

Notice of Meeting



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Western Area Planning Committee Wednesday 23rd August 2023 at 6.30pm In the Council Chamber Council Offices Market Street Newbury

This meeting will be streamed live here: [Link to Western 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 Tuesday 22nd August 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, 15 August 2023

Further information for members of the public

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

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

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

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



Agenda - Western Area Planning Committee to be held on Wednesday, 23 August 2023
(continued)

To: Councillors Adrian Abbs (Chairman), Clive Hooker (Vice-Chairman), Phil Barnett, Dennis Benneyworth, Patrick Clark, Heather Codling, Carolyne Culver, Tony Vickers and Howard Woollaston

Substitutes: Councillors Antony Amirtharaj, Paul Dick, Billy Drummond, Denise Gaines and David Marsh

Agenda

Part I

Page No.

1. **Apologies for absence**
To receive apologies for inability to attend the meeting (if any).
 2. **Minutes** 7 - 40
To approve as a correct record the Minutes of the meeting of this Committee held on 19 July 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: 23/01650/FUL - Norgate House, Tealgate, Hungerford** 41 - 52
- Proposal:** Change of use of office building (Class E) to education use (Class F1(a)), minor external alterations and associated works to curtilage, including provision of outdoor amenity space and erection of fencing.
- Location:** Norgate House, Tealgate, Hungerford, RG17 0YT
- Applicant:** Sir Peter Birkett
- Recommendation:** To **DELEGATE** to the Development Control Manager to **GRANT PLANNING PERMISSION**

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(continued)

- (2) **Application No. and Parish: Institute For Animal Health - Institute For Animal Health, High Street, Compton, RG20 7NN** 53 - 74
- Proposal:** Discharge of Conditions 16, 17, 18 Part A, 18 Part B-D, 19, 20 and 21 of planning permission 20/01336/OUTMAJ
- Location:** Institute For Animal Health, High Street, Compton, RG20 7NN
- Applicant:** Homes England
- Recommendation:** To **DELEGATE** to the Development Control Manager to **GRANT APPROVAL**
- (3) **Application No. and Parish: 22/00858/COND1- Land South of Tower Works, Lambourn Woodlands, Hungerford** 75 - 98
- Proposal:** Application for approval of details reserved by condition 9 'zero carbon', 10 'CEMP', 11 'LEMP', 16 'levels' and 18 'travel plan' of approved application 19/02979/OUTMAJ: Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale
- Location:** Land South of Tower Works, Lambourn Woodlands, Hungerford
- Applicant:** Walker Logistics Limited
- Recommendation:** To **DELEGATE** to the **Development Control Manager** to **GRANT APPROVAL OF THE SUBMITTED DETAILS.**
- (4) **Application No. and Parish: 21/02865/REG3 - The Downs School, Compton, Newbury** 99 - 120
- Proposal:** Extension and refurbishment of existing school sports hall. Temporary overflow car parking space to be resurfaced and reused for the duration of the construction process. External plant compound.
- Location:** The Downs School, Compton, Newbury, RG20 6AD



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Applicant: West Berkshire Council
Recommendation: To **DELEGATE** to the Development Control
Manager to **GRANT PLANNING PERMISSION**

Background Papers

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

Sarah Clarke.

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

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



West Berkshire
C O U N C I L

DRAFT

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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 19 JULY 2023

Councillors Present: Adrian Abbs (Chairman), Clive Hooker (Vice-Chairman), Phil Barnett, Dennis Benneyworth, Patrick Clark, Heather Codling, Carolyne Culver, Howard Woollaston and Denise Gaines (Substitute) (In place of Tony Vickers)

Also Present: Sharon Armour (Principal Lawyer - Planning & Governance), Masie Masiwa (Senior Planning Officer), Simon Till (Development Control - Team Leader), Jessica Bailiss (Democratic Services Officer), Russell Davidson (Senior Scientific Officer), Gareth Dowding (Principal Engineer (Traffic and Road Safety)), Cheyanne Kirby (Senior Planning Officer), Donna Toms (Planning Officer) and Lizzie Reeves (Zoom Host)

Apologies for inability to attend the meeting: Councillor Tony Vickers

PART I

6. Minutes

The Minutes of the meeting held on 21 June 2023 were approved as a true and correct record and signed by the Chairman, subject to the inclusion of the following amendment:

- Page 31, paragraph 67, second line, should state: 'Councillor Barnett asked whether the applicants were considering some form of encapsulated area to prevent airborne contamination.'

The Chairman proposed that Agenda Item 4(1), Institute for Animal Health, be moved to the end of the agenda due to the number of members of the public present for items 4(2) Inglewood House and 4(3) Juniper Rise.

7. Declarations of Interest

Councillor Carolyne Culver declared an interest in Agenda Item 4(1) as it related to her ward. Councillor Culver reported that she had not been informed in advance that the item would be placed at the end of the agenda and would therefore make the Parish Council representative aware of this change.

Councillors Adrian Abbs and Dennis Benneyworth reported that they had been lobbied by the Audley Group on Agenda Item 4(2).

Councillor Denise Gaines reported that she had been lobbied by one of the residents regarding Agenda Item 4(2).

Councillor Heather Codling declared an interest in Agenda Item 4(3). Prior to being elected as a District Councillor and Parish Councillor in May 2023, Councillor Codling had objected to the application on West Berkshire Council's website. Councillor Codling felt that she had not pre-determined the decision with regards to the current report and information however, for transparency purposes would leave the meeting during the course of consideration of the matter following making a representation on behalf of the Parish Council and as Ward Member.

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Councillor Howard Woollaston declared an interest in Agenda Item 4(3) as the Architect, Duncan Mathewson, practised within his ward and Councillor Woollaston had used his services to develop an outbuilding. Councillor Woollaston stated that he did not feel that this affected his decision making on the application. As his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

8. Schedule of Planning Applications

(1) Application No. and Parish: 20/02079/COMIND - Inglewood House Templeton Road Kintbury Hungerford

Item starts at 7 minutes and 45 seconds into the recording.

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 20/02079/COMIND in respect of the redevelopment of land within the existing walled garden to provide 22 additional units of C2 accommodation as an extension to the Audley Inglewood care community and a new pavilion with associated landscaping, infrastructure and parking.
2. Mr Masie Masiwa 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 planning permission subject to the schedule of conditions (Section 8 of the report) and the completion of a Section 106 legal agreement to secure the review of the Affordable Housing Viability subject.
3. The Chairman asked Mr Gareth Dowding if he had any observations relating to the application. Mr Dowding responded that he had none to make at this time.
4. In accordance with the Council's Constitution, Mr Richard Smalley, Parish Council representative, Mr Michael Guest (Inglewood Owners Association Committee), objector, Matthew Nicholson, applicant, and Councillor Tony Vickers, Ward Member, addressed the Committee on this application.

Parish Council Representation

5. Mr Richard Smalley (Kintbury Parish Council) in addressing the Committee raised the following points:
 - The Parish Council did object to the application however, now primarily only had concerns about construction traffic.
 - The alternative route proposed was understood however, from previous experience of development at the site there was concern contractors would take the shortest route through Kintbury village. It was questioned how the alternative route would be enforced.

Member Questions to the Parish/Town Council

6. Members asked questions of the Parish Council representative and were given the following responses:
 - It was largely felt that other concerns previously raised by the Parish Council about the application had been addressed by the process. This did not mean the Parish Council agreed with the proposal but were pragmatic about it.

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- Regarding concerns about enforcement of the construction route, Mr Smalley noted that the Highways Officer had commented that there were no reported incidents recorded on the alternative route via Hungerford. The Parish Council's remaining concern was that contractors would not follow the alternative route and would take the quickest route through Kintbury village. There were weekly traffic issues on Kintbury High Street. It was a narrow street with pinch points and parked cars. If the alternative route was not utilised the fear was that existing problems would be exacerbated. Mr Smalley queried how the alternative route would be enforced.
- To the Parish Council's knowledge there were not traffic issues on the proposed alternative route. If this route was enforced, it would reduce pressure on Kintbury High Street during the construction phase.

Objector Representation

7. Mr Michael Guest (Chair of the Owners Association at Inglewood) in addressing the Committee raised the following points:
 - A survey had been carried out with residents to assess their attitude to the proposal. Of the survey questionnaires sent out there had been a 60 percent response rate and had concluded on Friday 14th July. Voting was as follows:
 - Six votes in favour.
 - Six votes with no opinion.
 - 45 votes against.
 - As part of the survey, residents were invited to include detail on their main reasons for objection. 32 objected on the grounds of concern about traffic during and after construction; 11 objected on the grounds of the ecological system being adversely affected; 24 objected for local reasons.
 - The principle local reason was that it was not deemed to be a care community as the residents understood it. Those living at Inglewood should be capable of independent living. Emergency care was available if required. Routine and more extensive care could be obtained on request up to a certain limit.
 - The second local reason for concern was whether the parent company (Audley) would resource the additional facilities adequately to ensure service level was maintained.
 - The third local reason for concern was that the cost of construction should not interfere with the available money for maintenance and operation.

Member Questions to the Objector

8. Members asked questions of the Objector and were given the following responses:
 - It was felt that the traffic issues might be exacerbated because the entrance to the site (at the top end of the site) was a blind entrance. Visibility was extremely poor from Templeton Road.
 - Contrary to comments from Highways, there had been an accident between the top entrance and the bottom entrance in which a van overturned on top of a car. There was concern that another 22 vehicles would overload that part of the road in question.

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- There were currently 156 car parking spaces for residents on site. Each unit was provided with one parking space and in addition there was substantial parking for visitors.
- The survey had consisted of a questionnaire mailed to each resident. Each questionnaire was numbered and the returns were anonymous, unless the returnee chose to sign it. Returned questionnaires were checked to ensure there was no duplication. No lobbying had taken place as far as the Owners Association was aware.

9. Applicant/Agent Representation

10. Mr Matthew Nicholson in addressing the Committee raised the following points:

- Audley Group was an award-winning owner of 16 extra care communities, with a further three in development. Many had important historic listed buildings as the focal part. Audley Group had a great track record of sensitively restoring historic buildings and their grounds.
- Audley Group provided independent living for older people with care available as and when it was required. Villages provided a range of wellbeing facilities. There was an onsite Audley Care Team who were available to provide care 24 hours per day. Over the last 12 months, over 10,000 hours of care related activity had been provided to owners at Inglewood.
- The proposal would sensitively restore and repurpose the walled garden to provide 22 two bed extra care units as an extension to the already successful Inglewood Village. This would contribute to national and local need as confirmed by the Local Authority's Housing Officers.
- A pavilion building would be provided in the corner of the cricket pitch. This would be a multi-purpose space for all owners to use.
- The proposal was sensitively designed to respect the history of the walled garden, which was a non-designated Heritage Asset and to respect the location in the Area of Outstanding Natural Beauty (AONB). The walled garden was between three and five metres high and the proposed units within it would be slightly lower, so they could not be viewed from the outside.
- A landscaped garden would be provided in the central area of the walled garden, equivalent in size to half a football pitch. Trees and hedges would be retained and new trees, flora and fauna would be introduced to encourage new and existing habitats, and achieving a biodiversity net gain.
- The development would be net zero carbon responding positively to the climate emergency declared by the Local Authority in 2020. Modern methods of construction would be used to the highest environmental standards.
- 22 car parking spaces would be provided outside of the walled garden area. Around 70 percent of owners owned a car and therefore this was considered sufficient.
- A travel plan had been submitted, which promoted other sustainable forms of travel to and from the site.
- Work had taken place with the Highways Department to minimise disruption during construction. Details of the proposed haul route had been submitted that avoided Kintbury High Street.

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- A construction management plan would be submitted if the application was approved.

