To approve as a correct record the Minutes of the meeting of this Committee held on 26 April and 25 May 2023.
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 23/00376/FULMAJ, Awberry Farm Beenham** 15 - 32

Proposal: Full application for the change of use of the site to a flexible events venue, [120 guests maximum] including the provision of overnight accommodation. The barn/site to be used for no more than 28 weddings/major events per annum, on Saturdays only.

Location: Awberry Farm, Beenham

Applicant: Nigel Hopes

Recommendation: That the Service Director of Development and Regulation be authorised to GRANT conditional permission.

Agenda - Eastern Area Planning Committee to be held on Wednesday, 5 July 2023
(continued)

- (2) **Application No. and Parish 23/01014/LBC, Awberry Farm, Beenham** 33 - 44

Proposal: Retention of unauthorised works, retrospective application for full restoration and conversion of the barn. Add internal insulation and air cooling with the addition of a new porch to West elevation to provide the key reception area for a flexible events venue.

Location: Awberry Farm, Beenham

Applicant: Nigel Hopes

Recommendation: The Service Director of Planning and Regulation be authorised to GRANT listed building consent.

- (3) **Application No. and Parish: 22/02945/REG4, Francis Baily Primary School** 45 - 60

Proposal: Proposed phased development which involves erection of a new single storey teaching block in a new location followed by the demolition of the existing single storey teaching block.

Location: Francis Baily Primary School, Skillman Drive, Thatcham, West Berkshire, RG19 4GG

Applicant: Francis Baily Primary School.

Recommendation: The Service Director Development and Regulation be authorised to grant planning permission subject to conditions.

- (4) **Application No. and Parish: 22/02533/REG4, Francis Baily Primary School** 61 - 70

Proposal: Erection of 3 No temporary teaching blocks and 3 No temporary toilet blocks.

Location: Francis Baily Primary School, Skillman Drive, Thatcham, West Berkshire, RG19 4GG

Applicant: Francis Baily Primary School

Recommendation: The Service Director Development and Regulation be authorised to grant planning permission subject to conditions.



Agenda - Eastern Area Planning Committee to be held on Wednesday, 5 July 2023
(continued)

Background Papers

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

Sarah Clarke.

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

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



DRAFT

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

EASTERN AREA PLANNING COMMITTEE MINUTES OF THE MEETING HELD ON WEDNESDAY, 26 APRIL 2023

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

Also Present: Sharon Armour (Principal Lawyer - Planning & Governance), Gareth Dowding (Principal Engineer (Traffic and Road Safety)), Lydia Mather (Team Leader - Development Control), Benjamin Ryan (Democratic Services Officer) and Michael Butler (Principal Planning Officer)

Apologies for inability to attend the meeting: Councillor Tony Linden

PART I

30. Minutes

The Minutes of the meeting held on 15 March 2023 were approved as a true and correct record and signed by the Chairman subject to the inclusion of the following amendments:

- Page 2, paragraph 3, should state that Gary Miles was a resident, not a representative of the Parish Council.
- Page 5, bullet point 2: 'Councillor Macro agreed with the Parish Council's concerns regarding the height of buildings and density of the site, which he did not feel was **in keeping with the character of the village.**

Page 5, bullet point 4 should note that one side of the bypass was monitored and the comment was in regards to the other sections.

31. Declarations of Interest

Councillor Geoff Mayes declared an interest in Agenda Item 4(1) 23/00072/RESMAJ, as his son worked for the applicant and reported that, as his interest was a disclosable pecuniary interest or an other registrable interest, he would be leaving the meeting during the course of consideration of the matter.

32. Schedule of Planning Applications

(1) Application No. and Parish: 23/00072/RESMAJ, Stratfield Mortimer

Item starts at [6 minutes and 27 seconds](#) into the recording.

Councillor Geoff Mayes left the meeting at 6.36pm.

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 23/00072/RESMAJ in respect of the approval of reserved matters following Outline Permission 19/00981/OUTMAJ [Section 73: Variation of condition 6-

EASTERN AREA PLANNING COMMITTEE - 26 APRIL 2023 - MINUTES

approved plans of approved application 17/03004/OUTMAJ: This outline application comprises two parts: Part a) The erection of 110 dwellings including affordable housing, public open space and associated landscaping with all matters reserved other than access and layout; Part b) The erection of a 3FE Infant School and 900sq m GP surgery (Use Class D1) with shared parking area with all matters reserved other than access.] Matters seeking consent: Landscaping. Site located at land south of Tower Gardens, Mortimer.

2. Mr Michael Butler introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Director of Development and Regulation be authorised to grant conditional approval subject to a 106 agreement being completed.
3. In accordance with the Council's Constitution, Ms Danusia Morsley (Parish Council representative), Ms Katherine Miles (applicant/agent), and Councillor Graham Bridgman (Ward Member) addressed the Committee on this application.

Parish Council Representation

4. Ms Danusia Morsley in addressing the Committee raised the following points:
 - That the open space behind the development would become obscured by the wall, which would ruin the aesthetic of the area.
 - The plans had changed significantly since the initial acceptance in 2019.
 - The proposed wall was not part of the original agreed-upon plans.
 - The open space was originally meant to be 3.35 hectares, which was integral to the awarding of the site for development to T.A. Fisher. They had now shrunk this open space to three hectares.
 - There was no publically accessible route into the open space.
 - There were concerns over safety where children could fall off the wall whilst climbing.

Member Questions to the Parish Council

5. Members asked questions of the Parish representative and were given the following responses:
 - That the Parish Council believed that houses would be built at gradual increments down the slope, which would eventually stop at the open space. This had morphed in phases 2A and 2B due to a change in the sustainable drainage systems (SuDs).
 - The Parish Council had not appreciated that moving the SuDs to under the roads would have such an impact.

Applicant/Agent Representation

6. Ms Katherine Miles in addressing the Committee raised the following points:
 - If West Berkshire Council (The Council) was to refuse planning permission, the construction would have to be delayed and contractors would be made redundant.
 - Construction on houses 51-58 were underway, so if the Council was to impose conditions retrospectively, it would cause further issues.
 - That T. A. Fisher had engaged with Councillors and officers previously, where officers had stated that the socio-economic benefit outweighed the negatives.

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- In 2015 the community voted that they were in favour of the development in adopting the Neighbourhood Development Plan (NDP).
- Planting foliage along the wall would eventually obscure the wall and would include anti-climb meshing.
- There would be no vantage point where a member of the public could see the entire wall due to its curved nature and it had been designed to be as maintenance-free as possible.
- In approving the outline permission, there was no proposal of a levels condition. The road landscaping, public open space and drainage were approved in the phase one reserved matters. A levels condition was then imposed and this established the finished floor level of the first 28 houses.
- There were no levels requirements attached to the already agreed phases 2A or 2B.
- The retaining wall was a result of developing lower down the slope.
- Section 106, should be a straightforward variation to the existing legal agreement to increase the maintenance payable for the open space once completed.

Member Questions to the Applicant/Agent

7. Members asked questions of the Applicant and were given the following responses:

- The outline plans that were shown were illustrative plans and were not conditioned as part of the approved plan pack. At the outline stage it was not always possible to have all the technical engineering drawings in regards to drainage.
- The wall would be around the basin and would not infringe upon the three hectares of open space mentioned in the NDP.
- This application was in regards to landscaping and Ms Miles felt it would be unreasonable to refuse the application on other grounds. She added that any attempt to affect the previous applications could be considered as an overreach.
- The policy of the NDP stated three hectares and the area was never considered in the plans as a completely usable public space.

Ward Member Representation

8. Councillor Graham Bridgman in addressing the Committee raised the following points:

- That the NDP stated that the open space should be at least three hectares.
- This was a significant development in regards to the height of the retaining wall.
- Point five of the Parish NDP stated that an application would need to incorporate areas of usable accessible open space utilizing the natural topography to create a soft edge to the residential development. With attractive views into and from the surrounding Countryside
- The Committee must consider the view from the public space towards the wall and fence.
- When the public considered adoption of the site they considered the slope not a large retaining wall.

Member Questions to the Ward Member

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9. Members asked questions of the Ward Member and were given the following response:

- That he did not know why phases 2A and 2B did not have levels conditions, however the outline plans might have previously come before the Committee.

Member Questions to Officers

10. Members asked questions of the Officers and were given the following responses:

- That the application of a levels condition was up to the Committee to decide.
- None of the past reserved matters came to Committee.
- The levels and details of the principal access to the road for sites 2A and 2B from phase one had largely been set by the Section 38 agreement. Officers had decided that to further impose a levels condition in regards to those roads would be unnecessary (at the time of the previous applications).
- It was not possible to retrospectively apply conditions. However, conditions could be applied to this application and it would be legitimate to apply a levels condition to the houses south of the road as they had not been constructed.
- The levels condition was to be implemented at plots 51 to 57 between the houses and the internal road.
- That there was a limit on how low the levels could be set.
- The black line on the layout of the proposed wall map represented terracing.
- That there was access to the open space through a track to the west of the area or through the existing public right of way to the east of the site.
- There was no intended public access through the back of the houses to the open space.
- That the Council would adopt the land, however if Stratfield Mortimer Parish Council wished to adopt the area they could do so.
- If the application was refused this could affect the 40% affordable homes, as well as the Deed of Variation (DoV) Section 106 agreement and the delivery of the houses as a whole.

Debate

11. Councillor Alan Law opened the debate by expressing his uncertainty about what the Committee was being asked to determine and could not understand why the levels would be changed if it did not affect the wall.
12. Councillor Alan Macro expressed his disappointment in the change to the NDP from a gradual slope to a large five-metre wall with a 1.2-metre fence on top. He explained that the base of the houses would still be visible above the fence. The Councillor disapproved of the lack of access to the open space and believed that people might try to make their own path to the area.
13. Councillor Ross Mackinnon emphasised that the Council had encouraged Parish and Town Councils to adopt NDPs and that going against them by voting for the application would undermine this message. The Councillor highlighted that this application was not in line with the Parish Council's NDP.
14. The Chairman highlighted that the need for the wall was because of the need for SuDs to prevent flooding issues. He therefore sympathised with the applicant and

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emphasised the point that if the application was refused, plots 51-57 might not be built. The Chairman brought attention to the fact that the planting of foliage would disguise the wall once the planting had matured, softening the visual impact.

15. Councillor Jeremy Cottam understood that this was a complex site, but warned the Committee against approving applications where the understanding of the SuDs was limited.
16. Councillor Richard Somner believed that the discussed issue had been created by design and that conditions three and six should have been previously implemented. The Councillor believed that previous comments made by T. A. Fisher were misguided as it was an issue created by the applicant themselves. Councillor Somner acknowledged the effort to disguise the retaining wall and that if it was a line of houses this would have the effect of a block change.
17. The Chairman invited Members of the Committee to vote on the proposal by Councillor Macro, seconded by Councillor Law to refuse planning permission on the grounds of the visual impact of the wall and due to it not adhering to the SDB-1 ('incorporate areas of usable accessible open space utilizing the natural topography to create a soft edge to the residential development with attractive views into and from the surrounding countryside') of the local NDP. At the vote, the motion was carried.
18. **RESOLVED** that the Service Director for Development and Regulation be authorised to refuse planning permission.

Reasons

- The development of the proposed retaining wall and associated works is unacceptable due to the visual impact which will arise from this 192m length structure up to 5m in height in places, in what is a prominent physical outlier on the application site, in particular when viewed from the south of the site. It is accordingly contrary to policies ADPP1, ADPP6, CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 and policies RS4, SDB1 of the Stratfield Mortimer Neighbourhood Development Plan 2017, and the National Planning Policy Framework.
- The proposed retaining wall is contrary to bullet point 5 of policy SDB1 of the Stratfield Mortimer Neighbourhood Development Plan (NDP) of 2017 as adopted in that it fails to incorporate areas of usable, accessible open space, utilising the natural topography to create a 'soft' edge to the residential development with attractive views into and from the surrounding countryside.

Councillor Mayes re-joined the meeting at 7.55pm.

19. The Chairman closed the meeting by expressing his gratitude to the officers for their efforts in supporting the meetings during his time within the Council and as Chairman of the Eastern Area Planning Committee, as he would be standing down as a Councillor after 33 years.
20. Councillor Macro expressed his appreciation for the Chairman's stewardship of the Eastern Area Planning Committee and wished him and Councillors Law and Keith Woodhams the best for the future.
21. Councillor Law reiterated the points made and expressed how this Committee had been, for him, the most enjoyable part of being a Councillor.

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(The meeting commenced at 6.30 pm and closed at 8.00 pm)

CHAIRMAN

Date of Signature

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

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY, 25 MAY 2023

Councillors Present: Jeremy Cottam, Paul Kander, Ross Mackinnon, Alan Macro, Geoff Mayes, Justin Pemberton, Vicky Poole, Richard Somner and Clive Taylor

Also Present: Sarah Clarke (Monitoring Officer) and David Cook (Principal Democratic Services Officer)

Apologies for inability to attend the meeting: None Received

PART I

1. Election of the Chairman

RESOLVED that Councillor Alan Macro be appointed as Chairman for the 2023/2024 Municipal Year.

2. Election of the Vice-Chairman

RESOLVED that Councillor Richard Somner be appointed as Vice-Chairman for the 2023/2024 Municipal Year.