Member Questions to the Applicant/Agent

11. Members asked questions of the Applicant and were given the following responses:
- Regarding getting materials and equipment into the walled garden area to start the work, it was highlighted that The Audley Group were used to working with historic buildings. In terms of the proposal, most of the equipment required would be craned carefully over the wall by contractors that were known and trusted.
 - 24 hour site care was already on site and available, and the units proposed would be delivering more of what was already on site. Dementia was mentioned within the planning statement in that the new units could accommodate a person with Dementia as part of a couple. This was not indifferent to the rest of the village.
 - Regarding carers parking, particularly in relation to people with Dementia, there was other car parking available on-site. Members of the care team would use staff parking and parking in other areas. Dementia was a small part of the entire business. The report was essentially stating that Dementia could be accommodated in the same way as it was across all the Audley Group's villages. The units were not directed at people with Dementia but were available to people with Dementia as part of a couple up to a certain level of need.
 - It was the buildings that would be carbon neutral. There was already a minibus in operation but the travel plan would detail how this could be extended to incorporate the proposed development to support residents.
 - The area inside the walled garden was currently closed off. The walls needed to be made safe and the garden itself was currently overgrown as the project in question had been underway for four years.
 - If planning permission was not agreed, the walled garden would likely remain in its current state.
 - The 10,000 hours of care provided by the Audley Care Team over 12 months, included the provision of a variety of care. From carrying out chores to personal care, domiciliary care and high needs care. It was confirmed that these hours did not include carers living in with residents.
 - The grounds outside of the walled garden area were currently maintained to a high standard.
 - Solar panels would support the heat pumps 24 hours per day. Mr Nicholson did not have all the detail to hand on this matter but normally there would be battery storage in place to ensure this was the case.
 - The multi-purpose pavilion would be built to BREEAM excellent standard. It would be a multi-purpose space that had toilets and could be partitioned off depending on the activity it was required for.

Ward Member Representation

12. Councillor Dennis Benneyworth stated that he would not make a representation as Ward Member however, he had called the application in due to the strong feelings in objection and support. Councillor Denise Gaines reiterated this view.
13. Councillor Tony Vickers in addressing the Committee raised the following points:

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- It was felt that some of the objections made by the residents of Kintbury and of the existing retirement village were justified. However, he had met the leaders of the Owners Association and informed them he would speak in support of the application.
- The principle of development was hard to accept with the isolation of facilities and being in the Area of Outstanding Natural Beauty (AONB). The proposal would however, not intrude on the landscape being in a well screened area.
- The applicant, who only provided homes for the most wealthy one percent (or less) of the population, was able to qualify for exemption from providing a commuted sum for affordable housing. The Council had a desperate need to provide such homes. This set a very bad precedent.
- It was expected that Audley's clients could afford to pay a little more and the Council should not be subsidising them.
- Although independent living helped keep older people healthy, Councillor Vickers had been informed by people who provided care/health services locally, that the residents of Inglewood imposed a significant burden on the NHS and public finances.
- The development would be liable to provide CIL. The point of providing S106 funding was to enable the Council to acquire land in a more sustainable location for the far greater number of less wealthy elderly local residents at affordable prices. It was hoped Members would further question this point.
- The existing development did not have enough EV charging points and nor did the proposed extension. The Council's parking policy since 2006 had required all development of houses to have at least one EV charge point per unit. Blocks of flats were exempt but this was likely because they were not allowed in the countryside. He hoped Members would insist on more charging points if minded to grant planning permission.
- Residents had been seen using mobility scooters along Templeton Road to Kintbury. On the narrow, poorly lit, pot holed lanes this was hazardous for all.
- The development likely generated 90 percent of the traffic on Templeton Road, which did not have any properly surfaced passing places. This had partly been put right for some of the route towards Hungerford, which would help during construction. There was still concern however, regarding the bendy nature of the route that connected Inglewood to the main highway network. More passing bays were required.
- It was agreed that the route through Kintbury should not be used during construction however, it was questioned if it would be possible to enforce the alternative route through a condition.
- It was not a normal C2 development. Owners could rent to others over the age of 55. The application needed to be considered as a special case.

Member Questions to the Ward Member

14. Members did not have any questions of clarification.

Member Questions to Officers

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

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- Affordable housing only applied to the residential aspect of the development and therefore excluded the pavilion. As detailed in the report, an extensive review of the applicant's viability report had taken place. The Council's consultants had originally not agreed with the applicant however additional information had been submitted and a surveyor involved to reach an agreement. The Council's consultants were of the view that the applicant might have to provide a contribution but this would need reviewing again after the scheme had been completed based on costs and sales figures.
- It was important for Members to keep in mind when considering viability, that viability of a development in relation to affordable housing was a provision set out in national legislation and guidance. The National Planning Policy Framework (NPPF) set out that it was a material consideration when considering what level of affordable housing should be provided. The national circumstances of the developer were strictly not a consideration when considering viability of a development. The consultant had carried out analysis work and concluded that they would be satisfied if there was to be a condition with a clause within the S106 that allowed for the development to be reviewed after completion, to see if there had been a net uplift in the viability of the site.
- The West Berkshire Supplementary Planning Document S106 on Developer Contributions set out that the developer should pay for viability review work. Review work would be carried out by a consultant appointed by the Council.
- The S106 had a clause that required a viability review to be undertaken following completion of the development. This would disclose any additional viability that could be put into affordable housing contributions. The viability review would identify any uplift since the original viability consideration, which could be put towards off-site affordable housing contributions.
- The parking proposed was considered to be appropriate. TRICS, a programme to work out traffic movements, had been used by Highways Officers to assess the parking requirement for the site.
- In terms of the travel plan, it was assumed that Highways colleagues had viewed the details and were deemed appropriate. It was a site that was already in operation with travel plans in place. It was also a remote site and therefore the travel needs of residents had to be met, or it was likely they would move elsewhere.
- The proposal included the provision of 22 car parking spaces and three of these would have EV charging points. Highways Officers were satisfied with this arrangement for the number of units. On the existing site, not all parking provided EV charging points.
- In terms of the floor plans, the proposal consisted of two bedroom units. They were adapted in terms of the specific extra care C2 use. Proposed floorplans were included with the report. Officers were satisfied that the units were fit for purpose.
- Regarding dementia care, the applicant had submitted an extra care housing needs assessment. The scheme mentioned that the units were designed to accommodate residents with dementia. The term 'extra care' was diverse in what it covered.
- Regarding need in the location, as indicated in the report and supported by Housing and Adult Social Care, there was an identified need for the type of housing proposed. Paragraph 6.13 of the report referenced the Council's Housing

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Strategy 2020 – 2036 (part 5 Table 1), which identified trends in terms of the ageing population. Since the report was published, Officers had been made aware that the Council had provided a further evidence report from July 2022 and this showed the trend and need was increasing. This was how Officers had reached the conclusion that the scheme was acceptable.

- Regarding whether it would normally be permitted for a non-designated heritage asset to be developed in the way proposed, it was confirmed by Officers that it would. The important question regarding the NPPF was to ensure that there was a viable use that conserved the heritage asset and ensured its future.
- Regarding badger setts, it could be noted from the report that there were conditions recommended regarding construction, an environmental management plan and a badger sett licensing condition. Safety in respect of the badger setts was therefore, in the Officer's view, covered under the requirements of these conditions.
- In the documents sent to Members, which were available on the public website, it was set out that the Ecologist was satisfied with the biodiversity net gain that would be achieved by the proposal. The net gain did not cover non-tangibles like bat boxes and new badger setts. Enhancement locations had been agreed for these habitats. Overall the Ecologist believed that the net gain in habitats was sufficient as well as the hedging proposed.
- (*Councillor Denise Gaines declared an interest in this area as she was a Hungerford Town Councillor*). Hungerford Town Council had not been advised that the construction and haulage would go through Hungerford Town. It was confirmed that there was no statutory duty to consult Hungerford Town Council as the adjacent parish council to the application. Details about the application had not been withheld in any way and it had been publicly reacted to. Hungerford Town Council shared members with Kintbury and Inkpen who were in regular communication regarding the application and the haul route had been a locally contentious issue for some time. It could not be suggested that there had not been the opportunity for Hungerford Town Council to input into the process.
- Any uplift on the value would be found out once the development was completed. It was likely that a trigger of prior to occupation would be negotiated. Viability reports would have to be submitted by the applicant and reviewed by the Council's consultants. The duration of the development would be for the developer to determine. For clarity purposes, it was confirmed that although the terms of the S106 were yet to be negotiated, Officers would normally look to apply a clause for a viability review at the sale of a certain number of units.
- The initial submission had included the conversion of the lean-to outbuildings into additional units. This had been objected to by the Conservation Officer on the grounds that it would impact negatively on the wall. The buildings themselves were being used for storage as part of the wider site. It was not proposed that the buildings be developed as part of the current application. If Members wished for this to be added as a condition, then it could be debated and included.
- The access was originally assessed as part of the initial application and there had been not material change to the access since. The vegetation had grown and the Highways Department had been in contact with the Audley Group over the state of the verge and hedgerows, following the use of an illegal mirror on the entrance to the site. This was a separate matter and was not part of the current application.

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- The Highways Department were fully aware of the incident referred to by residents. It had been a non-injury accident and involved a motorist who was being extremely impatient overtaking another car. The roads had been assessed in terms of accidents, vehicle movements and construction traffic. It was the same haul route that had been used in the original site build. The Highways Department had no concerns however, the Audley Group were responsible for maintaining the access and it had been stressed to them that some maintenance was currently required.
- A stop sign at the entrance/exit to the site would require special permission and would need to be applied for through the Department for Transport. The applicant could choose to erect a give way sign and approach the Highways Department to see if there were any other improvement suggestions. Highways had no concerns as long as the area was maintained appropriately.
- In terms of energy generation, the proposal was considered a zero carbon sustainable proposal. Other measures regarding heating and heat water via the air source heat pump were considered to be zero carbon and low emission schemes. As indicated in the report, most of the measures for sustainability had been moved to building regulations and there was reliance on the applicant to come up with a scheme that met the Council's objectives on zero carbon. Based on the measures put forward, Officers considered that on balance it was an acceptable scheme in terms of sustainability and its adherence to policy CS15.
- Regarding CS15, the commercial aspect was BREEAM. There was a BREEAM condition included, which ensured an excellent rating for the pavilion. Other sustainability measures were to be applied to the residential element.

Debate

16. Councillor Heather Codling opened the debate by expressing her concern about the use of the C2 residential units. Dementia care had been mentioned however, the applicant had implied that most residents were not C2 residents. Councillor Codling was concerned about how this could be ensured. Councillor Codling was concerned it would be general housing for older people that were affluent. The Chairman stated the Committee was in debate however, the concern was noted.
17. Councillor Carlyne Culver was concerned that there seemed to have been different information received on whether the units were dementia care units or not and therefore if it was justified to allow the development on land that had not been developed previously.
18. Regarding a future viability assessment, Councillor Culver felt it was unlikely that there would be an uplift in the housing market, which would result in an increase in profit for the developer and the Council receiving no contribution towards affordable housing. Social housing was a justified need in the district however, if a proposal was put forward for this within a walled garden, Councillor Culver expected it would be rejected.
19. Councillor Culver expressed her disappointment in the biodiversity net gain that would be achieved by the development and felt the percentage was very low.
20. Regarding the badger setts, it was clear from the paperwork that the applicant was following best practice when it came to mitigation for badger setts however, it needed to be specified in conditions that a 30 metre buffer zone was required. It also needed to be made clear that there needed to be proof that the artificial setts were being occupied before existing setts were shut down.

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21. Referring to the point of whether Hungerford Town Council should have been consulted on the application as adjacent parish/town council, Councillor Culver recalled that when the Compton Institute had been debated, East Ilsley Parish Council had been consulted because the demolition and construction traffic would travel through East Ilsley. East Ilsley had made a representation at the meeting when the application was considered.
22. Councillor Howard Woollaston did not have a problem with the scheme. There was a clear need for housing for the elderly and the proposal was for a sympathetic scheme within the walled garden. Councillor Woollaston was also not concerned about the 22 additional cars travelling to and from the site. Councillor Woollaston was however concerned about construction traffic travelling through the centre of Hungerford. He had lived near Hungerford since before Inglewood was constructed and could not recall any issues during the construction phase but it was possible other Members might have a recollection of this.
23. Councillor Denise Gaines reported that there had been traffic issues in Hungerford during the construction phase of Inglewood, especially from the high street into Park Street, which was very narrow with a sharp bend. Councillor Gaines often witnessed lorries having to reverse into Park Street to allow traffic to pass.
24. Councillor Gaines referred back to the issue of C2 use. Councillor Gaines believed that C2 class dwellings could be changed to another C class without being referred back to the Planning Department.
25. Councillor Dennis Benneyworth reported that the turning into Park Street was notoriously problematic. It had featured in the Newbury Weekly News and vehicles had struck the Plume of Feathers public house on a number of occasions.
26. The Chairman noted that there was serious doubt about the traffic management aspect of the development. He had not heard anything to convince him that Kintbury would be protected from the likeliness of traffic travelling through it and he hoped this could be conditioned.
27. The Chairman noted that the applicant had expressed that the Audley Group took great care of its assets. However, the Chairman noted that the walled garden had not been cared for at least four years. He therefore struggled to see how the Audley Group took great care of its assets. It had also been heard from the Highways Officer that there was a need for maintenance to hedges and splays in and out of the site. There was a lack of clarity regarding whether the proposal was dementia orientated or not. This posed the question of how much the information provided could be relied upon. The Chairman hoped this point would be debated further by Members.
28. Councillor Clive Hooker reported that decisions taken by the Committee were based on planning policy and on this basis he could not see any reason not to approve the application. The development would make good use of a redundant area of interest. The development would not encroach on the AONB due to the surrounding wall. Councillor Hooker felt that the proposed pavilion would be a good asset. Counter to Councillor Culver's point, Councillor Hooker provided the optimistic view that there could be an uplift in the housing market and therefore there might be a payment to the Council. Councillor Hooker sympathised with the objections raised by the current residents of Inglewood however, highlighted that the matter of the proposal diluting funds for maintaining the existing facility was not a planning consideration. Councillor Hooker noted that the main concern raised by the neighbour to the site was not about ongoing traffic once the development was completed but rather the construction traffic. Members had also raised concerns about this point however, Councillor

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Hooker felt it was important to have confidence in the Highways Officers who had provided data from the previous development. Councillor Hooker was confident this could be controlled by conditions. It was felt it would be difficult to refuse planning permission for the application and Councillor Hooker raised concerns should the matter end up at appeal.

29. Councillor Phil Barnett stated he was still undecided on the application. Positively, he liked to see sites renovated and he felt part of the proposal would benefit existing residents. Councillor Barnett also saw the downside of the application in that the Council would be unlikely to get the benefits from the development that it deserved.
30. The Chairman asked Mr Till to clarify the matter of C2 use. Mr Till drew attention to the Government's definition of extra care detailed in the update report. This had been taken from the National Planning Guidance. Mr Till clarified that when talking about Dementia Care, what was being referred to was accommodation capable of providing for dementia. The reason for Officer support for the application was due to the extra care element and the need for extra care provision in the area. This might or might not include dementia care. The proposal would also make a viable use of a heritage asset.
31. Mr Till referred to the concerns raised regarding whether the Planning Department would be receptive to a proposal for 100 percent affordable housing on the site and Mr Till reminded Members that there was a rural exception site provision policy for this purpose.
32. Mr Till referred to concerns over the change of use from C2 and highlighted the details of condition 23, which clearly set out that no change of use was permitted.
33. The Chairman asked Mr Till to further expand on the planning balance in favour of the application. Mr Till confirmed that it was a balanced recommendation, and this was because it was for an additional housing development in the countryside. Highway concerns raised were legitimate however, Highways Officers were satisfied. Planning Officers were satisfied there was a demonstrative need for the development. Mr Till advised that if Members were minded to refuse the application then careful consideration would need to be given to the grounds this was based on and that they were compliant with national and local policy.
34. Councillor Woollaston commented that the business model seemed to be based on extra care provision and not straight forward property development. He felt it would be a good use of a heritage asset and he was therefore minded to support the Officer recommendation to approve planning permission subject to additional conditions.
35. Members recommended the following conditions be added to the proposal:
 - A 30m exemption area around the badger setts (*condition 23 below*)
 - A survey to ensure the new badger sett was occupied prior to the existing sett being sealed off (*condition 24*).
 - A stop sign or alternatively a give way sign (*condition 25*).
 - Notices along the Kintbury Road to deter construction traffic from using the route (*condition 26*).
 - A higher number of EV charging points (*condition 27*).
 - Clarity on sustainable energy storage (*condition 28*).
 - The site to achieve a ten percent biodiversity net gain (*condition 29*).
 - No destruction to the existing wall (*included as ammendment to condition 6*).

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36. Mr Till reiterated the suggested conditions. He suggested that a give way sign be a preoccupation requirement for the applicant at the access to the site.
37. Mr Till suggested that a condition regarding notices along Kintbury Road should state 'no development should take place until details from the applicant, in liaison with the local Highways Authority and Kintbury Parish Council, had been received' on how signage in respect of haulage would be provided.
38. Mr Till referred to a condition on the site achieving a ten percent biodiversity net gain and suggested this should be a preoccupation condition.
39. Mr Till asked Members to recommend a number of EV charging points required. It was agreed by the Chairman that this should be to the capability of the onsite infrastructure and to a maximum of six EV charging points. It was suggested that the details on this should be provided prior to occupation.
40. Finally Mr Till suggested a detailed sustainability statement be requested from the applicant confirming how the electricity infrastructure associated with the solar panels would be provided to ensure zero carbon could be achieved.
41. Councillor Hooker asked there to be a further condition to ensure there was no damage to the existing wall. Mr Till confirmed that there was a construction management plan condition and he suggested that the avoidance of damage to the historic garden wall be added to the construction methodology.
42. Councillor Barnett asked for a condition to ensure working hours were appropriate. Mr Till drew attention to condition 16, which set out the requirements around working hours.
43. Councillor Woollaston proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report, update report and those added by Members during the debate. This was seconded by Councillor Hooker.
44. The Chairman invited Members of the Committee to vote on the proposal by Councillor Woollaston, seconded by Councillor Hooker, to grant planning permission. At the vote the motion was carried

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

Conditions

1	<p>Time Limit for commencement</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the following approved documents and plans:</p> <p>Received on 09 September 2020:</p> <ul style="list-style-type: none"> • Refuse Store drawing No 15028 OB - GA-00-201 P1

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- Proposed recreation pavilion plans drawing No 20008-PV-A-101
- Proposed recreation pavilion elevations drawing No 20008-PV-A-102
- Arboriculture assessment
- Barn Owl Survey
- Nocturnal Emergence and Dawn re-entry Survey
- Pavilion Ecological Survey
- Preliminary Bat Roost Assessment
- Preliminary Ecology Appraisal
- Reptile Survey

Received on 16 September 2020:

- Proposed block south – elevations and floor plans drawing No 15028-BS-GA-00-005-P2
- Proposed block south – roof plan drawing No 15028-BS-GA-00-006-P2
- Proposed block west – elevations and floor plans drawing No 15028-BW-GA-00-007-P2
- Proposed block west – roof plan drawing No 15028-BW-GA-00-008-P2
- Proposed block east – elevations and floor plans drawing No 15028-BE-GA-00-001-P2
- Proposed block east – roof plan drawing No 15028-BE-GA-00-002-P2
- Proposed block north – elevations and floor plans drawing No 15028-BN-GA-00-003-P2
- Proposed block north – roof plan drawing No 15028-BN-GA-00-004-P2

Received on 01 June 2021:

- Amended proposed site layout (walled garden) drawing No 15028-S-SL-00-200 P8
- Amended proposed site layout - all phases drawing No 15028-S-SL-00-201 P9
- Amended proposed elevations (inside and outside) drawing No 15028-SS(00)301-P3
- Amended Transport Statement
- Amended Travel Plan
- Amended Heritage Report
- Amended Heritage Report Addendum 2
- Amended Pavilion Historical analysis
- Amended Landscape Visual Impact Assessment and Landscape Strategy REVISION B
- Amended Flood Risk Assessment
- Extra Care Housing Needs Assessment
- Amended Planning Statement
- Amended Sustainability and Energy Statement
- Amended Proposed Bollard External Lighting drawing No SK

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	<p align="center">E 01 REV A</p> <p>Received on 16 June 2021:</p> <ul style="list-style-type: none"> • Heritage Report Addendum 3 • Amended Biodiversity Impact Assessment • Ecology Statement Technical Note <p>Received on 26 October 2022:</p> <ul style="list-style-type: none"> • Amended Construction Route passing places plan 1 drawing No 2112024-01 REVISION B • Amended Construction Route passing places plan 2 drawing No 2112024-02 REVISION B • Amended Construction Route passing places plan – Swept Paths drawing No 2112024-TK01 REVISION B <p>Other documents:</p> <ul style="list-style-type: none"> • Amended location plan drawing No 15028-S-SL-00-001 P2 received 21 December 2020 • Heritage Statement Addendum 1 received 22 March 2021 • Audley agreed site traffic haulage route received 06 April 2021 • Traffic Management Plan received on 13 September 2021 • Phase 2 surveys – Supplementary Ecology Report received 30 June 2022 • Supplementary Ecological Report REVISION A received on 28 November 2022 <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>External Materials</p> <p>Prior to above foundation level works commencing, details of external facing materials for the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with approved details.</p> <p>Reason: To ensure the satisfactory appearance of the development and in order to protect the character and amenity of the AONB area. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), the Quality Design SPD (June 2006) and Hermitage Village Design Statement.</p>
4	<p>Means of Enclosure and gates</p> <p>Notwithstanding the provisions of the plans hereby submitted, the development hereby permitted shall not be occupied until full details have been submitted to and approved in writing in respect of means of enclosure or boundary treatments including gates on the site. the</p>

	<p>details shall include a plan indicating the positions, design, materials and type of boundary treatment and gates to be erected within the site.</p> <p>The approved details shall be completed in accordance with the approved scheme before the development hereby permitted is first occupied. The boundary treatment shall thereafter be retained in accordance with the approved details.</p> <p>Reason In the interest of visual amenity and to protect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy, the Quality Design SPD (design guidance on safe and high quality environments) 2007) and the Hermitage Village Design Statement.</p>
5	<p>Landscape and Ecological Management Plan</p> <p>No development shall take place on the site until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP should be based on the submitted amended Ecological Assessments and the approved SuDS and Landscaping documents and plans. Such a Plan shall include:</p> <ul style="list-style-type: none"> a) Detailed habitat creation and management prescriptions (including costings) for the retained and newly created habitats meeting all the needs of biodiversity net gain timeframes, monitoring and reviews. b) Provision of features for protected and priority fauna as outlined within the Ecological Assessment Reports and deliver the recommendations to ensure the appropriate protection and conservation of protected habitats and species. c) Include (but not necessarily be limited to) details of management, maintenance and long-term protection of the hard and soft landscaping, public open space, and ecological mitigation area. d) Submit a green phasing plan to interact with the CEMP and LEMP. Include the planting list, hard and soft infrastructure shown and boundary treatments and species and habitat enhancements and protections. e) A plan showing the design, location and installation details of all the habitat boxes and features. f) A plan showing the location of integrated enhancements for species such as birds and bats, bee bricks to the areas near the formal walled garden. g) May incorporate any/all mitigation measures secured by other planning conditions attached to this permission, including SuDS and Landscaping. h) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development; i) Persons responsible for implementing the works. j) Details of initial aftercare and long term maintenance;