(The meeting commenced at 8.07 pm and closed at 8.09 pm)

CHAIRMAN

Date of Signature

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Agenda Item 4.(1)

| Item No. | Application No. and Parish | Statutory Target Date | Proposal, Location, Applicant |
|----------|----------------------------|---------------------------|--|
| 4(1) | 23/00376/FULMAJ Beenham | 26 th May 2023 | Full application for the change of use of the site to a flexible events venue, [120 guests maximum] including the provision of overnight accommodation. The barn/site to be used for no more than 28 weddings/major events per annum, on Saturdays only. Land at Awberry Farm, Beenham. Mr N Hopes |

¹ Extension of time agreed with applicant until 7th July 2023.

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=23/00376/FULMAJ>

Recommendation Summary: That the Service Director of Development and Regulation be authorised to GRANT conditional permission.

Ward Member(s): Councillor Boeck

Reason for Committee Determination: Call in by ward member where application recommended for approval. The number of objections exceeds 10.

Committee Site Visit: 28th June 2023.

Contact Officer Details

Name: Michael Butler
Job Title: Principal Planning Officer
Tel No: 01635 519111
Email: Michael.butler@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for the use of a curtilage listed barn at Awberry Farm, in conjunction with other existing outbuildings, for the use as a wedding venue for no more than 28 days in any one year, on Saturdays only.
- 1.2 The application site lies to the north of Beenham village outside the defined settlement boundary, in the open countryside, in policy terms. It also lies in the North Wessex Downs Area of Outstanding Natural Beauty. As noted the barn is curtilage listed by dint of the main farmhouse being grade 2 listed. The barn itself was renovated in 2006/7 and is accordingly in good condition, as the site visit and photos will indicate. A public right of way (BEEN/6/1) runs past the application site to the east. The sole vehicular access to the site is from the public highway to the south and is between two properties and adjacent to the public right of way.
- 1.3 The application includes the following—the barn itself will be the main venue for weddings, an associated barn to the west will be for kitchen preparations and beyond that will be parking for up to 70 cars, for wedding guests. The total number to attend will be limited to 120 guests. Units which are no longer in commercial use will be converted to onsite wedding guest accommodation (9 bedrooms) with associated toilet facilities. The parking area is to be screened by planting to the north and west and includes disabled parking spaces. There will be cycle storage racks and electric vehicle charging points. An acoustic fence at 2.5m high and 35m in length will be constructed around both sides of the main vehicle access for noise attenuation purposes.
- 1.4 As noted the application, if approved, will be conditioned to operate for no more than 28 days per year and being an events venue will not be restricted only to weddings—it is understood however that the latter will be the predominant use. The times of use of the venue will be restricted from 12 noon on the event day to no later than 11.45pm on that event day. This will be controlled by planning condition.

2. Planning History

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

| Application | Proposal | Decision / Date |
|--------------------|---|--|
| 22/02406/lbc | Retention of retrospective works to barn. Erection of porch to west elevation. | Withdrawn. 13 th February 2023. |
| 22/02625/FULMAJ | Similar application to the current scheme, but in addition 12 events pa for the village. | Withdrawn 13 th February 2023. |
| 23/01014/lbc | Retrospective works to listed barn plus additional extensions and sound insulation works. | Partner application at this Committee. |
| 147261 | Conversion of barns to B1c use for precision engineering company .Personal consent. | Approved 1995. |

- 2.2 Considerable number of applications include listed building consents for various extensions to the listed farmhouse.

3. Procedural Matters

- 3.1 Given the nature and scale of this development, it is considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 where the site is in the sensitive location of the North Wessex Downs Area of Outstanding Natural Beauty. As such, EIA screening has been undertaken and concluded that the proposal does not constitute EIA development and an Environmental Statement is not required.
- 3.2 Initial site notice erected on the 8th March 2023. Expiry on the 29th March 2023. Advertised in the Newbury Weekly News on the 16th March 2023.
- 3.3 The application, if approved, will not be CIL liable.
- 3.4 If planning permission is granted a separate licence for holding public functions with alcohol will be required at the venue.

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.

| | |
|---------------------------------|--|
| Beenham Parish Council | Objection. The Council has carefully weighed up both sides of the argument and decided to object to this application on the basis of unacceptable noise to residents and loss of tranquility, unacceptable number of vehicles and traffic noise, and unacceptable environmental impact within an area of outstanding natural beauty (AONB). |
| Bradfield Parish Council | Whilst on first glance, one might think that an event venue at Awberry Farm would have no impact on the parishioners of Bradfield, the contours of the land and the prevailing wind could result in noise (particularly music) and light intruding on residents of Bradfield Southend, particularly on summer evenings. Awberry Farm lies within the AONB and any changes should conserve and enhance the local distinctiveness, sense of place and setting of the AONB whilst preserving the strong sense of remoteness, tranquillity and dark night skies. Concern was also raised about the narrow single track access to Awberry Farm when travelling to the site from both the south and the north. |
| Highways | Conditional permission is recommended. Whilst there are some outstanding concerns regarding the overall sustainability of the site and the relatively poor highways network accessing the site, the additional traffic generation over the year in relation to that as permitted in the commercial units [if occupied] is still greater than that projected for the wedding venue over the 28 days. In addition the access is acceptable as is the overall parking provision. |
| Conservation officer | No objections. The application if permitted will allow the re use of a currently underused curtilage listed barn for an economic purpose which will assist in its future retention as a valued |

| | |
|-------------------------------------|--|
| | heritage asset. (See also associated listed building consent application). |
| Environmental health officer | The officer has carefully examined all the acoustic information submitted with the proposal and has concluded that with the additional acoustic insulation in the barn [see listed building consent application] the application with conditions will be acceptable in terms of overall noise generation. |
| North Wessex Downs AONB | Strong objection on the grounds of impact on tranquillity, dark skies, not a sustainable location, visual impact of cars parked in the AONB. Not a suitable location for an “intense” commercial use. Will negatively impact on users of the public right of way adjacent to the site and will impact local wildlife. In addition contrary to policy of the North Wessex Downs AONB management plan, the National Planning Policy Framework advice, and local plan policy. |
| Thames Water | No objections. |
| Archaeologist | No objection. Requested additional information on the renovated barn. This has been supplied. |
| Public rights of way | No objection but queries the impact of the proposed acoustic fencing on the adjacent footpath. This must not impinge upon the protected definitive line of the public right of way. |
| Lead Local Flood Authority | Conditional permission recommended. |
| Berkshire newt officer | A pond lies 155m to the west of the car park. An informative should be attached to any permission accordingly about newt protection. |
| Tree officer | Conditional permission for a landscaping scheme recommended. |
| Economic Development Officer | Supports the application. If approved it will assist in providing local employment in the wedding business, which is growing nationally post the pandemic. Considered to comply with policy CS10. |

Public representations

- 4.2 Representations have been received from 123 contributors, 54 of which support, and 69 of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- 4.4 Objections
- Unacceptable development in the AONB, clearly contrary to policy at local and national level.
 - Will increase noise to an unacceptable level during wedding events, impact on amenity and local tranquillity.
 - Impact on users of the footpath adjacent and local wildlife.
 - Destroy local tranquillity of dark skies in the AONB.
 - Very poor traffic network, not a sustainable location, the parking will be an eyesore, dangerous access point in addition.

- The retrospective works to the listed barn should not be encouraged by the grant of planning permission.
- If approved will set a precedent for events in the year to be increased.
- Link to the vitality of the local pub is spurious.
- Has divided the village community which is unfortunate.
- Positive impact on local economy has been overstated.
- Peace and quiet of village will be destroyed.

Support

- Will have a very positive impact on local employment facilities and jobs including for younger people in the village.
- Will be a very attractive wedding venue.
- The traffic problems by objectors have been overstated—it is only for 28 days pa and restricted to 140 persons.
- Will help to sustain the other facilities in the village eg the public house.
- Any noise will affect only a small number of residents close to the site.

5. Planning Policy

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

- Policies ADPP1, ADPP5, CS10, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS). Policy P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS6 and ENV19 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19

5.3 The application under consideration will be examined under the following planning issues - Policy, highways, AONB issues, rural employment, noise/amenity impact, heritage and Ecology.

6. Policy and visual impact

6.1 The main planning document against which this application is assessed is the West Berkshire Core Strategy. Policy ADPP1 is the main policy for any new development across the District. In this case, since the application site lies in the open countryside, the final bullet point of ADPP1 applies ie in this area “only appropriate limited development will be allowed, focussed on addressing identified needs and maintaining a strong rural economy.” Whilst there are a number of wedding venues across the District, including at Wasing Park, the applicant in marketing terms considers that there is a need. With regard to the rural economy policy CS10 notes that “proposals to diversify the rural economy will be encouraged, particularly where

they are located in or adjacent to Rural Service Centres and Service Villages. The site is adjacent to the settlement of Beenham, although Beenham is not identified as a Rural Service Centre or a Service Village by policy ADPP1” Nevertheless the proposal would assist the local economy by providing additional job opportunities and more business in the village.

- 6.2 As noted the application site lies in the North Wessex Downs AONB. Policy ADPP5 specifically relates to the AONB. Bullet point 5 in the Economy section of that policy highlights the need to support small local businesses. Accordingly it is considered that the proposal is supported by these policies in terms of maintaining the rural economy.
- 6.3 Policy ADPP5 however notes that any new development across the AONB must conserve and enhance the local distinctiveness, sense of place and setting of this special landscape national designation. The case officer has visited the site on a number of occasions and has concluded that given that: no new buildings are being built on site but a sensitive conversion of buildings [some curtilage listed]; and the visual impact arising from the car parking use of the site will only occur 28 days per annum [7.7% of the total days in the year], the significance and tranquillity of the AONB will not be so harmed as to merit refusal, notwithstanding the objection from the North Wessex Downs AONB unit. Having said that it is noted that the visual impact of the proposed acoustic fence will of course be for the whole year, but the case officer considers that given this will be visually seen in the context of existing built form adjacent the settlement boundary of Beenham, this will be acceptable, having regard to the advice in policy CS19 in the WBCS. In this context, it is noted that the scheme is considered to comply with the advice in criterion [b] of policy CS19 which relates to landscape character [inter alia] and the historic environment. It is noted that new development should be appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character. In this location the farm buildings are relatively close to the built form of the village so are not visually isolated as such. This, in the officer view diminishes any potential visual harm the application might have upon the wider AONB landscape to the north of the village.
- 6.4 In conclusion, it is considered that the application complies with the advice in the NPPF relating to paragraph 176 which notes that [inter alia] “the scale and extent of development should be limited “. It is not considered that the impacts of the proposal will be visually harmful, and therefore comply with the aforementioned policies.

7. Highways

- 7.1 Policy CS13 in the Core Strategy notes that all new development that generates a transport impact will be required to fulfil a range of criteria as set out in that policy. But not all need to be met. In this case, the criteria relate to if the location is sustainable and whether the local highways network is suitable to accept the additional traffic loading on 28 Saturdays of the year.
- 7.2 Firstly these days are off peak so will not interfere with peak flows. Secondly it is accepted that the location of the site has few bus services nearby and the train station some miles distant at Aldermaston. Thirdly it is acknowledged by the officers that there were two existing commercial units on the site capable of generating up to 7250 vehicle movements per annum. This is notwithstanding the fact that the units are currently vacant. It is projected that the proposed 28 day use will generate 3920 vehicle movements over the year which is an overall reduction of 46% of flows albeit more concentrated on the 28 days in question. On this basis, despite the lack of a sustainable location in terms of public transport the highways officer is not objecting to the application.

- 7.3 The officer has also closely examined the access point itself and the available forward visibility splays required. It is acknowledged that speeds are low in the vicinity as are general traffic flows so the limited visibility is accepted by the officer. Finally in examining the allotted parking spaces it is accepted that 70 parking spaces will be sufficient for the maximum 120 guests at each event. This is on the basis of an average occupancy of 2.5 per car arriving at the venue. In conclusion the highways officer is not objecting to the application, but making a recommendation of conditional permission. It thus complies with policy CS13 in the WBCS.
- 7.4 For clarity the following is highlighted in the report for completeness. Application number 147621 was granted for the B1 use of the barns in 1995. That permission, was, most unusually, a personal permission to the applicant. Precision engineering have continued to occupy the buildings until very recently, but the units are now vacant as the business has ceased. Accordingly there is no actual traffic generation from the site from this business. However, it is clear that the use has not lapsed per se [the normal period for abandonment is a minimum of 10 years from the date of cessation of that use], and the applicant could anyway in theory re occupy the building, and the use has subsisted on the site for nearly 30 years in any event. So the background traffic generation taken into account by the highways officer remains relevant and accurate.