	<p>k) Details for monitoring and remedial measures.</p> <p>The approved LEMP shall be implemented in full upon commencement of development.</p> <p>Reason: The LEMP is necessary to ensure the adequate protection and conservation of protected species and habitats on the site, and to achieve the specific recommendations of the submitted Ecological Assessment. A comprehensive LEMP will also ensure that interrelated landscape and ecological proposals are delivered and managed in a holistic manner. To ensure that habitats are protected and enhanced in the best way possible and that the planting can become as established as possible. The detailed LEMP is required before commencement of development because insufficiently detailed information has been submitted at the application stage, and it may include measures that require implementation during the construction phase. This condition is applied in accordance with the NPPF, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Planning Obligations SPD.</p>
6	<p>Construction Environmental Management Plan (CEMP)</p> <p>No development shall take place (including ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following;</p> <ul style="list-style-type: none"> (a) A risk assessment of potentially damaging construction activities (b) Identification of biodiversity protection zones (c) Practical measures to avoid and reduce impacts during construction (d) Construction methodology measures for the protection of the garden wall during construction and to ensure there is no destruction or damage to the existing historic garden wall during construction. (e) The location and timing of sensitive works to avoid harm to biodiversity features including protected species and tree protection measures (f) The times during construction when specialist ecologists need to be present on site to oversee works (g) Responsible persons and lines of communication (h) The role and responsibilities of the ecological clerk of works or similarly competent person (i) Use of protective fences, exclusion barriers and warning signs (j) Any temporary lighting that will be used during construction (k) A scheme of works or such other steps to minimise the effects of dust during construction (l) The implementation of these measures prior to the

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	<p>commencement of each phase.</p> <p>The development shall not be constructed otherwise than in accordance with the approved CEMP.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. To ensure the conservation of the heritage assets of the site, and to ensure there is no destruction to the existing wall. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14, CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
7	<p>Natural England licence (bats)</p> <p>Any works which affect bats or great crested news, or result in loss or deterioration of their habitats (including site clearance) shall not in any circumstances commence unless the Local Planning Authority has been provided with either:</p> <ul style="list-style-type: none"> (a) A licence issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010 authorising the specified activities to go ahead; or (b) A statement in writing from Natural England to the effect that it does not consider that the specified activity will require a licence. <p>Reason: The approval of this information is required before development commences because insufficient information accompanies the application and licence can only be issued after planning permission is granted. Mitigation will be required before any site clearance or development takes place. This condition is applied to avoid contravention of the Conservation of Habitats and Species Regulations 2010 (as amended), and in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
8	<p>Natural England licence (badger sett)</p> <p>Any works which affect a badger sett or result in loss or deterioration of their habitats (including site clearance) or the provision of a replacement badger sett shall not in any circumstances commence unless the Local Planning Authority has been provided with either:</p> <ul style="list-style-type: none"> (a) A licence issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010 authorising the specified activities to go ahead; or (b) A statement in writing from Natural England to the effect that it does not consider that the specified activity will require a licence.

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	<p>Reason: The approval of this information is required before development commences because insufficient information accompanies the application and licence can only be issued after planning permission is granted. Mitigation will be required before any site clearance or development takes place. This condition is applied to avoid contravention of the Conservation of Habitats and Species Regulations 2010 (as amended), and in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
9	<p>Surface water drainage measures</p> <p>The above ground development shall not commence until the surface water drainage measures have been submitted and approved in writing by the Local Planning Authority.</p> <p>The sustainable drainage measures shall be maintained, retained and managed in accordance with the approved details thereafter.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).</p>
10	<p>Parking and turning</p> <p>The development shall not be brought into use until the associated vehicle parking and turning spaces have been surfaced, marked out and provided in accordance with the approved plans. The parking and turning spaces shall thereafter be kept available for parking of private motor cars at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied 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>
11	<p>Cycle parking</p> <p>No dwelling shall be occupied until details of cycle parking has been submitted and approved in writing by the Local Planning Authority. Thereafter the approved cycle parking shall 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 in accordance with the submitted Travel Plan. This condition is applied 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>

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12	<p>Construction and submitted traffic management plan</p> <p>No development shall take place until the approved highway passing places have been constructed in accordance with the approved plans.</p> <p>a) Thereafter the highway passing places shall be kept available through the construction of the approved development.</p> <p>b) The construction of the development shall proceed in accordance with the submitted Traffic Management Plan by LLS Logistics</p> <p>Reason: In the interest of road safety and flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
13	<p>Electric Charging Point</p> <p>No unit shall be first occupied until electric vehicle charging points have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.</p> <p>Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026</p>
14	<p>Refuse Storage</p> <p>No unit shall be occupied until the refuse and recycling facilities have been provided in accordance with the approved drawings and these facilities shall be retained for this purpose thereafter.</p> <p>Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).</p>
15	<p>External lighting</p> <p>No external lighting shall be installed until a final lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:</p> <p>(a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.</p> <p>(b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not</p>

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	<p>disturb or prevent the above protected species.</p> <p>(c) Include and Isolux diagram of the proposed lighting.</p> <p>(d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.</p> <p>Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, no external lighting shall be installed except 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: Firstly, to ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. Secondly, to conserve the dark night skies characteristics of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies ADPP5, CS14, CS17 and CS19 of the West Berkshire Core Strategy (2006-2026).</p>
16	<p>Hours of work (construction)</p> <p>No construction works shall take place outside the following hours: 7:30am to 6:00pm Mondays to Fridays; 8:30am to 1:00pm Saturdays;</p> <p>No work shall be carried out at any time on Sundays or Bank Holidays.</p> <p>Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy (2006-2026).</p>
17	<p>Sustainability Measures</p> <p>The development hereby permitted shall proceed in accordance with the sustainability measures outlined within the Sustainability Statement by Gallese Design received on 01 June 2021. The development shall not be first occupied until the sustainability measures have been implemented in full.</p> <p>Reason: To ensure the development contributes to sustainable construction. This condition is applied in accordance with the National Planning Policy Framework, Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
18	<p>BREEAM</p> <p>The pavilion hereby permitted shall achieve a rating of “Excellent”</p>

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	<p>under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). The development shall not be first occupied until a final certificate has been issued certifying that this rating has been achieved, and a copy of the certificate has been provided to the Local Planning Authority.</p> <p>Reason: To ensure the development contributes to sustainable construction. This condition is applied in accordance with the National Planning Policy Framework, Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
19	<p>Landscaping</p> <p>All landscape works shall be completed in accordance with the submitted Landscape Visual Impact Assessment and the Landscape Strategy Plan by Kirkham Landscape Planning dated February 2021 (REVISION B) including the schedule of planting and design components and features.</p> <p>Any trees, shrubs or hedges planted in accordance with the approved scheme which are removed, die, or become diseased within five years from completion of this development shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p> <p>Reason: To ensure the implementation of a satisfactory scheme of landscaping in accordance with the objectives of the NPPF and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 and Hermitage Village Design Statement.</p>
20	<p>Travel Plan</p> <p>The development hereby permitted shall proceed in accordance with the travel measures outlined within the Amended Travel Plan by Cottee Transport Planning received on 01 June 2021. The development shall not be first occupied until the sustainability measures have been implemented in full.</p> <p>Reason: To ensure the development contributes to sustainable construction. This condition is applied in accordance with the National Planning Policy Framework, Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
21	<p>Noise attenuation</p> <p>All plant, machinery and equipment installed or operated in connection with the air source heat pump of the development hereby approved shall be so enclosed and attenuated that noise therefrom does not exceed at any time a level of 5dB[A] below the existing background noise level, or 10dB[A] if there is a particular tonal quality when measured in accordance with BS4142:2014 at a point one metre external to the nearest residential or noise sensitive</p>

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	<p>property.</p> <p>Reason: To protect the occupants of nearby residential properties from noise. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.5 and OVS.6 of the West Berkshire Local Plan 1991-2006 (Saved Policies 2007).</p>
22	<p>Permitted Use Classes Order - removal of rights</p> <p>The 22 units hereby approved shall be used for Use Class C2 (Residential Institution) as part of extra care accommodation at Audley Care Community site and for no other purpose, including any other purpose in [Classes C2 and C3) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). This restriction shall apply notwithstanding any provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).</p> <p>Reason: Any other use may not be acceptable on the site. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP5 and CS1 of the West Berkshire Core Strategy (2006-2026), and Policies C1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
23	<p>Badger sett exemption area</p> <p>Any works for a replacement badger sett must include a 30-metre exemption area around the badger setts. Thereafter, the exemption area shall be maintained between the development and the Badger sett.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and their habitats. This condition is applied to avoid contravention of the Conservation of Habitats and Species Regulations 2010 (as amended), and in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
24	<p>Badger sett survey</p> <p>Prior to the commencement of development, a survey of the site by an appropriately qualified and experienced ecologist shall be undertaken to ensure the new badger sett was occupied prior to the existing sett being sealed off. The results of the survey shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species</p>

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	<p>and their habitats. This condition is applied to avoid contravention of the Conservation of Habitats and Species Regulations 2010 (as amended), and in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p>
25	<p>Access signage</p> <p>No unit shall be first occupied until details and location of a give way sign on the applicant's own land at the access have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved give way sign shall be retained and maintained at all times.</p> <p>Reason: In the interest of road safety and flow of traffic. This condition is applied 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>
26	<p>Construction traffic route signage</p> <p>No development shall take place until details from the applicant, in liaison with the local Highways Authority and Kintbury Parish Council, have been received on how signage in respect of haulage traffic would be provided along the Kintbury Road to deter construction traffic from using the route through Kintbury Village.</p> <p>Reason: In the interest of road safety and flow of traffic. This condition is applied 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>
27	<p>Electric vehicle charging points capacity.</p> <p>Irrespective of the details submitted as part of the planning application, no unit shall be first occupied until details of a maximum total of six electric vehicle charging points (based on the capability of the site) have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.</p> <p>Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.</p>
28	<p>Sustainability statement</p> <p>No unit shall be first occupied until a detailed sustainability statement has been submitted to and approved in writing by the Local Planning Authority. The detailed sustainability statement shall</p>

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	<p>confirm how the electricity infrastructure associated with the solar panels and the ground source heat pump will be provided to ensure zero carbon could be achieved on site.</p> <p>Reason: To ensure the development contributes to sustainable construction. This condition is applied in accordance with the National Planning Policy Framework, Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
29	<p>Biodiversity net gain</p> <p>No unit shall be first occupied until details of how the development will achieve and secure a ten percent biodiversity net gain have been submitted to and approved in writing by the local planning authority.</p> <p>Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>

Informatives

1	<p>Approach of the LPA</p> <p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.</p>
2	<p>CIL</p> <p>The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from the Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil</p>
3	<p>Legal agreements - Section 106</p> <p>This Decision Notice must be read in conjunction with the terms of the Legal Agreement. You are advised to ensure that you have all the necessary documents before development starts on site.</p>
4	<p>Fire infrastructure</p>

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	<p>The Fire Authority seeks to raise the profile of these requirements and requests that the relevant documentation is made available to the applicant and/or planning agent by means of web link: https://www.gov.uk/government/publications/fire-safety-approved-document-b</p> <p>Full assessment of the proposed development in respect of 'Building Control' matters will be</p>
5	<p>Waste (Thames Water informative)</p> <p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.</p>
6	<p>Water (Thames Water informative)</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
7	<p>Obstructing public right of way</p> <p>The applicant is advised that this planning permission does not in any way allow the public right of way to be obstructed at any time during the course of the development.</p>
8	<p>Public right of way encroachment</p> <p>Nothing connected with either the development or the construction must adversely affect or encroach upon the footpath, which must remain available for public use at all times.</p>
9	<p>Ground Levels</p> <p>Where the ground levels adjacent to the path are to be raised above the existing ground levels, a suitable drainage system must be installed adjacent to the path, to a specification agreed with the Local Authority, prior to development commencing.</p>
10	<p>Ecology Updated Surveys</p> <p>If development has not commenced 3 years from the date of this permission, an updated Ecological Appraisal will be required. The updated surveys shall be used to inform the updated mitigation measures for the development.</p>
	<p><i>Refusal reason</i></p> <p>If the legal agreement is not completed by the 19th October 2023, to DELEGATE to the Development Control Manager to REFUSE PLANNING PERMISSION, or to extend the period for completion if it is considered</p>

<p>expedient to do so.</p> <p>S106 Planning Obligation Refusal Reason</p> <p>The development fails to provide an appropriate scheme of works or off-site mitigation measures to accommodate the impact of the development on local infrastructure, or provide an appropriate mitigation measure such as a planning obligation.</p> <p>The application fails to provide a Section 106 Planning Obligation to deliver necessary infrastructure and mitigation measures, including:</p> <p>(a) Affordable housing, without which the proposal would be contrary to the NPPF, Policy CS6 of the West Berkshire Core Strategy (2006-2026), and the Planning Obligations SPD.</p>
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(2) Application No. and Parish: 23/00246/HOUSE - Juniper Rise, Ashmore Green, Thatcham

Item starts at 2 hours, 22 minutes and 40 seconds into the recording.

1. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 23/00246/HOUSE in respect of a retrospective application for alterations to approved scheme 12/00538/HOUSE; first floor extension to single storey house, single storey extension to the west and new garage to replace existing.
2. Ms Donna Toms 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 planning permission subject to the conditions outlined in the main and update reports.
3. The Chairman asked Mr Gareth Dowding if he had any observations relating to the application. Mr Dowding responded that he had none to make at this time.
4. In accordance with the Council's Constitution, Councillor Heather Codling, Parish Council representative, Mr Ivan Simonowski and Mr Ian Goodwin, objectors, Zelina Francis, supporter, Duncan Mathewson, agent, and Councillor Heather Codling as Ward Member, addressed the Committee on this application.

Parish Council Representation

5. Councillor Codling (Cold Ash Parish Council) in addressing the Committee raised the following points:
 - Councillor Codling was not a Councillor of the Parish Council at the time the application was considered and would therefore read out comments on behalf of the Parish Council.
 - The proposal was out of keeping with neighbouring properties and was overbearing.
 - There was concern of the garage being used as a separate dwelling.
 - There was concern about the retrospective nature of the application as it did not comply with previous plans that had been approved by the Local Authority.

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Member Questions to the Parish Council

6. Members did not have any questions of clarification.

Objector Representation

7. Mr Ivan Simonowski in addressing the Committee raised the following points:

- The changes to the original application were significant and substantial. It was at least one metre or 13 courses of bricks higher than that agreed.
- It overwhelmed the view from the road and adjacent properties.
- The building was now the only three storey house on Ashmore Green Road, which set a precedent going forward.
- The changes should have been thought through at the original planning stage. It was felt that the retrospective route had always been the intention. There had been a total disregard to the planning process. Objection had not been raised to the original plans however, this had completely changed. No respect had been shown for those in neighbouring properties.
- Mr Simonowski reported that he had changed his bungalow to a house and had adhered to the planning permission granted.

8. Mr Ian Goodwin in addressing the Committee raised the following points:

- He was representing the other residents on Ashmore Green Road who had raised objections and who felt cheated because they had not objected to the original plans. It was felt that what had been built had no relationship to what was originally agreed.
- Information provided on the website was minimal and this made it difficult to compare the original application to the current one.
- Residents had described the development as an 'in your face' development.
- There were other houses close by that would soon likely be enlarged. Mr Goodwin queried what would stop these residents from taking the same approach, which was above and beyond what had been permitted.

Member Questions to the Objector

9. Members asked questions of the Objector and were given the following responses:

- The roof height was the primary change to the original application. There was a roof with window lights and the position of windows had changed. The ridge height and how it was positioned in relation to the property, Little West, had changed and was now overbearing. The porch to the front and back of the property had changed and bared no relationship to the original plans. Neighbours had been happy with the original plans, they felt cheated and were worried a precedent would be set.
- The houses on the street had originally all been bungalows. The houses onwards from Little West down the hill had all been converted in the same manner and were in keeping with each other. Ashmore Green as an area had a mix of building types.
- The main difference with the property in question was that it was three storey rather than two storey and this created a big jump visually, in relation to other properties. Opposite the application site were old terraced houses. No one had

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objected to the application consisting of a modern house but rather to the fact that it seemed so big.

- It was believed that the change in ridge height was one metre rather than 32cm. This was how it appeared on retrospective plans that showed the agreed height compared to the actual height.

Supporter Representation

10. Ms Zelina Francis in addressing the Committee raised the following points (*It was requested that slides from the Planning Officer's presentation be displayed showing the bungalow before it was changed to double storey along with the slide showing the development compared to the two adjacent properties*):

- Ms Francis had lived in the bungalow to the left of Juniper Rise for seven years. She no longer lived there but travelled past the area on a daily basis.
- Ms Francis had known the owner of Juniper Rise for many years and had only ever known him to be an honest and suitable neighbour.
- Ms Francis attended the parish council session on the 14th March 2023 and had been surprised to hear of the objections presented about the development being overbearing. Street views showed the property was similar to those around it and there was no obvious obstruction in the flow between the houses. The appearance was similar to other properties close by.
- The third storey of Juniper Rise could only be noticed from the inside of the house due to it being within the loft area.
- Ms Francis had been disappointed to hear personalised attacks on the applicant at the parish council meeting on 14th March.
- Juniper Rise had been overpowered by its neighbour for the seven years that Ms Francis had lived there. It was felt that a distortion of reality was being portrayed.
- Ms Francis expected any errors made by the applicant were innocent rather than deliberately misleading.

11. The Chairman reminded the Committee that only planning matters could be considered.

Member Questions to the Supporter

12. Members did not have any questions of clarification.

Applicant/Agent Representation

Mr Des Tidbury reported that he had been asked to speak on behalf of the applicant's architect, Mr Duncan Mathewson, who had been taken ill prior to the meeting. Mr Mathewson had been provided with a written submission, which Mr Tidbury would read out.

It was noted that normally anyone wishing to speak at Committee had to inform the Planning Department by 4pm the day prior to the meeting. Members were of the view that given the circumstances Mr Tidbury should be permitted to speak on Mr Mathewson's behalf however, Members would refrain from asking any questions once the submission had been read out.

The Chairman proposed that standing orders be suspended to enable Mr Tidbury to speak at the meeting. This was seconded by Councillor Howard Woollaston and at the vote the motion was carried.

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13. Mr Tidbury in addressing the Committee raised the following points:

- Mr Mathewson had been appointed as the architect following notification from West Berkshire Council that an Enforcement Officer would be visiting the site, in view of complaints. Mr Mathewson had met with the Enforcement Officer on 20th December 2022 to review the difference between the approved scheme and that built.
- The principle noticeable difference when compared with Little West, apart from the change of porch design, was the addition of three brick courses above the first-floor windows.
- The differences had been noted and it had been agreed that the client should request a firm of surveyors to carry out a full measured survey.
- Juniper Rise was originally a bungalow with bungalows on either side. Consent was granted in the early 2000s to extend Little West with the addition of a first floor. It was felt that this set a precedent and the resident of Juniper Rise had applied to extend his property with the addition of residential accommodation in the roof void. The consent remained extant with the construction of a garage also part of the approval.
- Work on Juniper Rise commenced in 2022 and the same brick work and patterning had been adopted to match the adjoining property. The additional brick course at first floor level to accommodate deeper floor joists together with three brick courses above the top window was the only difference. The latter had been requested by engineers due to loading.
- The principal difference in ridge height was due to the difference in existing floor levels due to ground levels. The drawings provided by the original draughtsman in 2012 had the elevations incorrectly drawn by just under a metre with respect of the ridge height. The drawing providing a comparison of the west elevation with Little West, showed a difference in level of 1.05 metres and correctly portrayed the relationship between the two properties.
- The applicant had taken the adjoining property as a blueprint and only introduced three brick courses because it had been structurally required to do so. The difference in height between Juniper Rise and Little West was only 320mm.
- Juniper Rise sat to the north of Little West and consequently there could be no overshadowing caused.

Member Questions to the Applicant/Agent

14. Members did not have any questions of clarification.

Councillor Woollaston proposed that standing orders be reinstated and this was seconded by Councillor Benneyworth. At the vote the motion was carried.

Ward Member Representation

15. Councillor Codling in addressing the Committee raised the following points:

- Councillor Codling had been approached by the residents of Little West and Old Oak, which was a bungalow to the other side of the Juniper West. Little West had been developed from a bungalow into a house some years ago.
- Councillor Codling would be providing local residents' views as Ward Member.
- The biggest concern was that the development had been approved as a one and a half storey increase whereas what had been built appeared to be two storeys.

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Councillor Codling contended that the rooms in the roof could be seen and the property was tall.

- Old Oak was still a bungalow with roof space. The residents of Old Oak felt Juniper Rise was now taller than what had been expected. They were concerned about overshadowing.
- There were very few properties in the village that consisted of three storeys and nothing of that size on the street, a precedent was therefore being set. There was a mix of styles but the property in question stood out.

Member Questions to the Ward Member

16. Members asked questions of the Ward Member and were given the following responses:

- Comments regarding overshadowing were concerning the property to the north, which was a bungalow. The resident would have objected however, had been working away whilst the planning application notice was displayed.

(Councillor Codling left the meeting at 9.27pm)

Member Questions to Officers

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

- In regard to which drawings were correct in terms of measurements, Mr Simon Till reported that the Planning Department had been presented with a drawing that provided an inaccurate topographical survey of the original ground level. The agent had highlighted where inaccuracies were and Officers accepted the agent's findings. For accuracy purposes Mr Till clarified that the increase in height was 32cm.
- The Officer's recommendation would still have been approval if the increase had been a metre on the basis of the impact. The recommendation was therefore unchanged.
- The objections were as summarised in the presentation and set out in the report. Some objections were based on the increase in height of the building, which was 320mm. Regarding removal of the dormer windows, Officers felt that this would reduce any overbearing impact and reduce any loss of privacy that might result from these windows. Officers did not feel that changes including the increase of 320mm, the alterations, materials and the design were substantial enough to increase impact on neighbouring amenity.
- Regarding the extra volume of what had originally been approved compared to that built, Ms Toms responded that she did not have information regarding the volume of the property. As the site was within settlement it was not something that would normally be calculated.
- Ms Toms stated that if an application was submitted for the property as built, it was possible it would have been approved. The height and style of the property was very similar to its neighbour. Levels would have to be looked at but given the similar style, Ms Toms did not feel the impact would be substantial enough to refuse planning permission.
- Mr Till reported that when scrutinising the application, he had referred back to the Cold Ash Village Design Statement, which carried recommendations in terms of design. Mr Till had not found that the design proposed was in contravention to this. He had surveyed the site whilst reviewing the Officer's recommendation, to see if

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he felt the design was inadequate. Mr Till was of the view that the design made a fair representation of meeting the requirements for quality design as intended by Policy CS14 and National Planning Policy Framework. Officers supported the design changes that had been made further to the original approval.

- Mr Till reminded Members that the site was within settlement. Mr Till commented on the matter of a precedent being set and stated that any subsequent similar application in the area would be assessed on how it matched the street scene. In terms of the property in question, a decision had been taken in 2012 that the increase in size matched the street scene. National policy had moved on since this and specifically referred to quality design and any proposed development would be expected to meet a high standard of quality design. Mr Till stated that he would not necessarily suggest that the 2012 permission would have been granted against current assessment criteria.
- On the matter of it being a new application in 2023 and whether this meant new guidelines would be followed rather than previous guidelines, Mr Till reported that the fall-back position of the 2012 permission was a material planning consideration. Members would have to be satisfied that there was a demonstrable and high level of additional visual harm associated with the new design as opposed to what had been originally approved. Officers were of the view that the change in design would not cause a sufficient level of additional harm.
- The materiality of the fall-back position needed to be considered and how this would set a strong precedent within an appeal situation.

Debate

18. Councillor Woollaston commented on the matter of it being a retrospective planning application. This was something Members had voiced being principally against in the past. Councillor Woollaston did not however feel that the changes were significant enough for Members to go against the Officer recommendation.
19. Councillor Clive Hooker stated that following the site visit and upon viewing the drawings he had felt great sympathy for the neighbour. He had felt a metre increase above the velux windows was excessive. It had however since been clarified by the agent that it was not a metre and this made the application difficult to argue against. From the road view and transition of the roof lines, Councillor Hooker still felt the rise caused by the property in question was excessive. There was fear that if another bungalow was developed then the increase in roof heights on the side of the road could be detrimental to the street scene. Unfortunately however, Councillor Hooker felt that it would be difficult to not approve the application.
20. Councillor Gaines referred to the plans that showed the footprints of the two properties Shannon and Hailstone. Councillor Gaines thought that the footprints of these two properties looked to be larger than that of Juniper Rise. It was noted that one objection had referred to the increase in footprint of Juniper Rise being overly large for the site, but felt that other properties nearby had similar footprints. The Chairman asked a slide to be shown from the Planning Officer's presentation that showed the view Councillor Gaines was referring to.