8. Acoustic issues

- 8.1 The Council's Environmental Health officer has carefully examined the submitted acoustic assessment provided by the applicant and has visited the site on a number of occasions. The following is apposite in determining whether the proposal will be acceptable in terms of the advice in the NPPG on noise and saved policy OVS6 in the WBDLP of 1991 to 2006.
- 8.2 Policy OVS6 notes that [inter alia] the Council will require appropriate noise mitigation measures in proposals which generate noise, in order to ensure no adverse impact on local amenity and that this is especially so in the AONB in which the site is located. It specifically does not say such applications should automatically be rejected. In this instance the following is relevant. The number of guests will be limited to 120, the number of event days is 28 pa maximum on Saturdays alone, the use of the external courtyard will cease after 10pm, no amplified music will be permitted outside the barn itself, sub woofers will not be used in the barn after 10pm, and all music will cease by 11pm at the latest. The barn itself will be vacated by 11.30pm at the latest. In addition, in respect of traffic noise, the applicant is proposing the 35m long acoustic fence adjacent to the access, and the car park itself is some distance from any housing as well with intervening buildings, reducing noise impact.
- 8.3 In addition to this sound insulation will be inserted into the roof/walls of the listed barn [see the listed building consent application] which via condition must be undertaken prior to any wedding venue use of the barn taking place. In addition any glazing will be double glazed. In order to keep the barn doors closed to reduce noise emanation the applicant is also proposing a bespoke ventilation system, which itself will be conditioned, before any venue can operate. Given all these additional works and factors both the case officer and the EH officer are accepting the sound implications of the application.
- 8.4 The Government has published advice in the NPPG regarding noise levels and whether they can be acceptable or not in new development projects, taking into account the social and economic benefits of the scheme. It notes that where there are significant adverse impacts of a development on receptors, such applications should be refused. In this case the use will only occur on 7.7% of the days of the

year, albeit it is recognised this is Saturdays and potentially more in the summer than the winter. Secondly officers do not consider that the noise generated will have significant adverse impacts which would make residents alter behaviour on a regular basis. This is the test applied in the NPPG. Thirdly the aforementioned appropriate conditions can be put in place to ensure noise mitigation is ensured.

- 8.5 A number of the objectors appear concerned that the applicant will not abide by the above conditions. Suffice to say that if permission is granted, the Council does have wide ranging noise abatement powers under health as well as planning legislation should problems occur in the future. In addition some objectors are worried about the precedent which would be set if the application is approved, for greater numbers of days in the future. Applications would need to be made for such variations The Local Planning Authority is required to determine applications on their present merits, not what might happen in the future.
- 8.6 To conclude the noise impact issues are considered to be acceptable in the context of this application as described above by the imposition of conditions to mitigate potential noise impacts. It is considered the proposal will comply with the advice in saved policy OVS6 and that in the NPPG re noise.

9. Heritage

- 9.1 As noted the listed barn is the one to be converted to the wedding venue. A separate listed building consent has been submitted to facilitate the works required to the barn, which will include additional sound insulation and ventilation works, and approval of retrospective works. These issues will be examined in more detail under the listed building consent application. In summary a heritage impact assessment has been undertaken and the Conservation Officer does not object to the proposal in heritage terms. As such the change of use proposed is considered to comply with policy CS19.

10. Biodiversity

- 10.1 Policy CS17 requires all development to maximise opportunities for net gain in biodiversity as well as mitigation of any diversity impacts of development. Furthermore, the site is within a biodiversity opportunity area where enhancements from development are required. An ecology survey has been submitted with the application.
- 10.2 The applicants submitted ecology survey notes that there are protected species in the listed barn and some of the outbuildings to be converted. These are protected in legislation by the Wildlife and Countryside Act of 1981 and the Habitat Regulations of 2017. If planning permissions are granted by local planning authorities, which might impact upon the future conservation status of these species, the Local Planning Authority is required to apply derogation tests to ensure the scheme is legally compliant.
- 10.3 These are as follows. Firstly is there a satisfactory alternative? In this instance if the venue is to successfully proceed, there would be no reasonable alternative on site other than the listed barn in which to satisfactorily hold the venue, other than the application being refused. Secondly, will the derogation be harmful to the future population of the species in question in their natural range? Appropriate conditions can be applied to mitigate impacts such that it would not be harmful to the future population of the protected species. Thirdly, if the application does proceed to permission, are there overriding social and economic reasons why this should occur, and beneficial consequences for the environment? As identified in the planning

balance section, the scheme will confer future conservation of a curtilage listed barn, plus there will be both social and economic benefits arising from the wedding venue. To conclude officers, in advising the local planning authority, consider the three derogation tests can be adhered to and accordingly if planning permission is granted a Natural England licence can be granted for the works to the barn to proceed, in a lawful manner.

- 10.4 The applicant's submitted ecology survey notes that measures are required during the conversion works include obtaining a licence for the works from Natural England, certain works to be undertaken outside of winter hibernation, bat boxes to be installed on site, and external lighting. These measures can be secured by condition. Where the site is in a biodiversity opportunity area further details of the biodiversity enhancements to be provided on site as part of the development to comply with Policy CS17 is also to be conditioned. With these conditions the development is considered to comply with the development plan policies on biodiversity.

11. Planning Balance and Conclusion

- 11.1 This is a highly contentious application in the /community of Beenham. This is clearly evidenced by the high level of objections and support. It is considered that conditions can be applied to mitigate the impact of the proposal to be compliant with planning policy. Nevertheless it is acknowledged that there will be negative impacts from increased traffic (compared to that currently), on the landscape character of the AONB and noise. There are also planning benefits from the proposal in supporting the local rural economy and the social benefit of a wedding venue for marriages.
- 11.2 Accordingly, in environmental, social and economic terms the application is considered on balance acceptable and so is accordingly recommended for conditional permission.

12. Full Recommendation

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

Conditions

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| 1. | <p>Commencement of development</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p> |
| 2. | <p>Approved plans</p> <p>The development hereby permitted shall be implemented in strict accordance with the following approved plans and documents.</p> <p>Location plan--by blue jet. Forge arrangements --22/10/41 Acoustic Fencing--22/10/60-A Listed barn elevations--22/10/16 A Workshop--22/10/21 B Floorplan-barn-22/10/14</p> |

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| | <p>Open barn proposal --22/10/31 Block plan--22/10/50 B Comparative Site Sections 22/10/70 ET Planning, Design and Access Statement February 2023 Clarke Saunders Acoustics Noise Impact Assessment February 2023</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p> |
| 3 | <p>Restriction on use</p> <p>The use hereby permitted shall not be operated on site for more than 28 days each year and those days shall be Saturdays only. The event on each day shall not commence prior to 12:00 on that day, and must cease at 23:30 on that day. No more than 120 people shall be present onsite at any time. (For clarity 40 people includes children).</p> <p>Reason. To clarify the permission in accord with the advice in policy OVS6 in the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire Core Strategy 2006-2026, and the National Planning Policy Framework.</p> |

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| 4 | <p>Works to listed barn</p> <p>The use hereby permitted shall not commence until all of the works under application number 23/01014/lbc and all of the acoustic fence have been completed</p> <p>Reason. To ensure noise mitigation is installed to protect the amenity of other land users and occupiers in accordance with policy OVS6 in the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire Core Strategy 2006-2026 and the National Planning Policy Framework.</p> |
| 5 | <p>Noise control</p> <p>The use hereby approved shall not commence until the noise control measures to the tithe barn, as set out in the Noise Impact Assessment (Clarke Saunders reference AS12735.230116.R1 dated 10/02/23) submitted with the application, are implemented. The noise control measures shall be retained and maintained in accordance with the noise impact assessment thereafter.</p> <p>Reason: To protect the occupants of nearby residential properties from noise in accordance with policy OVS6 of the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework.</p> |
| 6 | <p>Music noise</p> <p>The level of noise emitted from amplified music associated with the use hereby permitted shall not exceed 35dB LAeq, 15m at the nearest residential receptor. No amplified music shall be played on site other than within the tithe barn. Any sub woofers shall not be used after 22:00, and all music, amplified and non-amplified shall cease at 23:00.</p> |

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| | <p>Reason: To protect the occupants of nearby residential properties from noise in accordance with policy OVS6 of the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework.</p> |
| 7 | <p>Noise Management Plan</p> <p>The premises shall be operated in compliance with all aspects of the Noise Management Plan appended to the Noise Impact Assessment (Clarke Saunders reference AS12735.230116.R1 dated 10/02/23) submitted with the application.</p> <p>Reason: To protect the occupants of nearby residential properties from noise in accordance with policy OVS6 of the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework</p> |
| 8 | <p>Noise limiter</p> <p>A noise limiting device shall be installed at the premises and maintained in such a manner as to control all sources of amplified music and speech at the premises. The device shall be:-</p> <ul style="list-style-type: none"> o used at all times during the event; o set at a level agreed in writing with the Local Planning Authority; and o sealed in a manner which is tamper proof. <p>Reason: To protect the occupants of nearby residential properties from noise in accordance with policy OVS6 of the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework</p> |
| 9 | <p>Doors and windows</p> <p>All external doors and windows must be kept closed, other than for access and egress during each event.</p> <p>Reason: To protect the occupants of nearby residential properties from noise in accordance with policy OVS6 of the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework</p> |
| 10 | <p>Noise of plant</p> <p>All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the rating level therefrom does not exceed the existing background noise level when measured in accordance with BS4142:2014 (or any subsequent revision).</p> <p>Reason: To protect the occupants of nearby residential properties from noise in accordance with policy OVS6 of the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework</p> |
| 11 | <p>Sustainable Drainage</p> |

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| | <p>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.</p> <p>These details shall:</p> <ul style="list-style-type: none"> 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-use; b) Include a Flood Risk Assessment (FRA) for developments located in areas at risk of flooding (in Flood Zone 2 and 3 or from surface water) or developments larger than 1 hectare; c) Include a Flood Response Plan identifying safe access and egress routes to the site and, where appropriate, areas of safe refuge for the occupants. Details of procedures to be followed and provisions to be available should be included within the pack for use during a flood event. The relevant emergency contact details should also be provided; d) Include details of how the existing flood routes will be sustained or mitigated (any measures for loss of flood routes shall not increase flood risk elsewhere); e) Include written confirmation from Thames Water of their acceptance of the discharge from the site into the surface water sewer and confirmation that the downstream sewer network has the capacity to take this flow; <p>The above measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.</p> <p>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), Part4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p> |
| 12 | <p>Car parking</p> <p>The car parking as proposed on the application site shall be laid out in accordance with the approved plans prior to the use hereby permitted being commenced. The car parking shall be retained in perpetuity on the site in satisfactory condition, so long as the use permitted subsists on the site.</p> <p>Reason. To ensure that the site has sufficient parking on site in accordance with policy CS13 in the West Berkshire Core Strategy of 2006 to 2026 and the National Planning Policy Framework.</p> |
| 13 | <p>Ev points</p> |

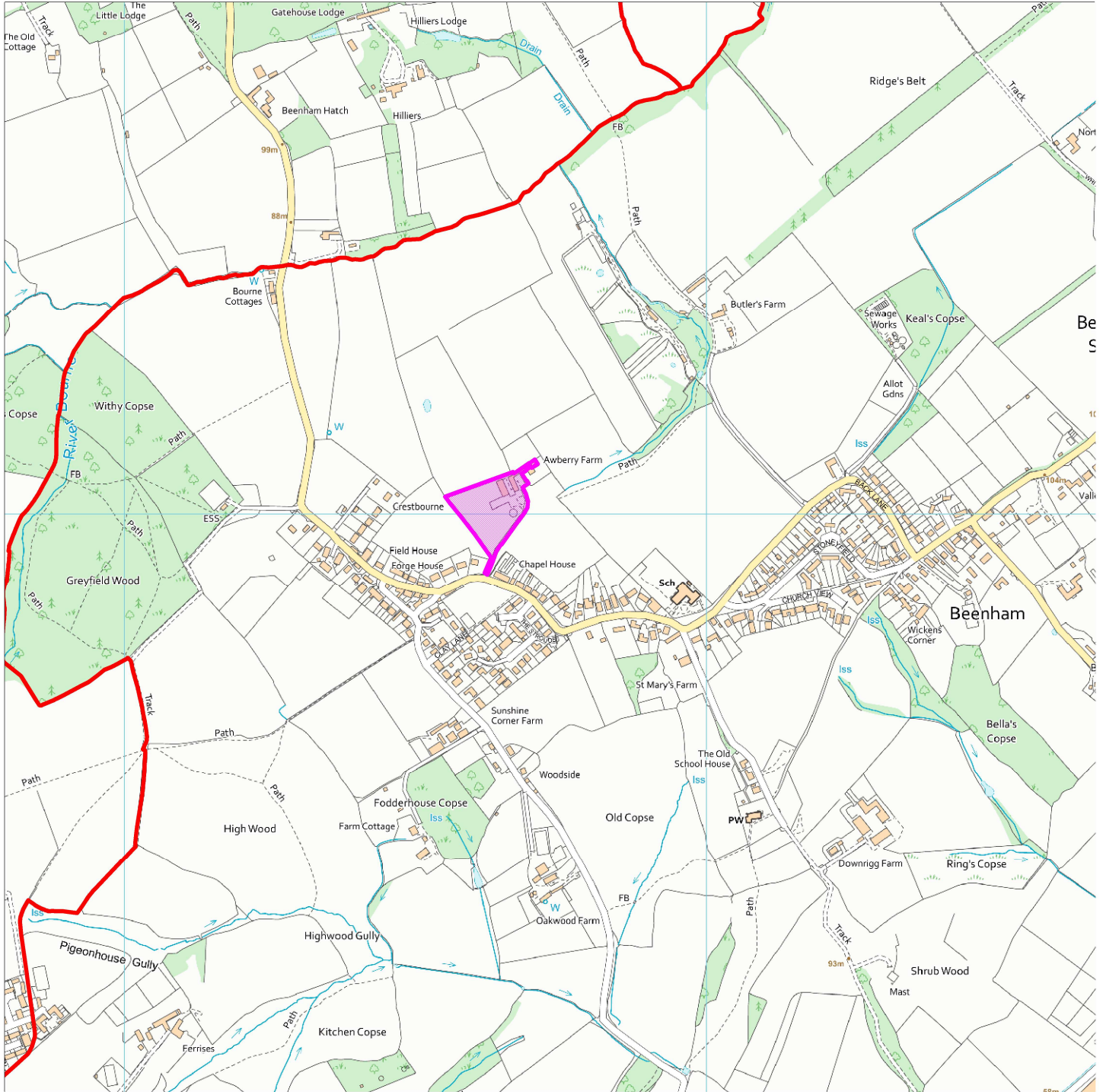
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| | <p>The use shall not commence until electric vehicle charging points have been provided in accordance with the approved drawings. The charging points shall thereafter be retained and kept available for the use of an electric car.</p> <p>Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| 14 | <p>Cycle parking</p> <p>The use shall not commence 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.</p> <p>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).</p> |
| 15 | <p>Soft landscaping</p> <p>The use 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 the first use of the venue for weddings. 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.</p> <p>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.</p> |
| 16 | <p>Biodiversity</p> <p>The development shall be undertaken in accordance with the bat mitigation measures identified in the John Wenman Ecological Consultancy Bat Emergency & Re-entry Survey Ref R3003/a. Prior to commencement of the relevant works to the listed building: a copy of the European Protected Species Mitigation Licence shall be submitted to the Local Planning Authority prior; bat boxes shall be installed, and the licensed ecologist shall give a toolbox talk to contractors.</p> <p>Reason: To ensure protected species on site are protected as part of the works in accordance with the National Planning Policy Framework and policy CS17 of the West Berkshire Core Strategy 2006-2026.</p> |
| 17 | <p>Lighting design strategy for light sensitive biodiversity</p> |