(Members decided that agenda 4(1) should be deferred to the next meeting in order to provide time to give it fair consideration.)

21. The Chairman concluded from viewing the slides that Councillor Gaines' point regarding Shannon and Hailstone having a similar footprint to Juniper Rise was valid. A window in the roofline of one of the properties could also be seen.

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22. Councillor Patrick Clark noted that the area itself had been made up of bungalows previously. The application site was surrounded by other buildings that were once bungalows and therefore it seemed like there had been a quite a lot of variation in the past. It therefore seemed strange to suggest there should not be any variation in the future.
23. Councillor Hooker felt that the question was around the retrospective element of the application and how it had changed over and above what had been approved.
24. Councillor Hooker proposed that Members support the Officer's recommendation to grant planning permission.
25. Regarding additional conditions, Councillor Gaines suggested it should be ensured that no further changes could be made to the plans. The Chairman noted from the plans (102b) that there was a window that would overlook neighbours. The Chairman did not want the application to be approved with the possibility of this being added afterwards.
26. Mr Till advised that the window was clearly shown on the plans as being omitted from the 2012 application and was therefore a deletion. Secondly the Officer recommendation included a requirement for compliance with the approved drawings.
27. The Chairman requested that a condition be added to ensure a check was carried out on the plan that might be approved including measuring window sizes of what had been installed. Mr Till advised it could be requested that the Planning Enforcement Officer visit the site to ensure details complied with approved plans. Mr Till suggested that the Committee might wish to defer the item if they wished for this visit to take place prior to a decision being made.
28. Mr Till stated that if it was discovered following a decision that further work had taken place that was not in accordance with the drawings submitted, then the applicant would have to correct this, or the item would need to be reconsidered based on a set of revised drawings. Officers had undertaken discussions with the planning agent and had been provided with reassurance that the window concerns had been raised and were the correct size. The Chairman declared, on the basis of Mr Till's response, that he was happy to proceed with consideration of the application.
29. Councillor Hooker proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Woollaston.
30. The Chairman invited Members of the Committee to vote on the proposal by Councillor Hooker, seconded by Councillor Woollaston, to grant planning permission. At the vote the motion was carried.

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

Conditions

1.	Approved plans The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below: 22101.100A (Location and Block Plan), 22101.101B (Floor and Roof Plans and Section) and 22101.102B (Elevations) received on 2 February 2023. Reason: For the avoidance of doubt and in the interest of proper planning.
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2.	<p>Materials</p> <p>The materials to be used in the development hereby permitted shall be as specified on the plan and the application form. 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), Supplementary Planning Guidance 04/2 House Extensions (July 2004), and Supplementary Planning Document Quality Design (June 2006).</p>
3	<p>Annex use</p> <p>The garage hereby permitted shall not be occupied at any time other than for purposes ancillary and/or incidental to the residential use of the dwelling known as Juniper Rise.</p> <p>Reason: The creation of a separate planning unit would conflict with the strategy for the location of new development and be unacceptable in the interests of ensuring a sustainable pattern of development. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP3 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policy C1 of the Housing Site Allocations DPD 2006-2026.</p>

Informatives

1.	<p>Proactive</p> <p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.</p>
2.	<p>CIL</p> <p>The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil</p>
3.	<p>Consent to enter adjoining land</p> <p>You must obtain the prior consent of the owner and occupier of any land upon which it is necessary for you to enter in order construct, externally finish, decorate, or in any other way carry out any works in connection with this development, or to obtain any support from adjoining property. This</p>

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	permission granted by the Council in no way authorises you to take such action without first obtaining this consent.
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(3) Application No. and Parish: Various References, Institute For Animal Health - Institute For Animal Health, High Street, Compton

This item was deferred until the next meeting of Western Area Planning Committee on 23rd August 2023.

(The meeting commenced at 6.30 pm and closed at 9.55 pm)

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	23/01650/FUL Hungerford Town Council	6 th September 2023	Change of use of office building (Class E) to education use (Class F1(a)), minor external alterations and associated works to curtilage, including provision of outdoor amenity space and erection of fencing. Norgate House, Tealgate, Hungerford, RG17 0YT Sir Peter Birkett

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=23/01650/FUL>

Recommendation Summary: To **DELEGATE** to the Development Control Manager to **GRANT PLANNING PERMISSION**

Ward Member(s): Councillor Tony Vickers, Councillor Dennis Benneyworth, Councillor Denise Gaines

Reason for Committee Determination: Development Control Manager's call-in due to public interest

Committee Site Visit: 17th August 2023

Contact Officer Details

Name: Cheyanne Kirby
Job Title: Senior Planning Officer
Tel No: 01635 519111
Email: Cheyanne.kirby@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for change of use of office building (Class E) to education use (Class F1(a)), minor external alterations and associated works to curtilage, including provision of outdoor amenity space and erection of fencing.
- 1.2 The application site is an office building located within the settlement boundary of Hungerford, within the North Wessex Downs AONB and within the Charnham Park Protected Employment Area (PEA). The application site is also located to the west of the River Kennet and its tributaries. The site is accessed from Charnham Park and serves other commercial units. To the south-west of the application site is Herongate Leisure Centre.
- 1.3 The proposed change of use is to a state-funded, independent school for children with special educational needs, to help meet an acute need in Berkshire. Accommodating for approximately 30no. pupils between the ages of 5-16 years with up to 30 educational jobs due to the one-to-one based teaching.
- 1.4 The proposal includes minor alterations to the building including a new ground floor door to the rear elevation, internal alterations, 2m boundary fence and changes to car park to provide outdoor play/learning area.

2. Planning History

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

Application	Proposal	Decision / Date
99/56063/FUL	Erection of two storey extension to existing office building	Approved / 14.01.2000
06/00878/FUL	Conversion of loft storage area into office space by the addition of 6 dormers and two associated parking spaces.	Approved / 02.06.2006
06/01775/FUL	Addition of 4 'Velux' windows to approved office loft conversion.	Approved / 19.09.2026
19/01702/FUL	Extension of reception area and enhancement of second floor/attic accommodation.	Approved / 29.08.2019
23/01032/CERTP	Change of Use of existing Office building (use Class E) to a state-funded school (use class F1(a)) on a temporary basis of two academic years	Pending Consideration
23/01064/FUL	Installation of 8r Velux windows to the roof above existing office spaces. Velux windows in each space	Pending Consideration

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 Site notice displayed on 21st July at the site; the deadline for representations expired on 11th August 2023.
- 3.3 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). However, CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

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.

Hungerford Town Council:	No Objections
Highways:	Conditional Approval
Trees:	No Objections
Economic Development:	No Response
SUDS:	No Objections - Recommend use of SUDs features
Education:	No Objections – Comments on layout
Sport England:	No Comments
Policy:	No Response
Environment Agency:	No Response
Public Protection:	No Objections

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, ADPP5, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS.5, OVS.6, TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- Policies 1 and 2 of the Replacement Minerals Local Plan for Berkshire 2001 (RMLP).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Sustainable Drainage Systems SPD (2018)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle
- Character and appearance
- Amenity
- Highways
- 23/01032/CERTP

Principle of development

6.2 The application site is located within the defined settlement boundary of Hungerford the application site is also within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). In accordance with Core Strategy Area Delivery Plan Policy 1 (ADDP1) and the principal guidance in the National Planning Policy Framework (NPPF) new development will be directed to the most sustainable locations and with preference on brownfield sites accessed.

6.3 Planning Policy ADPP1 of the West Berkshire Core Strategy 2006 - 2026 (WBCS) designates the site as being within the open countryside for planning purposes. Policy ADPP1 states that development in West Berkshire will follow the existing settlement pattern, and that only appropriate limited development in the countryside will be allowed, focused on addressing identified needs and maintaining a strong rural economy.

- 6.4 Planning Policy ADPP5 of the Core Strategy further advocates for the limiting of development within the countryside. It sets out the criteria for the principle of development within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Policy ADPP5 permits development within AONB providing its impact on the surrounding environment is acceptable. It seeks to conserve and enhance the character of the AONB, ensuring that any development responds positively to the local context.
- 6.5 Planning Policy CS9 of the Core Strategy relates to the type and location of business development, protecting employment areas and managing the scale, type, and intensification of business development. Protected Employment Areas have been designated for B class uses to ensure sufficient sites are provided in suitable locations to foster business development and promote sustainable economic growth across the District. Policy CS9 allows for employment generating uses other than B class uses to be located within Protected Employment Areas if they are complementary to the existing business use in that location, and where they are consistent with the integrity and function of the location for employment purposes.
- 6.6 Whilst the proposal will involve the change of use of the office building to educational use the impact of the loss of office space whilst not supported by policy would be outweighed by the benefit of the provision of an educational site which caters for special educational needs. The change of use is not considered to have a significant impact on the existing surrounding uses and therefore is considered to be acceptable.

Character and appearance

- 6.7 The NPPF is clear that good design is indivisible from good planning, it attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development and should contribute positively to making places better for people. It emphasises the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. The NPPF also adds that the visual appearance is a very important factor, securing high quality and inclusive design goes beyond aesthetic considerations.
- 6.8 Planning Policies CS14 and CS19 of the West Berkshire Core Strategy 2006 - 2026 are relevant to this application. Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place. Proposals are expected to make efficient use of land whilst respecting the density, and character of the area.
- 6.9 The proposal does not include any increase in footprint with minor external works including changing a ground floor window on the rear elevation to a door, erection of 2m high boundary fence and outdoor play/learning area as well as hard and soft landscaping.
- 6.10 Overall, the proposed building will appear much the same as existing due to the majority of changes taking place internally; whilst there will be alterations to the surrounding land via hard and soft landscaping changes these are not considered to have a significant impact on the character and appearance of the area and therefore comply with the NPPF and policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

Amenity

- 6.11 Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the National Planning Policy Framework.
- 6.12 West Berkshire Core Strategy Core Strategy Policy CS14 states that new development must make a positive contribution to the quality of life in West Berkshire.
- 6.13 Due to the location of the proposal, the existing nature of the site and the distance from neighbouring dwellings there is not considered to be a signification impact on neighbouring amenity.

Highways

- 6.14 Policy CS13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan relate to access, parking and turning and highways impacts of development. The NPPF indicates development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.15 During the previous application the Council's Highways Officer was consulted and raised concerns and requested further information be submitted in the form of a transport statement. A highways technical note was submitted on the 7th August addressing the concerns raised by the highways officer and deemed acceptable.
- 6.16 Further information was requested by the highways officer regarding swept path analysis and removal of some parking spaces to accommodate the safe turning of minibuses. This was submitted on 10th August and deemed acceptable to the highways officer subject to conditions. The proposed change of use compared to the existing office use, is considered to not have a detrimental impact on the local highway network.
- 6.17 In total 46 parking spaces are proposed which is considered reasonable, along with the provision of 4 cycle parking spaces and 2 motorcycle parking spaces. The proposed provision and the location of cycle/motorcycle spaces is considered acceptable.
- 6.18 There would also be no change to the sites existing access or servicing arrangement. However, a drop off area for the children is to be provided in the rear parking area. The planning statement states that this would allow for cars and minibuses to enter and exit the site in forward gear. The submitted TN includes swept path analysis of the proposed drop off area for a minibus and this shows that two minibuses can pass each other within the car parking access.
- 6.19 An updated Proposed Block Plan (drawing 25046-B-P-00-10-01 Rev B) has been submitted showing the removal of 2 parking spaces to allow for minibuses to turn safely at the drop off area, as well as an accompanying swept path analysis drawing (2307105-TK02 Rev A), this demonstrates that a minibus can sufficiently manoeuvre into and out of the proposed drop off area and is therefore acceptable.
- 6.20 It has been established that drop-off and pick-up times will be managed by a warden and start / finish times will be staggered to minimise multiple minibuses being on site any the same time.
- 6.21 Overall, the proposed change of use and associated works are not considered to have a detrimental impact on the local highway network. The addition of conditions to secure the parking/turning as well as the cycle/motorcycle parking provision has been recommended.