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| | <p>Prior to the development being brought into use, a “lighting design strategy for biodiversity” for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:</p> <ul style="list-style-type: none"> a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b) show how and where external lighting will be installed (through 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. <p>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.</p> <p>Reason: Bats are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p> |
| 18 | <p>Biodiversity enhancement measures (prior approval)</p> <p>The development hereby permitted shall not be brought into use until biodiversity enhancements has been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure biodiversity enhancements are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p> |
| 19 | <p>Time limit on development before further surveys are required</p> <p>If the conversion works hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within a year from the date of the planning permission, the approved ecological measures secured through Conditions 16 and 17 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to (i) establish if there have been any changes in the presence and/or abundance of bats and (ii) identify any likely new ecological impacts that might arise from any changes.</p> <p>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 continuation of the works. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.</p> <p>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,</p> |

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 that any working practices or other mitigation measures are informed by up-to-date survey information in the interests of protecting bat populations. A pre-commencement condition is required for updated surveys given the mobile nature of bats. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

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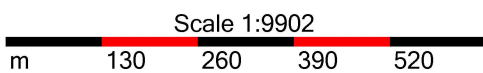
Map Centre Coordinates :

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| Organisation | West Berkshire Council |
| Department | |
| Comments | Not Set |
| Date | 22 June 2023 |
| SLA Number | 0100024151 |



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Agenda Item 4.(2)

| Item No. | Application No. and Parish | Statutory Target Date | Proposal, Location, Applicant |
|----------|---|----------------------------|---|
| 4(2) | 23/01014/LBC Beenham Parish Council | 11 th July 2023 | Retention of unauthorised works, retrospective application for full restoration and conversion of the barn. Add internal insulation and air cooling with the addition of a new porch to West elevation to provide the key reception area for a flexible events venue. Awberry Farm, Beenham Nigel Hopes |

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=23/01014/LBC>

Recommendation Summary: The Service Director of Planning and Regulation be authorised to GRANT listed building consent.

Ward Member(s): Councillor Boeck

Reason for Committee Determination: In excess of 10 letters of objection received. In addition it should be considered in conjunction with the partner application 23/00376/FULMAJ

Committee Site Visit: 28th June 2023.

Contact Officer Details

Name: Michael Butler
Job Title: Principal Planning Officer
Tel No: 01635 519499
Email: Michael.butler@westberks.gov.uk

1. Introduction

The works can be split into different parts:

1.1 The unauthorised works to large curtilage listed barn include the following:

Restoration of barn carried out in 2006 by previous owners – photos and evidence have been submitted to show that most of the historic structural oak timbers were retained (with the exception of the southern wall), as well as a considerable number of clay tiles. The works were clearly carried out sensitively and were necessary to save this impressive historic barn.

1.2 Subsequent works to the barn carried out by the applicant in readiness for a proposed change of use:

- increase in height of double doors on the west elevation to match design of existing.
- creation of internal opening in southern wall of barn (no historic timbers were lost as this wall was largely reconstructed from modern oak timbers; and
- new composite floor to replace concrete floor

1.3 Proposed works to curtilage listed barn include the following:

- Change of use to ceremonial hall to be used as part of flexible events venue
- Erection of small timber clad a porch on east elevation

1.4 Proposed works to curtilage listed stables:

- Change of use to overnight accommodation for guests of events venue
- Existing openings utilised
- 4no. small rooflights in north elevation
- Small timber clad plant room on north elevation
- Subdivision of internal space to provide bedrooms
- Installation of ventilation and air conditioning units

1.5 The site lies in the North Wessex Downs AONB and lies outside any defined settlement boundary in the Local Plan. The barn in question is curtilage listed..

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

| Application | Proposal | Decision / Date |
|-------------|--|-----------------|
| N/a | A whole range of applications made to the rear of the principal listed farmhouse to the east of the application site but of no particular relevance to this proposal. Remainder of history—see partner application under 23/00376/FULMAJ. | N/a |

1.7 There have been range of planning applications and listed building consents on the site since the applicant's purchase of the site. All applications capable of registration by the LPA must be determined, unless withdrawn. It is the officer view that the

range of rear extensions sought on the listed farmhouse have little or no bearing on this application given the physical separation involved.

2. Procedural Matters

- 2.1 The listed building consent application is not considered to fall under the remit of the EIA regulations, of 2017. Accordingly no Environmental Statement is required to be submitted with the application.
- 2.2 Site notice erected on the 22nd May. Expiry on the 13th June. Advert in the Newbury Weekly News on the 18th May as listed building consent and an application which might impact upon the setting of a public right of way.

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.

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| Beenham Parish Council: | <p>Raise objections to the application, which is confusing appearing in three distinct sections. No objections however to the original works undertaken in 2006. How can a retrospective application be legal? Enforcement action should be taken on the matter. The works are only proposed to facilitate the proposed change of use identified under 23/00376.</p> <p>Second response to the application still strongly objects to the proposal for the barn. Has not allowed the Community to take part in the future of the barn.</p> |
| Environmental Health | <p>The officer has carefully examined the proposal and notes that IF all the sound insulation works are undertaken in the barn as identified above, then any objections on noise disturbance and impact will be removed. Officer comment –see partner application for views on the acoustic impacts of the proposed change of use.</p> |
| Conservation Officer | <p>No objections to the retention of the unauthorised works which I do not feel have caused any harm to the special interest or significance of the curtilage listed barn or Awberry Farmhouse.</p> <p>I have no objections to the proposed change of use of these agricultural buildings into a flexible events venue, to include a ceremonial room within the large curtilage listed barn, overnight guest accommodation in the curtilage listed C19th stables, and ancillary services/accommodation in the modern unlisted barns. The proposal retains the special interest of the large barn and the C19th stables, and the relationship and spatial and functional relationship between the farm buildings and listed house. I agree with the conclusions of the heritage statement in that the proposed use is a sympathetic way of bringing redundant</p> |

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| | <p>traditional agricultural buildings back into viable use, without the need for large scale subdivision or extension.</p> <p>The parking has been located behind the modern farm building so will be largely hidden from the listed buildings. Additional screening is proposed which will further help reduce its impact (a landscaping condition will be required to ensure this is planted and maintained).</p> <p>Notwithstanding the above, concern was expressed with the proposals to install acoustic measures. Further information/details was therefore requested and received. I am of the opinion that given that the weatherboarding and tiles are new and form part of the 2006 restoration, the installation of the insulation between the historic frame and the weatherboarding and roof tiles will not give rise to any harm to the historic fabric. The submitted 1:10 cross section shows that the insulation will only result in an increase in depth of 20cm, which I do not consider would materially impact the overall appearance and proportions of the barn.</p> <p>I therefore have no objections to the proposed insulation details. However, I would like to see full details (Plans/cross sections) showing the impact of the ventilation and air conducting and grilles on the building. I am happy for this to be conditioned.</p> <p>Case Officer note –the details will be supplied via the pre-condition to be applied.</p> |
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Public representations

- 3.2 Representations have been received from 50 contributors, 30 of which support, and 20 of which object to the proposal.
- 3.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- **Objection**
 - The past unauthorised works should not now be permitted by the Council
 - Enforcement action should be taken accordingly
 - The works are only proposed in order to facilitate the proposed change of use – what happens if that application is refused?
 - The proposed internal and external works will harm the historical integrity of the listed barn which will be harmful to this designated heritage asset.
 - A great many of the objections re iterate concerns about the proposed change of use application. Not about the impact upon the physical structure of the barn per se.
 - The applicant appears to be very cavalier in his approach to such planning matters. It is a cynical attempt to pervert the proper planning process. In addition if the application is approved it would set a harmful precedent.
 - The whole application is confusing—is this done on purpose?

- Some do not object to the original works being undertaken in 2006 but only the more recent ones and the proposed ones.

Support

- The works to the barn are modest and in keeping and will not harm the historical integrity of the structure.
- Again the works proposed will facilitate the proposed change of use, which is actively encouraged by the supporters, i.e it will provide more local employment for the villagers and bring economic vitality back into the village e.g. the public house.

4. Planning Policy

- 4.1 This listed building consent application is made under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. In considering whether to grant listed building consent for any works the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 4.2 In large part the same heritage conservation considerations will apply as with planning applications. The Government's policy for the historic environment on deciding all such consents and permissions is set out in the National Planning Policy Framework (NPPF). The NPPF does not distinguish between the type of application being made. It is the significance of the heritage assets and the impact of the proposals that should determine the decision. Paragraph 193 of the NPPF says when considering the impact of a proposed development on the significance of a designated heritage asset (including conservation areas), great weight should be given to the asset's conservation. Consistent with the NPPF, Policy CS19 of the West Berkshire Core Strategy 2006-2026 states that particular regard will be given to the conservation and, where appropriate, enhancement of heritage assets and their setting. Consequently, the main issue is whether the proposal would preserve the special architectural and historical interest of the listed building and its setting.

5. The principle of the works

- 5.1 It is not an offence under planning legislation to apply for the retention of unauthorised works to a listed building. The principle of making this listed building consent application in three phases is accordingly acceptable, with the listed building consent being capable of legal registration such that the Council can determine it on its merits.

6. Impact on listed building

- 6.1 The special interest of the barn lies in the following:
- Good surviving example of a mid-C19 timber framed barn.
 - Its architectural form – in particular the impressive large, open internal volume.
 - Survival of the original timber frame.
 - Group value due to its spatial and functional relationship with the Grade II listed Awberry Farm House, and the C19th stables to the north.
- 6.2 The special interest of the stables lies in the following:

- Group value due to its spatial and functional relationship with the Grade II listed Awberry Farm House, and the C19th barn.
 - Vernacular form and use of materials
- 6.3 The conservation officer has raised no objections to the retention of the unauthorised works, as they are not considered to have caused any harm to the special interest or significance of the curtilage listed barn or Awberry Farmhouse. In addition the conservation officer has raised no objections to the proposed change of use of these agricultural buildings into a flexible events venue, to include a ceremonial room within the large curtilage listed barn, overnight guest accommodation in the curtilage listed C19th stables, and ancillary services/accommodation in the modern unlisted barns. The proposal retains the special interest of the large barn and the C19th stables, and the relationship and spatial and functional relationship between the farm buildings and listed house.
- 6.4 The conservation officer is of the opinion that the proposed use is a sympathetic way of bringing redundant traditional agricultural buildings back into viable use, without the need for large scale subdivision or extension. This is in accordance with the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) which require that proposals should preserve the heritage significance of listed buildings. Furthermore, the parking has been located behind the modern farm building so will be largely hidden from the listed buildings. Additional screening is proposed which will further help reduce its impact (a landscaping condition will be required to ensure this is planted and maintained).
- 6.5 The introduction of ventilation and air conditioning units will result in some limited harm to the character of the building. Where a proposal would cause less than substantial harm to the significance of a designated heritage asset, paragraph 202 of the NPPF requires that in determining the application the less than substantial harm must be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use.
- 6.6 It is considered that the proposal will help secure a sustainable use for the building which retains the special character of the buildings and the setting of the main listed building in accordance with the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

7. Ecology

- 7.1 Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended). The Conservation of Habitats and Species Regulations 2017 (as amended) (the Regulations) transpose the Habitats Directive (Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) into national law. Schedule 2 of the Regulations lists all species of bats as being European Protected Species of animals. It is an offence, subject to exceptions, to, amongst other things, kill or disturb animals listed in Schedule 2; this includes a single bat, not just a population of a species. However, these actions can be made lawful through the granting of licenses by the appropriate authority (Natural England), but only after it is satisfied that there are no satisfactory alternatives and such actions will have no detrimental effect on the species concerned.
- 7.2 Regulation 9(1) imposes a duty in relation to 'functions which are relevant to nature conservation...so as to secure compliance with the requirements of the Directives' and deciding an application for LBC would be such a function. Indeed, under the

Regulations, there is a duty upon the competent authority, in the exercise of any of their functions to have regard to the requirements of the EC Habitats Directive in so far as they may be affected by the exercise of those functions.

- 7.3 Whilst there is no express mention of protected species within Section 16 and 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the granting of listed building consent should not circumnavigate the requirement of the Regulations. Indeed, if listed building consent and protected species are mutually exclusive, then works could have harmful impacts on protected species, resulting in a contravention of the law.
- 7.4 Irrespective of whether the works to a listed building constitute 'development', it is still incumbent on the local planning authority to establish if the works being applied for could potentially affect bats, their breeding sites or resting places, which are fully protected by law. The Regulations apply to applications for listed building consent (LBC), depending on the nature of the works proposed. In this case, the proposed works would involve the proposed sound insulation works, replacing the barn roof, potential external lighting which are included within the list of activities that could potentially affect protected species as set out in Government Guidance (Bats: protection and licences (published 8 October 2014, updated 29 March 2015)).
- 7.5 The applicant's submitted ecology survey notes that there are protected species in the listed barn and that mitigation and compensation measures are required during the works. These include obtaining a licence for the works from Natural England, certain works to be undertaken outside of winter hibernation, and bat boxes to be installed on site. These measures can be secured by condition.

8. Relationship of this application to the change of use proposal

- 8.1 There is no absolute legal necessity for the Committee as the Planning Authority, to determine both 23/00376 and this listed building consent application in the same way. However it is the strong advice of officers that should the Committee elect to approve 23/00376, then it should also approve 23/01014/lbc. The corollary similarly applies, i.e if the one is refused then so should the other in order to be internally consistent. It is never "good" practice to authorise additional physical works to a listed building [where not strictly required for repairs] unless they serve a valid planning purpose. In this case phase 3 of the listed building works correlating to the sound insulation measures and the consequent air ventilation needs, would serve no planning value if not linked to the change of use proposal. It would be open to the applicant subsequently to submit another listed building consent application for phases 1 and 2 of the currently unauthorised works to obtain retrospective approval.

9. Planning Balance and Conclusion

- 9.1 The proposed works to the listed barn are accepted by officers as being reasonable and justifiable physical interventions into the structure of the barn, without undue harm to its physical integrity and historical/cultural value and significance as a heritage asset. If approved it will assist in the future viable use of the barn. It is accordingly recommended for conditional approval.

10. Full Recommendation

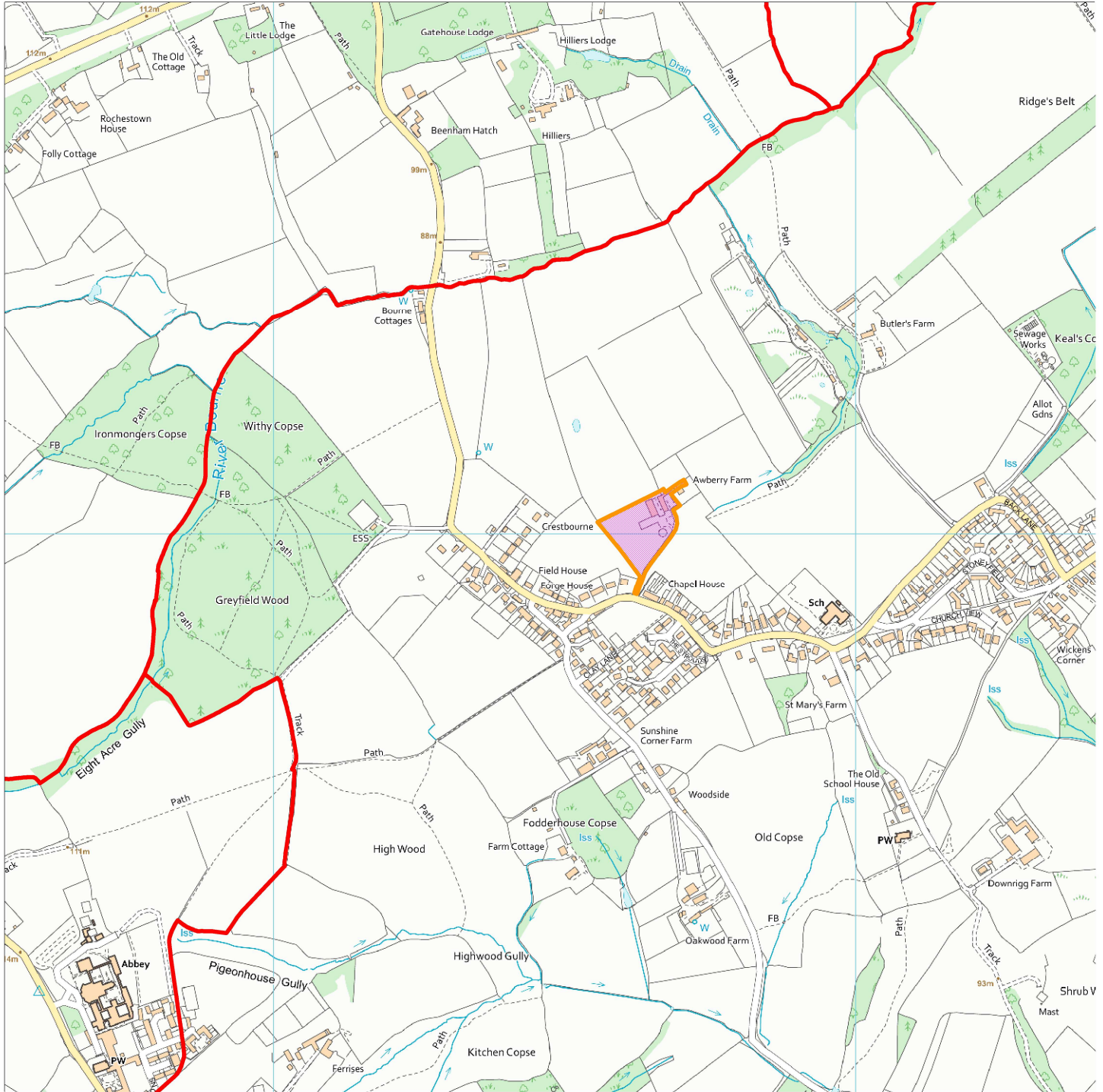
- 10.1 To delegate to the Service Director of Development & Regulation to GRANT LISTED BUILDING CONSENT subject to the conditions listed below.

Conditions

| | |
|----|--|
| 1. | <p>Commencement of development</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> |
| 2. | <p>Air ventilation/cooling.</p> <p>No development shall take place until full details/cross sections showing how all ducting (from the ventilation units and air conditioning units) will feed into the building, have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Thereafter the development shall incorporate and be undertaken in accordance with the approved details.</p> <p>Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (2021) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p> |
| 3 | <p>Approved Plans</p> <p>The development must be carried out in strict accord with the following as approved plans.</p> <p>Existing site plan-21/08/04 A Location plan –blue jet mapping. Floor plan—22/010/14A Site plan-21/08/04 Section-22/10/sct Elevations -22/10/16B</p> <p>Reason: To clarify what has been approved under this consent in order to protect the special architectural or historic interest of the building.</p> |
| 4 | <p>Link to change of use</p> <p>The change of use permitted under 23/00376/FULMAJ shall not commence until all the works to be carried out as approved by this listed building consent have been completed.</p> <p>Reason. To ensure the noise impact is mitigated to a satisfactory level in accordance with policy OVS6 in the West Berkshire District Local Plan of 1991 to 2006 and the National Planning Policy Framework</p> |
| 5 | <p>Ecology</p> <p>The works to the listed building hereby granted shall be undertaken in accordance with the bat mitigation measures identified in the John Wenman Ecological Consultancy Bat Emergency & Re-entry Survey Ref R3003/a. Prior to commencement of the relevant works to the listed building: a copy of the European</p> |

| | |
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| | <p>Protected Species Mitigation Licence shall be submitted to the Local Planning Authority prior; bat boxes shall be installed, and the licensed ecologist shall give a toolbox talk to contractors.</p> <p>Reason: To ensure protected species on site are protected as part of the works in accordance with the National Planning Policy Framework and policy CS17 of the West Berkshire Core Strategy 2006-2026.</p> |
| 6. | <p>Time limit on development before further surveys are required</p> <p>If the conversion works hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within a year from the date of the planning permission, the approved ecological measures secured through Condition 5 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to (i) establish if there have been any changes in the presence and/or abundance of bats and (ii) identify any likely new ecological impacts that might arise from any changes.</p> <p>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 continuation of the works. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.</p> <p>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.</p> <p>Reason: To ensure that any working practices or other mitigation measures are informed by up-to-date survey information in the interests of protecting bat populations. A pre-commencement condition is required for updated surveys given the mobile nature of bats. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p> |

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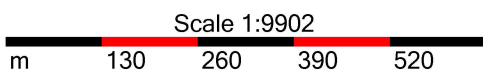
Map Centre Coordinates :

Scale : 1:9902

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| Organisation | West Berkshire Council |
| Department | |
| Comments | Not Set |
| Date | 22 June 2023 |
| SLA Number | 0100024151 |



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Agenda Item 4.(3)

| Item No. | Application No. and Parish | Statutory Target Date | Proposal, Location, Applicant |
|---|---|-----------------------|---|
| 4(3) | 22/02945/REG4 Thatcham Colthrop & Crookham | 20.03.2023 | Proposed phased development which involves erection of a new single storey teaching block in a new location followed by the demolition of the existing single storey teaching block Francis Baily Primary School Skillman Drive Thatcham West Berkshire RG19 4GG Francis Baily Primary School |
| ¹ Extension of time agreed with applicant until 07 July 2023 | | | |

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=22/02945/REG4>

Recommendation Summary: The Service Director Development and Regulation be authorised to grant planning permission subject to conditions

Ward Member(s): Councillor Owen Jeffery

Reason for Committee Determination: Major application on Council owned property

Committee Site Visit: 28 June 2023

Contact Officer Details

Name: Patrick Haran
Job Title: Senior Planning Officer
Tel No: 01635 519111
Email: Patrick.haran1@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for a new single storey teaching block sited to the south of an existing teaching block which is in a dilapidated state and is to be demolished upon completion of the new building.
- 1.2 The proposed development is situated in the settlement boundary of Thatcham, on an existing school site within a predominately residential area and located on the south side of the A4 London Road. The original school building is of the Victorian era but the school has expanded over time with additional buildings generally of single storey scale with a variety of design and materials.
- 1.3 The proposal is to replace an existing teaching block of six classrooms to the south side of the school with a single storey building also with six classrooms. The new building would be of traditional construction with a series of hipped roofs with the highest roof standing at approximately 7 metres in height with the walls a combination of facing brickwork and render.
- 1.4 The new building would be sited to the south of the existing building to be demolished to allow for the use of the existing building while the new building is constructed. There is an application running concurrent to this application for temporary classrooms on the same siting of the building the subject of this application and which is also in front of members at this meeting.
- 1.5 It is noted that planning consent has recently been granted for a replacement school building to be sited in the same position as the building to be demolished and the application for the temporary class rooms was submitted shortly after that application had been determined. However, the agent representing the applicant on the current application has advised that there are no funding options for the temporary teaching accommodation which has meant they needed to submit the current application for the re-located building to allow for the retention of the existing building during construction of the new.
- 1.6 The applicant had originally enquired about withdrawing the concurrent temporary classrooms application but it was decided by them to let that application run and be determined.