23/01032/CERTP

6.22 For your information a certificate of lawfulness application has also been submitted for “Change of Use of existing Office building (use Class E) to a state-funded school (use class F1(a)) on a temporary basis of two academic years”. This would be a fall-back position if the applicant gains Secretary of State approval as mentioned below. To clarify the certificate of lawfulness is to be a delegated decision and not a decision for the Western Area Planning Committee.

6.23 The certificate of lawfulness application has been assessed against the criteria set out in the General Permitted Development Order Schedule 2, Part 4, Class C of the GPDO which provides permitted development rights for use as a state-funded school for 2 academic years:

“Permitted development C. The use of a building and any land within its curtilage as a state-funded school falling within Class F.1(a) (provision of education) of Schedule 2 to the Use Classes Order for 2 academic years.”

6.24 Permitted development rights are subject to national conditions and limitations (for example limits on height, size or location) to control impact and to protect local amenity.

“Development is not permitted by Class C if -

(a) the existing use of the site is not a class of use specified in the Use Classes Order;

(b) the site is, or forms part of, a military explosives storage area;

(c) the site is, or forms part of, a safety hazard area;

(d) the building is a listed building or a scheduled monument; or

(e) the building is used for a purpose falling within Class F.2 (local community) of Schedule 2 to the Use Classes Order.”

The proposal would comply with the above where the existing use of the site is a class of use within the Use Classes Order.

6.25 *“Development is permitted by Class C subject to the following conditions -*

(a) the site must be approved for use as a state-funded school by the relevant Minister;

(b) the relevant Minister must notify the local planning authority of the approval and of the proposed opening date of the school;

(c) the site is to be used as a state-funded school and for no other purpose, including any other purpose falling within Class F.1(a) (provision of education) of Schedule 2 to the Use Classes Order, except to the extent that the other purpose is ancillary to the primary use of the site as a state-funded school;

(d) the permission is granted for up to 2 academic years and it may only be used once in relation to a particular site;

(da) for the purposes of the Use Classes Order as it applies to Class T of Part 3 of Schedule 2 to this Order, during the period of use as a state-funded school the building and any land within its curtilage retains the use class it had before changing to the use as a state-funded school;

(db) for the purposes of Class S of Part 3 of Schedule 2 to this Order, during the period of use as a state-funded school the building and any land within its curtilage retains the use as an agricultural building before changing to the use as a state-funded school; and

(e) the site reverts to its previous lawful use at the end of the second academic year or when it is no longer required for use as a state-funded school, whichever is earlier.”

6.26 Whilst the application has yet to be determined at this stage it is considered likely that the application meets the permitted development criteria except for the Secretary of State approval for allocation of the site as a school, which the applicant is currently in discussion with the Secretary of State.

7. Planning Balance and Conclusion

7.1 The proposal has been carefully assessed to ensure it is considered to be sustainable development. The proposal seeks minor external changes to the building to accommodate the change of use and therefore has minimal impact on the character and appearance of the area including the sensitive North Wessex Downs AONB. The overall benefit of an educational facility that accommodates for special educational needs is supported.

7.2 For the reasons given above it is considered that the proposal does accord with the criteria of the National Planning Policy Framework and development plan policies and is therefore recommended for APPROVAL.

8. Full Recommendation

8.1 To delegate to the Development Control Manager to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1.	Commencement of development The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2.	Approved plans The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below: Proposed Exterior Elevations Sheet 1 of 2 Front and South East Elevations 25046-B-E-00-10 Rev 00 received 12 th July 2023; Proposed Exterior Elevations Sheet 2 of 2 North West and Rear Elevations 25046-B-E-00-11 Rev 00 received 12 th July 2023; Proposed Layout Ground Floor 25046-B-P-00-11 Rev 00 received 12 th July 2023; Proposed Layout First Floor 25046-B-P-01-10 Rev 00 received 12 th July 2023; Proposed Layout Second Floor 25046-B-P-02-10 Rev 00 received 12 th July 2023; Location Plan 51398-P1-01 received 12 th July 2023; Proposed Block Plan 25046-B-P-00-10 Rev B received 10 th August 2023; Swept Path Analysis 2307105-TK02 Rev A received 10 th August 2023.

	Reason: For the avoidance of doubt and in the interest of proper planning.
3.	<p>Parking</p> <p>The development shall not be brought into use until vehicle parking and turning space have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning space shall be kept available for parking and manoeuvring at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026.</p>
4.	<p>Cycle and motorcycle parking</p> <p>The development shall not be brought into use until the until cycle and motorcycle parking facilities have been provided in accordance with the approved drawings. Thereafter the facilities shall be maintained and kept available for that purpose at all times.</p> <p>Reason: To ensure the adequate provision of cycle and motorcycle parking facilities. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).</p>

Informatives

1.	Proactive
2.	CIL
3.	<p>Tree Protection Precaution</p> <ul style="list-style-type: none"> • To ensure that the trees which are to be retained are protected from damage, ensure that all works occur in a direction away from the trees. • In addition that no materials are stored within close proximity i.e. underneath the canopy of trees to be retained. • Ensure that all mixing of materials that could be harmful to tree roots is done well away from trees (outside the canopy drip line) and downhill of the trees if on a slope, to avoid contamination of the soil. • To ensure the above, erect chestnut pale fencing on a scaffold framework at least out to the canopy extent to preserve rooting areas from compaction, chemicals or other unnatural substances washing into the soil. • If this is not possible due to working room / access requirements The ground under the trees' canopies on the side of construction / access should be covered by 7.5cm of woodchip or a compressible material such as sharp sand, and covered with plywood sheets / scaffold boards to prevent compaction of the soil and roots. This could be underlain by a non permeable membrane to prevent lime based products / chemicals entering the soil • If there are any existing roots in situ and the excavation is not to be immediately filled in, then they should be covered by loose soil or dry Hessian sacking to prevent desiccation or frost damage. If required, the minimum amount of root could be cut back using a sharp knife. • If lime based products are to be used for strip foundations then any roots found should be protected by a non permeable membrane prior to the laying of concrete.

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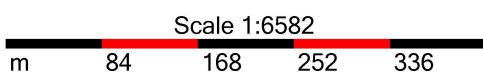
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Scale : 1:6582

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	10 August 2023
SLA Number	0100024151



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Agenda Item 4.(2)

Item No.	Application and Parish	No.	Statutory Date	Target	Proposal, Location, Applicant
(2)	Institute Animal Health Compton Parish Council	For	29 th May 2023 ¹		Discharge of Conditions 16, 17, 18 Part A, 18 Part B-D, 19, 20 and 21 of planning permission 20/01336/OUTMAJ Institute For Animal Health, High Street, Compton, RG20 7NN Homes England

¹ Extension of time agreed with applicant until 29th August 2023

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

<https://publicaccess.westberks.gov.uk/online-applications/propertyDetails.do?activeTab=relatedCases&keyVal=I7MQU0RD10000>

Recommendation Summary: To **DELEGATE** to the Development Control Manager to **GRANT APPROVAL**

Ward Member(s): Councillor Carolyne Culver

Reason for Committee Determination: Member call-in

Committee Site Visit: Not required

Contact Officer Details

Name: Cheyanne Kirby
Job Title: Senior Planning Officer
Tel No: 01635 519111
Email: Cheyanne.kirby@westberks.gov.uk

1. Introduction

- 1.1 This item is for consideration of six inter-related discharge of conditions applications that seek approval of conditions reserved by condition 16 (Archaeological Supervision), 17 (Building Recording), 18 (Contaminated Land Investigation and Remediation), 19 (Construction Method Statement), 20 (Construction Environmental Management Plan) and 21 (Ecological Mitigation and Enhancement Plan) of planning permission 20/01336/OUTMAJ - Hybrid planning application seeking: 1) Outline planning permission (all matters reserved with the exception of access), for development comprising of up to 160 residential units (Class C3), the provision of landscaping, construction of access and street lighting, car and cycle parking, other associated infrastructure, sustainable drainage systems, engineering works and mitigation measures including the construction of internal roads. The proposal includes at least 1.75 hectares of employment land (Class B1) associated with the retention of the Intervet building and a playing field (Class D2) associated with the retention of the existing Cricket Pitch. 2) Full planning permission for the demolition of existing buildings, structures and hardstanding along with preparatory works including earthworks, remediation, utility works and associated mitigation measures. The change of use of land including the creation of public open space and wildlife area.
- 1.2 The application site is Institute For Animal Health, located within the settlement boundary of Compton within the North Wessex Downs AONB.

2. Planning History

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

Application	Proposal	Decision Date	/
00/57420/FUL	New replacement or re-cladding of existing boundary fencing to provide additional security to research premises and staff	Approved 03.07.2000	/
00/57486/ADD	Sheep shed, additional accommodation for existing sheep enterprise	Approved 18.10.2000	/
00/01207/FUL	Extension to existing mess area and additional storage area for existing S.P.F Building.	Approved 06.02.2001	/
01/00566/FUL	Disposal of spoil from sheep shed development (Retrospective)	Approved 21.01.2002	/
01/01513/FUL	The installation of a free standing water break tank to increase water storage capacity. Tank to be sited at first floor level supported by structural steel and foundations	Approved 18.09.2001	/
02/00379/FUL	New replacement of existing boundary fencing to provide additional security to Research Premises and staff. (Phase II)	Approved 14.08.2002	/

02/01967/FUL	A single storey extension to the existing HSU at Compton for experimentation for improved animal health	Approved / 13.11.2002
03/02216/FUL	The erection of a new steel-framed agricultural building for the loose housing of cattle on straw-bedded areas, with access to pasture.	Approved / 19.12.2003
07/00105/FUL	Erection of profiled metal storage shed and re-siting of 2 mobile storage units from near building C092 (To be sited adjacent to building C067).	Approved / 20.03.2007
08/00827/AGRIC	Three animal feed bins.	Not Required / 03.06.2008
08/01260/FUL	Proposed Cabin	Approved / 11.09.2008
08/02073/FUL	Profiled steel enclosure to bunded (existing) oil storage tanks adjacent to Boiler House	Approved / 07.01.2009
09/00085/FUL	The erection of two single storey extensions one for a plant room for air handling equipment and changing rooms and a single storey plant room for a boiler house and heat transference equipment. In addition there are minor ancillary accommodation works including new retaining wall, concrete hard standing for standby generator which also involves the removal of an existing chamber.	Approved / 14.04.2009
09/02080/FUL	Installation of a nitrate reduction plant to the pumphouse and a storage tank both set on stop of concrete hard standings.	Approved / 12.01.2010
15/03052/FUL	Installation of a new HV transformer including ancillary plant and secure enclosure fence.	Approved / 12.01.2016
20/01161/FUL	To install a Portakabin to be used as offices for a temporary period of 104 weeks	Approved / 16.07.2020
20/01336/OUTMAJ	Hybrid planning application seeking: 1) Outline planning permission (all matters reserved with the exception of access), for development comprising of up to 160 residential units (Class C3), the provision of landscaping, construction of access and street lighting, car and cycle parking, other associated infrastructure, sustainable drainage systems, engineering works and mitigation measures including the construction of internal roads. The proposal includes at least 1.75 hectares of employment land (Class B1) associated with the retention of the Intervet building and a	Approved / 14.03.2023

	playing field (Class D2) associated with the retention of the existing Cricket Pitch. 2) Full planning permission for the demolition of existing buildings, structures and hardstanding along with preparatory works including earthworks, remediation, utility works and associated mitigation measures. The change of use of land including the creation of public open space and wildlife area.	
23/01171/COND	Application for approval of details reserved by Condition 22 (European Protected Species Licence) of planning permission 20/01336/OUTMAJ - Hybrid planning application seeking: 1) Outline planning permission (all matters reserved with the exception of access), for development comprising of up to 160 residential units (Class C3), the provision of landscaping, construction of access and street lighting, car and cycle parking, other associated infrastructure, sustainable drainage systems, engineering works and mitigation measures including the construction of internal roads. The proposal includes at least 1.75 hectares of employment land (Class B1) associated with the retention of the Intervet building and a playing field (Class D2) associated with the retention of the existing Cricket Pitch. 2) Full planning permission for the demolition of existing buildings, structures and hardstanding along with preparatory works including earthworks, remediation, utility works and associated mitigation measures. The change of use of land including the creation of public open space and wildlife area.	Approved / 04.07.2023

3. Procedural Matters

- 3.1 This is an application for the discharge of a condition of a previously granted planning permission and not an application for planning permission, and so the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 do not apply to this application.
- 3.2 This is an application for approval of details reserved by condition and Part 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 does not include any requirement for publicising the application.