2. Planning History

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

| Application | Proposal | Decision / Date |
|---------------|---|-----------------|
| 22/02533/REG4 | Erection of 3No temporary teaching blocks and 3No temporary toilet blocks. | Pending |
| 22/01273/REG4 | Demolition of existing single storey teaching block, erection of new single storey teaching block. | Approved |
| 20/00744/FUL | Replacement of the existing rosemary Victorian pitched roofing to match existing style and colour and replacement of the existing concrete tiled pitched roofing with | Approved |

| | | |
|-------------------|---|----------|
| | new Metal standing seam roofing to match existing similar onsite. | |
| 17/01551/FUL-REG3 | The proposal will replace an unsafe classroom block which has now been demolished with a like for like replacement. | Approved |
| 15/02381/FUL-REG3 | Two new modular classrooms - retrospective | Approved |
| 15/00257/FUL-REG3 | Erection of new modular school kitchen | Approved |
| 14/00600/NONMAT | Non Material amendment to planning permission 13/01544/FUL - Regulation 3: Proposed extension to provide 1 No. replacement classroom and associated internal alterations - (Amendment) Alteration of proposed roofing material from single ply flat roofing membrane, to flat roofing material to match existing materials. | Approved |
| 13/01544/FUL-REG3 | Proposed extension to provide 1 No. replacement classroom and associated internal alterations | Approved |
| 12/00253/FUL-REG3 | New entrance lobby including DDA access and under cover waiting area. | Approved |

3. Procedural Matters

- 3.1 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 A site notice was displayed on 31 January 2023 at the application site; the deadline for representations expired on 21 February 2023. In addition, as a major application a notice was published in the Newbury Weekly News on 02 February 2023.
- 3.3 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.

| | |
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| Thatcham Town Council: | Objection: Thatcham Town Council supports the replacement of the teaching block and the general design of the new building. However, the Council feels that it must object to the application as it stands, as there is insufficient information in the Design and Access Statement and Plan on the zero-carbon performance of the proposed new building. The Schools Output Specification that is referenced in the Design and Access Statement provides guidance on minimizing carbon footprint, but not any specific requirements. The Council would support approval of the application provided that this is subject to a condition that it has a zero-carbon performance in accordance with BREEAM Excellent building standards as described in the Regulation 19 Local Plan for non-residential buildings. OFFICER COMMENT: This will be discussed in more detail in the main body of this report. |
| WBC Highways: | This application will result in an additional 70 sqm floor area from 530 sqm to 600sqm. No increase in staff or pupil numbers are expected. There are no alterations to the existing parking. Given the above, the impact of this proposal appears to be unchanged. A Construction Method Statement (CMS) is requested. There must be no deliveries at the start and end of the school day – the exact times to be excluded must be specified within the CMS – and it should be ensured measures are put in place to protect staff and pupils during the works. OFFICER COMMENT: A CMS has subsequently been submitted which satisfies the requirements of the Highways Officer which will be discussed in more detail in the main body of this report. |
| Archaeology | There are no archaeological implications to this proposal. |
| Conservation | There are no conservation implications to this application. I therefore have no comments to make. |
| Lead Local Flood Authority | Insufficient information has been submitted for us to consider approving the drainage detail. OFFICER COMMENT: This will be discussed in more detail in the main body of this report. |
| Trees | No objections subject to the imposition of tree protection condition. |
| Environmental Health | Initially raised concerns around potential impacts arising during the construction phase through dust emanating from the site, noise and working hours which may all impact on neighbouring amenity. Satisfied upon submission of a Construction Method Statement to be secured by condition. |

Public representations

- 4.2 No representations have been received.

5. Planning Policy

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

- Policies ADPP1, ADPP3, CS5, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- West Berkshire District Local Plan 1991-2006 Saved Policies 2007 Policies: TRANS.1, OVS 5 and OVS6

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

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

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of Development
- Impact on Character of the Area
- Amenity
- Highways matters
- Sustainable Design
- Flood Risk
- Green Infrastructure

Principle of development

6.2 Policy ADPP1 sets out that most development will be within or adjacent to the settlements included in the settlement hierarchy. The development site is located in Thatcham which is classed as an urban area under Policy ADPP1.

6.3 The proposed development is on an existing school site and is considered brownfield land in that it forms a parcel of land in a wider built curtilage; i.e. the school campus. In addition, policy CS5 in the Core Strategy allows for infrastructure improvements, which includes schools. The principle of development is therefore considered to be generally in accordance with the development plan.

6.4 Paragraph 95 of the NPPF sets out that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools through decisions on applications.

6.5 The proposal before the Council is an alteration to the school. Whilst it is understood not to be an expansion to accommodate additional pupils the development would nevertheless contribute to improving educational choice locally thus great weight should be given to the improvement of Francis Baily Primary School.

Design, Character and Appearance

- 6.6 The NPPF states, among other things, that planning should always seek to secure high quality design. In line with that, Policy CS14 of the Core Strategy seeks to ensure that new development demonstrates high quality and sustainable design which respects and enhances the character and appearance of the area. Policy CS19 seeks to ensure that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.7 In this case, the application site is situated within the urban area of Thatcham and the application seeks permission for a new teaching block to replace an existing building that is in a poor state of repair. The new building would be set further away from the main campus buildings to allow for the retention of the existing building during construction but would still be seen within the context of the main school buildings and the re-siting could be said to provide some relief where an area of grass would be planted in the location of the existing building to compensate for the loss of an area of grass upon which the new building would be located.
- 6.8 The scale of the new building is considered appropriate within the context of the other buildings within the school campus and the design with its hipped roofs and materials palette is also considered appropriate and which can be secured by condition.
- 6.9 It is considered that the design and scale of the proposal is proportionate and in keeping with the wider school buildings and it is not considered that the proposal would be detrimental to the overall character of the school campus or the area generally and would be appropriate in terms of location, scale and design.
- 6.10 Having said that, it is noted that planning permission has been granted for a new classroom block on the site of the existing building, which, if constructed together with the building currently under consideration would result in two new buildings. As both buildings are not proposed to be constructed their combined impact has not been assessed, but it could result in an unacceptable impact on the amenities of the occupiers of both buildings. In that regard, a condition is proposed if consent is granted here to ensure only one permission is implemented. The condition can incorporate the temporary classrooms proposed under application 22/02533/REG4 if consent is also granted for that. Subject to conditions the proposed development is considered to comply with design and landscape policies.

Amenity

- 6.11 With regard to the impact on neighbour amenity, Policy CS 14 of the West Berkshire Core Strategy seeks all development to have a positive impact on quality of life in the district. Conversely, developments that have a negative impact on quality of life would not accord with the policy. In terms of a developments impact on amenity, SPG 04/2: House Extensions, is a useful guide which identifies loss of light (natural and direct), overshadowing, overbearing and loss of privacy as the issues of primary concern.
- 6.12 In this case, the proposal is sufficiently distant from neighbouring properties so as not to give rise to amenity issues around overlooking, over shadowing or loss of natural light.
- 6.13 Further to this, however, saved Local Plan Policies OVS.5 and OVS.6 relate to pollution of the environment as potential sources of environmental impacts on human health with the supporting text to OVS.5 saying that the potential risk of pollution or the

possibility that nuisance might be caused as a result of development will be important concerns to the Council when assessing the environmental suitability of proposals.

- 6.14 Having regard to the above, the Council's Environmental Health Officer (EHO) was consulted on the application and initially raised concerns around potential impacts arising during the construction phase through dust emanating from the site, noise and working hours which may all impact on staff and pupils and on neighbouring amenity.
- 6.15 The EHO initially requested a condition be included with any consent, to be discharged prior to the commencement of the development, requiring that the applicant submit a Construction Method Statement (CMS) to deal with the above matters but which has subsequently been submitted through the course of the application.
- 6.16 Among other matters, the CMS proposes measures to control dust and noise through the use of sheeting vehicles transporting materials that may give rise to dust, the use of water spraying as necessary to dampen down dusty materials, locating stockpiles of soil away from residential properties and limiting activities that may give rise to the highest noise levels to the hours 07:30 to 18:00 Monday to Friday and 08:30 to 13:00 on Saturdays.
- 6.17 The Council's EHO has reviewed the CMS and is satisfied that the measures proposed have taken their comments on board and is acceptable. It is recommended that the details are secured by way of a condition if consent is granted. With this condition the proposal is considered to comply with development plan policy on amenity.

Highways Matters

- 6.18 Policies CS13 of the Core Strategy, and TRANS.1 of the Saved Local Plan relate to highways and parking provision for non-residential uses. The Highways Authority were consulted on the application documents and, noting that no increase in staff or pupil numbers are expected and that there are no changes proposed to the existing car parking provision, have raised no objections to the proposal.
- 6.19 The Highways Authority did initially request the submission of a Construction Method Statement (CMS) stating that there must be no deliveries at the start and end of the school day and that it should be ensured that measures are put in place to protect staff and pupils during the works. As noted above, a CMS was subsequently submitted that was reviewed by the Highways Authority who have confirmed they are satisfied with the contents, particularly around delivery times and hours of construction but also regarding site operatives parking, materials storage areas and the safety of pupils and staff during the construction process. As above, the CMS can be secured by condition if permission is granted. With this condition the proposed development is considered to comply with highways policies.

Sustainable Design

- 6.20 The Council is committed to ensuring that in future years the volume of carbon production is reduced over time from any of its functions and operations. Clearly education is one such function. Policy CS15 requires that post 2019 all new non-residential major development will be zero carbon and achieve BREEAM Excellent rating. The applicant has confirmed in writing via a revised design and access statement that the project will fully comply with the Schools Output Specification 2021 and will encapsulate and embrace a sustainable approach towards achieving net zero carbon emissions.

- 6.21 The applicant has also submitted in writing a justification as to why reaching BREEAM Excellent would not be viable in this case. The statement is set out verbatim below:

The school urgently require funding to replace the dilapidated 1990's demountable building which currently accommodates 6no teaching classrooms. An application has been submitted to and approved by the DfE to provide funding to demolish the existing block and to construct a new teaching block. The new building follows the criteria set out by the DfE which ensures all new buildings are constructed to Employer's requirements Part B: Generic design brief – Technical Annex's.

The funding provided by the DfE has to be based upon a project that shows value for money and does not allow for the additional costs associated with achieving a BREEAM Excellent rating. The existing building has fallen into disrepair with the structural, fabric and services failures, water ingress with aged and dangerous electrical installation – resulting in the facility becoming no longer fit for purpose and a health and safety risk. The block has a multitude of defective services which are becoming a major Health and Safety Hazard to both students and teachers. The buildings pose a multitude of Health & Safety, Fire Safety and Safeguarding & Security risks. Failure to replace the external structures could result in a serious incident / accident.

With the rate of deterioration for the existing Block, the school will soon have no other option but to put the building out of use and the school would be unable to facilitate the pupils as currently the teaching facilities within the main building are at capacity. The school would therefore have to consider sending pupils to other local schools.

The existing building has next to no insulation in the roof and walls. The lighting is old fluorescent, with no emergency provision and does not meet minimum lighting levels, whilst posing a fire safety risk. Electric wall heaters fail intermittently and do not provide sustainable heat, as most is lost through the uninsulated walls, floors and ceilings. The classroom floors are unlevel where the lack of foundations create deflection with localised movement. The windows fail to open where building movement has racked the frames restricting opening. This restricts passive ventilation. The access ramps into the building are rotten and unsafe.

It would not be feasible or cost-effective to repair the block as its condition is life expired. Completion of the project will comprise of a new traditionally built block, matching the aesthetics of the main building and will accommodate 6 new and adequately sized classrooms and associated facilities - in full compliance with Building Bulletin and Building Regulations. This build will provide the necessary needs and working environment for staff and students without the major risk / concerns they are currently facing each day.

The replacement classroom building will require very little annual maintenance compared to the existing demountable buildings and will dramatically reduce the school's energy use and save on annual maintenance requirements. Although we would like to push the project onto a much higher level of energy efficiency / BREEAM excellent rating, the funding provided by the DfE limits how far this can be taken. With the added economic climate that we are facing with high levels of inflation, this makes it impossible to achieve the BREEAM excellent rating.

If planning permission is not obtained for this project then this existing poorly insulated and high energy use building will be retained until it completely falls into disrepair. Which we cannot allow to happen.

- 6.22 The supporting text to Policy CS15 states that “the Council will carefully scrutinise proposals which appear to fall artificially below any thresholds which may indicate a

possible attempt to avoid implementing the relevant measures described” in the policy. In this case, it is considered that the justification is reasonable having regard to the public funding mechanism to deliver the development. It is also consistent with the permission for the building approved under application 22/01273/REG4, which is in effect the same as that now proposed but on a different siting, and was not subject to BREEAM for the same reasons as set out above.

- 6.23 The proposal is not considered to fully comply with policy CS15. Comments regarding the zero-carbon performance of the proposed new building made by the Parish Council are noted, as is the Council’s commitment to a carbon neutrality target by 2030. However, it is considered that where the school cannot get the level of funding from government to achieve a carbon neutral development a compromise is required.
- 6.24 In that regard, it is the case that the proposal would enable the removal of a building with a very poor environmental performance to be replaced by a building constructed to comply with the Building Regulations, in particular Part L Volume 2 which relates to buildings other than dwellings and which as of June 2022 requires a 27% reduction in carbon emissions over the previous 2013 regulations. Whilst that is clearly not ‘net-zero’ on balance it is considered to represent an achievable improvement over the existing situation and one which enables the school to better provide for both staff and pupils whilst improving the carbon performance of the school overall.

Flooding and Drainage

- 6.25 The proposed development site is located within Flood Zone 1 and is not in a Critical Drainage Area. The proposed development is considered major due to the site area exceeding 1 hectare and therefore a Flood Risk Assessment (FRA) is required with this application. In this case, the Lead Local Flood Authority advises that the flood risk information submitted within the sustainable drainage design information is acceptable and can be considered as a FRA.
- 6.26 Notwithstanding that, Core Strategy Policy CS16 requires that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS). This shall be 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.
- 6.27 With regard to the above requirements, a SuDS strategy has been submitted with the application on which the Lead Local Flood Authority has commented that, whilst the philosophy of the proposed drainage is acceptable (i.e. removing the class room block and leaving the area grassy, using a soakaway, disconnecting as much of the combined system as possible), the details of the proposed drainage measures are insufficient.
- 6.28 In that regard, the applicant has agreed to a pre-commencement condition that requires details of a SuDS strategy if consent is granted to be agreed with the Local Planning Authority. A pre-commencement condition is required because insufficient information accompanies the application with regards to sustainable drainage measures and such measures may need to be incorporated into early building operations. With this condition the proposed development is considered to comply with policy CS16.

Green Infrastructure

- 6.29 Policy CS18 seeks to ensure that the District’s green infrastructure is protected and enhanced where appropriate. In this case, the site contains a number of mature trees

in proximity to the proposed new building, though none are protected by Tree Preservation Orders (TPOs).

- 6.30 Notwithstanding that, the Council's Tree Officer has no objections to the application and notes that arboricultural information has been submitted. However, the Tree Officer has commented that no tree protection or method statement is included within the submitted documents and noted that a tarmac surface is proposed around the proposed building within the Root Protection Areas (RPA) of nearby trees. This will require additional arboricultural detail to include a tree protection plan and method statement for the works within the RPAs of nearby trees which can be the subject of a condition if consent is granted to be agreed with the Local Planning Authority prior to the commencement of development on site. A pre-commencement condition is required because insufficient information accompanies the application with regards to measures to protect trees around the development site and such measures may need to be incorporated into early building operations. The applicant has agreed to a pre-commencement condition relating to this.
- 6.31 As for enhancement, it is considered reasonable that additional landscaping could be secured by condition if consent is granted. With these conditions the proposed development is considered to comply with policy CS18.

7. Planning Balance and Conclusion

- 7.1 The proposal before the Council is one which would contribute to improving educational choice locally and there is in-principle support for the application at local policy level as well as national level at para 95 in the NPPF. The overall design is considered acceptable within the context of the school campus and the wider character of the area and there are not considered to be any significant impacts arising in respect of amenity. Further to this, subject to the imposition of relevant conditions the proposal is considered acceptable with regard to highways matters, drainage and green infrastructure. The proposal would not be constructed to BREEAM standards but justification for this has been provided and is considered acceptable in these specific circumstances.
- 7.2 Having taken account of all relevant policy considerations and the material considerations referred to above, it is considered that the development proposed is acceptable and conditional approval is justifiable. It is not considered that this proposal would demonstrably harm the amenity of adjoining residential properties or the character of the area and with appropriate conditions would not impact on highways safety, flooding or green infrastructure. The application therefore accords with the development plan and guidance contained within the National Planning Policy Framework.

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

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| 1. | Commencement of development The development hereby permitted shall be begun before the expiration of three years from the date of this permission. |
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| | 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. | <p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>DRWG 0589-PL-11 Site Location Plan & Existing Block Plan recd 30.11.2022 DRWG 0589-PL-12 REVA Block Replacement Existing Floor Plans & Elevations recd 10.01.2023 DRWG 0589-PL-13 REVB Block Replacement Proposed Floor Plans, Elevations recd 10.02.2023 Construction Method Statement ref: ACA 125 Issue 4 by Quill Construction dated 12.05.2023 recd 12.05.2023 Design and Access Statement ref: 0589 by Academy Estate Consultants dated 17.05.2022 recd 30.11.2022</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p> |
| 3 | <p>Sustainable Drainage</p> <p>No development shall commence until details of sustainable drainage methods (SuDS) to be implemented within the site have been submitted to and approved in writing by the Local Planning Authority. The planning, design and implementation of sustainable drainage methods (SuDS) should be carried out in accordance with the Non-Statutory Technical Standards for SuDS (2015), the SuDS Manual C753 (2015) and the West Berkshire Council Sustainable Drainage Supplementary Planning Document December (2018) with particular emphasis on green SuDS that provide environmental/biodiversity benefits and water re-use. Thereafter the development shall be carried out and maintained in accordance with the approved details.</p> <p>Reason: To ensure appropriate sustainable drainage measure, in accordance with the National Planning Policy Framework, and Policy CS15 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because insufficient information accompanies the application and such measures may need to be incorporated into early building operations.</p> |
| 4 | <p>Arboricultural Method Statement</p> <p>No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of:</p> <ul style="list-style-type: none"> • all temporary tree protection (including ground protection) • any special construction works within any defined tree protection area. <p>All temporary tree protection shall be in place prior to any development works and all measures implemented for the full duration of works.</p> <p>Reason: To ensure the retention and protection of trees identified at the site in accordance with the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p> |
| 5 | <p>Soft Landscaping</p> <p>The new class room as shown on Replacement Proposed Floor Plans, Elevations & Block Plan drawing number 0589-PL-13 received 30.11.2022 shall not be first occupied until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme</p> |

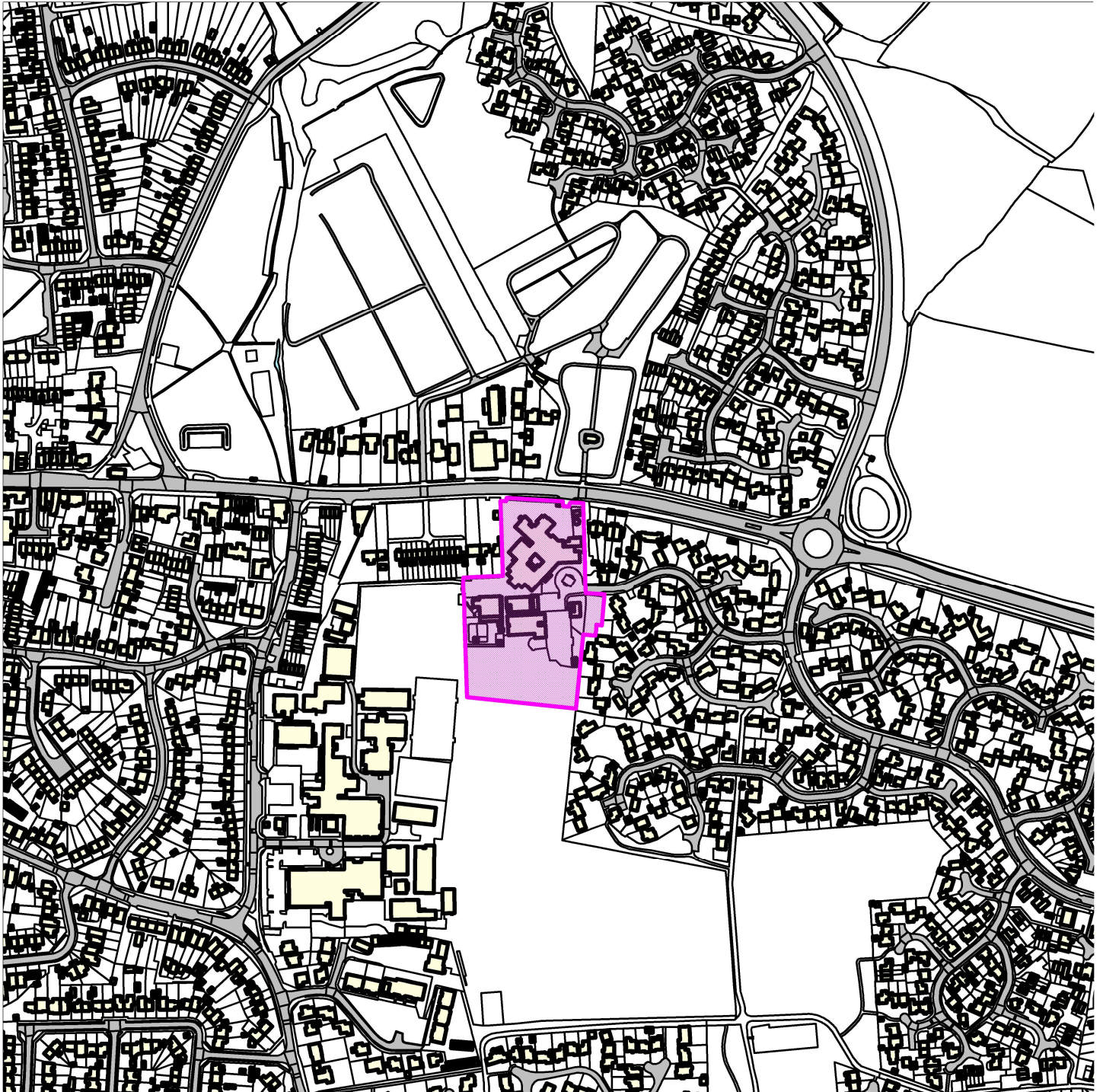
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| | <p>shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations. 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.</p> <p>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.</p> |
| 6 | <p>Construction Method Statement</p> <p>The development hereby approved shall be carried out in accordance with the approved Construction Method Statement ref: ACA 125 Issue 4 by Quill Construction dated 12.05.2023 received 12.05.2023 and site set-up plan.</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS5, OVS6 and TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| 7 | <p>Materials</p> <p>The materials to be used in the development hereby permitted shall be as specified on the plans and the application forms. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.</p> <p>Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).</p> |
| 8 | <p>Demolition</p> <p>The original classroom block shown on plan named Block Replacement Existing Floor Plans & Elevations drawing number 0589-PL-12 rev A received 10.01.2023 shall be demolished and all spoil removed from the site within two months from first occupation of replacement class room shown on plan Block Replacement Proposed Floor Plans, Elevations & Block Plan drawing number 0589-PL-13 REVB received 10.02.2023 unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure the original classroom is demolished within a reasonable timescale following completion of the replacement classroom in order to prevent the overdevelopment of the site. The retention of two classroom blocks in this location would be unacceptable because the original classroom is not fit for purpose and the buildings would have an unacceptable impact on the amenities of the occupiers of both buildings. 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.</p> |
| 9 | <p>Implementation of One Permission</p> <p>The development to which this planning permission relates shall not commence if any part of the development for which planning permission was granted by the Local</p> |

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| | <p>Planning Authority on 07.07.2023 under application reference 22/02533/REG4 and/or pursuant to planning application reference no. 22/01273/REG4 made on 06.09.2022 has already commenced.</p> <p>Reason: The implementation of both schemes together with the granted scheme would be unacceptable because retention of two classrooms in this location would be unacceptable because the buildings would have an unacceptable impact on the amenities of the occupiers of both buildings. 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.</p> |
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Informatives

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| 1. | Conditions |
| 2. | Highways |
| 3. | Proactive |

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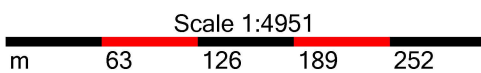
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| Organisation | West Berkshire Council |
| Department | |
| Comments | Not Set |
| Date | 22 June 2023 |
| SLA Number | 0100024151 |



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Agenda Item 4.(4)

| Item No. | Application No. and Parish | Statutory Target Date | Proposal, Location, Applicant |
|----------|---|-----------------------|--|
| 4(4) | 22/02533/REG4 Thatcham Colthrop & Crookham | 12.01.2023 | Erection of 3No temporary teaching blocks and 3No temporary toilet blocks. Francis Baily Primary School Skillman Drive Thatcham West Berkshire RG19 4GG Francis Baily Primary School |

¹ Extension of time agreed with applicant until 07 July 2023

To view the plans and drawings relating to this application click the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=22/02533/REG4>

Recommendation Summary: The Service Director Development and Regulation be authorised to grant Planning Permission subject to conditions

Ward Member(s): Councillor Owen Jeffery

Reason for Committee Determination: To be considered in association with a major application on the same site that is Council owned property

Committee Site Visit: 28 June 2023

Contact Officer Details

Name: Patrick Haran
Job Title: Senior Planning Officer
Tel No: 01635 519111
Email: Patrick.haran1@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for the erection of three temporary portacabins to provide for six classrooms together with a temporary toilet block said to be required for a period of 30 weeks. There is an application running concurrent to this application for a permanent new classroom block on the same siting of the proposed temporary structures the subject of this application and which is also in front of members at this meeting.
- 1.2 It is noted that planning consent has recently been granted for a replacement school building to be sited in the same position as the building to be demolished and this application for the temporary class rooms was submitted shortly after that application had been determined in order to facilitate the demolition and new build process approved thereby. However, the agent representing the applicant on this current application has advised that there are no funding options for the temporary teaching accommodation which has meant they needed to submit the concurrent application for the re-located permanent building to allow for the retention of the existing building during construction of the new.
- 1.3 The proposed development is situated in the settlement boundary of Thatcham, on an existing school site within a predominately residential area and located on the south side of the A4 London Road. The original school building is of the Victorian era but the school has expanded over time with additional buildings generally of single storey scale with a variety of design and materials.
- 1.4 The temporary structures would be sited to the south of the existing building to allow for its demolition and construction of the new building.
- 1.5 The applicant had originally enquired about withdrawing this temporary classrooms application but it was decided by them to let the application run and be determined. It is understood that it is unlikely the temporary classroom block would be erected if the concurrent application for the permanent facility is approved. Nevertheless this application does need to be determined.

2. Planning History

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

| Application | Proposal | Decision / Date |
|---------------|--|-----------------|
| 22/02945/REG4 | Proposed phased development which involves erection of a new single storey teaching block in a new location followed by the demolition of the existing single storey teaching block. | Pending |
| 22/01273/REG4 | Demolition of existing single storey teaching block, erection of new single storey teaching block. | Approved |
| 20/00744/FUL | Replacement of the existing rosemary Victorian pitched roofing to match existing style and colour and replacement of the existing concrete tiled pitched roofing with | Approved |

| | | |
|-------------------|---|----------|
| | new Metal standing seam roofing to match existing similar onsite. | |
| 17/01551/FUL-REG3 | The proposal will replace an unsafe classroom block which has now been demolished with a like for like replacement. | Approved |
| 15/02381/FUL-REG3 | Two new modular classrooms - retrospective | Approved |
| 15/00257/FUL-REG3 | Erection of new modular school kitchen | Approved |
| 14/00600/NONMAT | Non Material amendment to planning permission 13/01544/FUL - Regulation 3: Proposed extension to provide 1 No. replacement classroom and associated internal alterations - (Amendment) Alteration of proposed roofing material from single ply flat roofing membrane, to flat roofing material to match existing materials. | Approved |
| 13/01544/FUL-REG3 | Proposed extension to provide 1 No. replacement classroom and associated internal alterations | Approved |
| 12/00253/FUL-REG3 | New entrance lobby including DDA access and under cover waiting area. | Approved |

3. Procedural Matters

- 3.1 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 A site notice was displayed on 13 December 2022 at the application site; the deadline for representations expired on 07 January 2023.
- 3.3 CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

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

| | |
|-----------------------------------|---|
| Thatcham Town Council: | No objection |
| WBC Highways: | No deliveries at peak times on the highway network (between 0800-0900 and 1700-1800) or at the start/end of the school day if staff and pupils will be on-site. |
| Archaeology | Unlikely there would be any archaeological impact from this proposal. |
| Environmental Health | No objections. |
| Lead Local Flood Authority | No comments received. |
| Trees | No comment received. |
| Thames Water | No comment to make. |

Public representations

4.2 No representations have been received.

5. Planning Policy

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

- Policies ADPP1, ADPP3, CS5, CS13, CS14, CS16, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- West Berkshire District Local Plan 1991-2006 Saved Policies 2007 Policies: TRANS.1, OVS 5 and OVS6

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

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

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of Development
- Impact on Character of the Area

- Amenity
- Highways matters
- Flood Risk
- Green Infrastructure

Principle of development

- 6.2 Policy ADPP1 sets out that most development will be within or adjacent to the settlements included in the settlement hierarchy. The development site is located in Thatcham which is classed as an urban area under Policy ADPP1.
- 6.3 The proposed development is on an existing school site and is considered brownfield land in that it forms a parcel of land in a wider built curtilage; i.e. the school campus. In addition, policy CS5 in the Core Strategy allows for infrastructure improvements, which includes schools. The principle of development is therefore considered to be generally in accordance with the development plan.
- 6.4 Paragraph 95 of the NPPF sets out that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools through decisions on applications.
- 6.5 The proposal before the Council is one which will, albeit temporarily, alter the school. Whilst it is understood not to be an expansion to accommodate additional pupils the development would nevertheless contribute to improving educational choice locally thus great weight should be given to the improvement of Francis Baily Primary School.

Design, Character and Appearance

- 6.6 The NPPF states, among other things, that planning should always seek to secure high quality design. In line with that, Policy CS14 of the Core Strategy seeks to ensure that new development demonstrates high quality and sustainable design which respects and enhances the character and appearance of the area. Policy CS19 seeks to ensure that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.7 In this case, the application site is situated within the urban area of Thatcham and the application seeks permission for a temporary teaching block to enable the demolition of an existing building that is in a poor state of repair and the erection of a new teaching block as previously approved. Given that the proposal is seeking to obtain a temporary planning permission for the erection of single storey portacabins within the site, it is not considered that the proposal would have a significant adverse impact on the character and appearance of the surrounding area.
- 6.8 The temporary structures would be set further away from the main campus buildings to allow for the demolition and re-building previously approved but would still be seen within the context of the main school buildings. The scale of the temporary structures is considered appropriate within the context of other buildings within the school campus and any impacts on the character of the area would be limited to a period of 30 weeks.
- 6.9 It is considered the design and scale of the proposal, whilst utilitarian, is considered acceptable within the context of the school campus and the wider character of the area given the temporary nature of the proposals and would be appropriate in terms of

location, scale and design. A temporary permission condition is recommended to ensure the portacabins are removed after the period sought.

Amenity

- 6.10 With regard to the impact on neighbour amenity, Policy CS 14 of the West Berkshire Core Strategy seeks all development to have a positive impact on quality of life in the district. Conversely, developments that have a negative impact on quality of life would not accord with the policy. In terms of a developments impact on amenity, SPG 04/2: House Extensions, is a useful guide which identifies loss of light (natural and direct), overshadowing, overbearing and loss of privacy as the issues of primary concern.
- 6.11 In this case, the proposal is sufficiently distant from neighbouring properties so as not to give rise to amenity issues around overlooking, over shadowing or loss of natural light. Furthermore, given the temporary nature of the proposals and the limited amount of construction necessary for the erection of the temporary structures, there are not considered to be any significant impacts arising from the construction process in terms of noise or dust nuisance and the proposals would therefore not give rise to concerns around matters dealt with under saved Local Plan Policies OVS.5 and OVS.6 as they relate to nuisance. As such the proposal is considered to comply with policies on amenity.

Highways Matters

- 6.12 Policies CS13 of the Core Strategy, and TRANS.1 of the Saved Local Plan relate to highways and parking provision for non-residential uses. The Highways Authority were consulted on the application documents and, noting that no increase in staff or pupil numbers are expected and that there are no changes proposed to the existing car parking provision, have raised no objections to the proposal.
- 6.13 The Highways Authority did advise that no deliveries should be undertaken during the course of the works to erect the structures at peak times on the highway network (between 0800-0900 and 1700-1800) or at the start/end of the school day if staff and pupils will be on-site. This could be secured by condition if consent is granted. With this condition the proposal is considered to comply with highways policies.

Flooding and Drainage

- 6.14 The proposed development site is located within Flood Zone 1 and is not in a Critical Drainage Area. Given the relatively small scale and temporary nature of the proposals it is not considered that there would be an unacceptable flood risk and that the incorporation of Sustainable Drainage Methods (SuDS) would not be necessary. As such the proposal is considered to comply with policy CS16.

Trees

- 6.15 Policy CS18 seeks to ensure that the District's green infrastructure is protected and enhanced where appropriate. In this case, the site contains a number of mature trees in proximity to the proposed new building, though none are protected by Tree Preservation Orders (TPOs).
- 6.16 The Council's Tree Officer did not respond to a consultation request but it is noted that an amended site plan has been submitted which shifted the temporary structures away from nearby trees and out of the Root Protection Zones (RPZs). Given this, together with the temporary nature of the proposals which would not require the digging of foundations, it is not considered necessary to seek arboricultural detail in this case.

6.17 As for enhancement, it is not considered necessary that additional landscaping be secured given the temporary nature of the proposals. Overall the proposal is considered to comply with policy CS18.

7. Planning Balance and Conclusion

- 7.1 The proposal before the Council is one which would contribute to improving educational choice locally, albeit temporarily, and there is in-principle support for the application at local policy level as well as national level at para 95 in the NPPF. The overall design, whilst utilitarian is considered acceptable within the context of the school campus and the wider character of the area given the temporary nature of the proposals and there are not considered to be any significant impacts arising in respect of amenity or highways safety.
- 7.2 Having taken account of all relevant policy considerations and the material considerations referred to above, it is considered that the development proposed is acceptable and conditional approval is justifiable. It is not considered that this proposal would demonstrably harm the amenity of adjoining residential properties or the character of the area and with appropriate conditions would not impact on highways safety. The application therefore accords with the development plan and guidance contained within the National Planning Policy Framework.

8 Full Recommendation

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

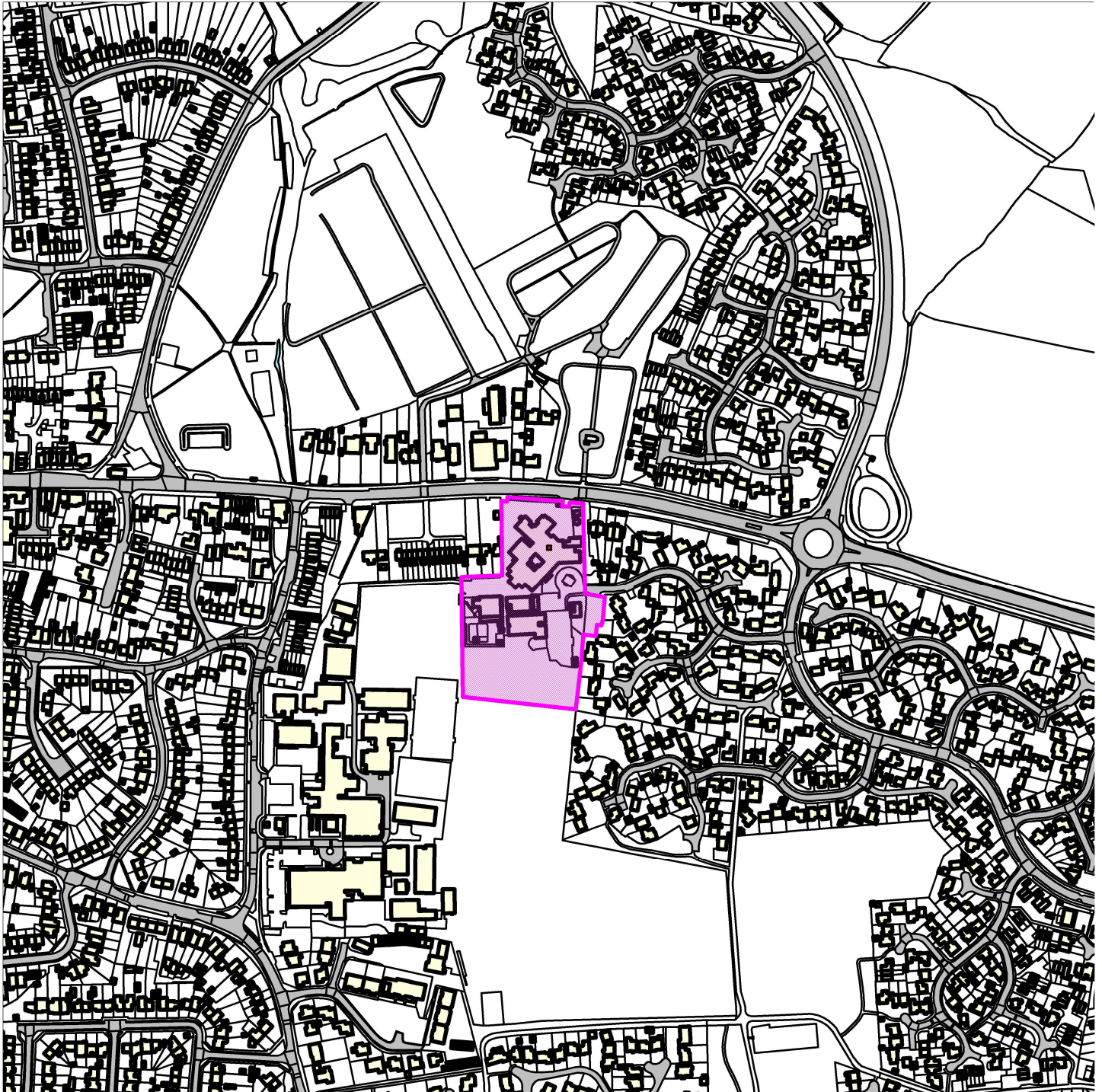
Conditions

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| 1. | <p>Time Limit</p> <p>The temporary classrooms and toilets hereby permitted shall be located on the site for a maximum period of 30 weeks from their installation after which time the use shall be discontinued and the temporary classrooms and toilets shall be removed from site. The applicant shall notify the Local Planning Authority in writing within two weeks of the installation of the temporary classrooms and toilets.</p> <p>Reason: To accord with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004 and to enable the Local Planning Authority to control the development and monitor the site to ensure compliance with the permission.</p> |
| 2. | <p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>DRWG 0589-PL-101 REVA Site Location Plan & Existing Block Plan recd 17.11.2022 DRWG 0589-PL-103 REVA Proposed Floor Plans & Elevations recd 17.11.2022 DRWG 0589-PL-104 Proposed Toilet Plans & Elevations recd 17.11.2022 DRWG 0589-PL-102 REVB Proposed Block Plan recd 03.02.2023</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p> |
| 3 | <p>Deliveries</p> |

| | |
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| | <p>No deliveries to the site in pursuance of the development hereby approved shall take place at peak times on the highway network (between 0800-0900 and 1700-1800) or at the start/end of the school day if staff and pupils will be on-site.</p> <p>Reason: To safeguard the amenity of pupils and staff and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS 14 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
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Informatives

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| 1. | Conditions |
| 2. | Highways |
| 3. | Proactive |



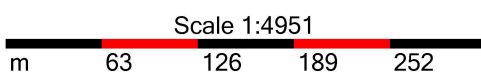
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| Organisation | West Berkshire Council |
| Department | |
| Comments | Not Set |
| Date | 22 June 2023 |
| SLA Number | 0100024151 |



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