4. 23/00719/COND

4.1 Application for approval of details reserved by condition 16 (Archaeological Supervision) and condition 17 (Building Recording) of approved 20/01336/OUTMAJ. The conditions state:

4.2 (16) No phase of the development hereby granted outline planning permission, demolition, or ground works associated with the change of use, shall take place until the applicant has secured the implementation of a programme of archaeological work (phased as appropriate) in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement for each phase.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. This condition is applied in accordance with the National Planning Policy Framework and policy CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; archaeological deposits require investigation and supervision before and during the development works and so it is necessary to approve these details before any development takes place.

4.3 (17) No phase of the development hereby granted outline planning permission, or demolition, or ground works associated with the change of use, shall take place within the application area until the applicant has secured the implementation of a programme of building recording in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement for each phase.

Reason: To ensure that an adequate record is made of this site of historical interest. This condition is applied in accordance with the National Planning Policy Framework and policy CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; archaeological deposits require investigation and supervision before and during the development works and so it is necessary to approve these details before any development takes place.

Statutory and non-statutory consultation

4.4 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.

Compton Parish Council:	Only a covering letter has been provided which states that a written scheme of investigation has been approved by the County Archaeologist. That scheme is not provided on the Council portal and so cannot be subject to consultation. It is not clear that the scheme has actually be submitted to the Council as Local Planning Authority which is a requirement of the conditions attached to the permission.
Archaeology:	Summary: Details submitted acceptable.

Public representations

- 4.5 No representations have been received.

Appraisal

- 4.6 The details submitted to discharge conditions 16 and 17 is a document titled 'A Written Scheme of Investigation for Archaeological Mitigation Works and Historic Building Recording, Institute for Animal Health, Compton, West Berkshire', project 60544578 by Aecom. The document is available to view on the Council's website.
- 4.7 The case officer and archaeologist reviewed the submitted documents and are satisfied with the contents. In particular the Council's Archaeologist states that *"I can confirm that the applicants' archaeological contractors have been in discussion with me regarding this matter and that I have already seen the Written Scheme of Investigation (WSI) provided. The WSI is satisfactory and meets the objective of imposing the condition. The information provided meets the terms of the condition and I would therefore be happy for this to be discharged."*
- 4.8 It is recommended that the details submitted in relation to conditions on archaeological supervision and building recording are approved.

5. 23/00711/COND

- 5.1 Application for approval of details reserved by condition 18 Part A (Contaminated Land) of approved 20/01336/OUTMAJ. The condition states:
- 5.2 *No phase of the development* hereby granted outline planning permission, demolition, or ground works associated with the change of use, shall take place until a scheme to deal with contamination at the site has been submitted to and approved in writing by the LPA. The above scheme shall take account of the suggested mitigation in the Environment statement and:*
- (a) *Include an investigation and risk assessment. A report of the findings shall: identify the nature and extent of any contamination on the site (irrespective of its origin); include an assessment of the potential risks to human health, property, and the environment; and include an appraisal of remedial options, and proposal of preferred option(s).*
- (b) *Include a remediation scheme* which ensures that, after remediation, as a minimum, the land shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.*
- (c) *Include a monitoring and maintenance scheme* to ensure the long-term effectiveness of the proposed remediation, and the provision of reports on the same that shall be submitted to and approved in writing by the LPA.*
- (d) *Be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation), and conducted in accordance with current best practice.*

Thereafter, any approved remediation scheme and/or monitoring and maintenance measures shall be carried out in accordance with the approved details for that phase. Two weeks written notice shall be given to the LPA prior to the commencement of any remediation scheme.

If any previously unidentified land contamination is found during the carrying out of the development, it shall be reported immediately in writing to the LPA. Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. Thereafter, any remediation measures shall be carried out in accordance with the approved details.

The development shall not be occupied until all approved remediation measures have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the LPA.*

(Unless otherwise agreed in writing by the LPA)*

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan (Saved Policies 2007).

A pre-commencement condition is required because insufficient detailed information accompanies the application; land contamination mitigation measures may require work to be undertaken prior to and throughout the development works and so it is necessary to approve these details before any development takes place.

Statutory and non-statutory consultation

5.3 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.

Compton Parish Council:	The cover letter refers to a “remediation and earthwork strategy” submitted to discharge this condition, but this is not available on the portal. The Ground Report details the investigations and confirms the presence of a significant number of contaminants, in line with the expectations of the Geo Desk Study. Remediation is dealt with at a high level only. Details are apparently set out in the “remediation strategy” which has not been published. This should be made available and consulted on before a decision is made.
Environmental Health:	Summary: Details submitted acceptable.

Public representations

5.4 No representations have been received.

Appraisal

5.5 The details submitted under Part A of the condition are available on the Council's website and are:

- Geo-environmental Desk Study ref 60544578 dated October 2019 Part 1 received 22nd March 2023.
- Geo-environmental Desk Study ref 60544578 dated October 2019 Part 2 received 22nd March 2023.
- Geo-environmental Desk Study ref 60544578 dated October 2019 Part 3 received 22nd March 2023.
- Geo-environmental Desk Study ref 60544578 dated October 2019 Part 4 received 22nd March 2023.
- Ground Investigation Report dated September 2019 Part 1 received 22nd March 2023.
- Ground Investigation Report dated September 2019 Part 2 received 22nd March 2023.
- Ground Investigation Report dated September 2019 Part 3 received 22nd March 2023.
- Ground Investigation Report dated September 2019 Part 4 received 22nd March 2023.
- Ground Investigation Report dated September 2019 Part 5 received 22nd March 2023.
- Ground Investigation Report dated September 2019 Part 6 received 22nd March 2023.

5.6 The Council's Environmental Health have reviewed the submitted documents and are satisfied with the contents. In particular they state that *"I have reviewed the contaminated land documentation submitted and confirm that I am satisfied with the investigation undertaken on site and that general remediation proposals. It is likely that some contamination remains in areas not yet investigated therefore some demolition must be allowed to occur in order to allow access to these areas for investigation"*.

5.7 It is recommended that the details submitted in relation to part A of condition 18 on contamination are approved. The case officer and environmental health officer reviewed the submitted documents and are satisfied with the contents.

6. 23/00794/COND

6.1 Application for approval of details reserved by condition 18 Part B-D (Contaminated Land) of approved 20/01336/OUTMAJ. The condition states:

6.2 *No phase of the development* hereby granted outline planning permission, demolition, or ground works associated with the change of use, shall take place until a scheme to deal with contamination at the site has been submitted to and approved in writing by the LPA. The above scheme shall take account of the suggested mitigation in the Environment statement and:*

(a) Include an investigation and risk assessment. A report of the findings shall: identify the nature and extent of any contamination on the site (irrespective of its origin); include an assessment of the potential risks to human health, property, and the environment; and include an appraisal of remedial options, and proposal of preferred option(s).

(b) *Include a remediation scheme* which ensures that, after remediation, as a minimum, the land shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.*

(c) *Include a monitoring and maintenance scheme* to ensure the long-term effectiveness of the proposed remediation, and the provision of reports on the same that shall be submitted to and approved in writing by the LPA.*

(d) *Be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation), and conducted in accordance with current best practice.*

Thereafter, any approved remediation scheme and/or monitoring and maintenance measures shall be carried out in accordance with the approved details for that phase. Two weeks written notice shall be given to the LPA prior to the commencement of any remediation scheme.

If any previously unidentified land contamination is found during the carrying out of the development, it shall be reported immediately in writing to the LPA. Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. Thereafter, any remediation measures shall be carried out in accordance with the approved details.

The development shall not be occupied until all approved remediation measures have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the LPA.*

(Unless otherwise agreed in writing by the LPA)*

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is applied in accordance with the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan (Saved Policies 2007).

A pre-commencement condition is required because insufficient detailed information accompanies the application; land contamination mitigation measures may require work to be undertaken prior to and throughout the development works and so it is necessary to approve these details before any development takes place.

Statutory and non-statutory consultation

6.3 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.

Compton Parish Council:	The cover letter refers to a "remediation and earthwork strategy" submitted to discharge this condition, but this is not available on the portal. The Ground Report details the investigations and confirms the presence of a significant number of contaminants, in line with the expectations of the Geo Desk Study. Remediation is dealt with at a high level only. Details are apparently set out in the "remediation
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	strategy” which has not been published. This should be made available and consulted on before a decision is made.
Environmental Health:	Summary: Details submitted acceptable.

Public representations

6.4 No representations have been received.

Appraisal

6.5 The details submitted under parts B, C and D of condition 18 are available on the Council’s website and are ‘Cognition Land + Water, Remediation Scheme, File RS-Compton, Issue B’.

6.6 The Council’s Environmental Health have reviewed the submitted documents and are satisfied with the contents. In particular they state that, *“I have reviewed the Remediation Report dated 3/3/23 produced by Cognition Land & Water and write to confirm that it is satisfactory. The consultants are clearly aware of the issues on site and have developed a remediation methodology to deal with these and also the areas that require further investigations.”*

6.7 It is recommended that the details submitted in relation to parts B, C and D of condition 18 on contamination are approved. The case officer and environmental health officer reviewed the submitted documents and are satisfied with the contents.

7. 23/00718/COND

7.1 Application for approval of details reserved by condition 19 (Construction Method Statement) of approved 20/01336/OUTMAJ. The condition states:

7.2 *No phase of the development hereby granted outline planning permission, or ground works associated with the change of use to parkland, shall take place until a Construction Method Statement (CMS) (phased as appropriate) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the demolition and construction works for that phase shall incorporate and be undertaken in accordance with the approved CMS. The CMS shall take account of the suggested mitigation in the Environmental Statement and include measures for:*

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

- (l) Hours of deliveries and preferred haulage routes;
- (m) Ensuring public rights of way are kept open and unobstructed throughout the development
- (n) Lighting of areas and construction compounds

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13, CS14, CS17 and CS18 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.

Statutory and non-statutory consultation

7.3 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.

Compton Parish Council:	The nature of the works assessed is limited to the works to render the site suitable for use and demolition – not the construction phase but the condition does allow phased discharge. Anticipation of 20-40 people arriving in cars or vans – a “large car park” will be required. No external parking to be permitted. HGV access to be avoided between 8 and 9am and 2.30-3.30pm to avoid clashes with school A “preferred haulage route” is identified No restriction on the use of the preferred haulage route – other “non-preferred routes” could be used and no details of how school run peak time avoidance will be enforced and the Council should be asked to confirm how this will be restricted.
Environmental Health:	Summary: Details submitted acceptable.
Highways:	Summary: Details submitted acceptable. Query on phasing.

Public representations

7.4 One representation has been received which objects to the details of the condition on the basis of:

- Impact of noise, vibration and dust on health during demolition and construction
- No detail on effects for the environment in terms of noise and vibration are going to be mitigated during the period of demolition
- Does not to provide any measure in decibels of what this acceptable noise level on neighbouring dwellings
- The demolition contractors and Homes England should consider in far more detail how they are going to prevent an adverse impact from the demolition activities on properties so close to the site such as ours, in line with the legislative framework and national policies on noise and vibration pollution.

Appraisal

- 7.5 The details submitted under condition 19 are 'Cognition Land + Water, Construction Method Statement, File CMS-Compton, Issue 01'.
- 7.6 The Council's Environmental Health have reviewed the submitted documents and are satisfied with the contents. In particular they state that, *"I have reviewed the CMS... and write to confirm that it is satisfactory although the document only deals with the demolition, breakout, remediation and earthworks and not the final construction of the properties. This may need to be addressed at a later time"*.
- 7.7 The Local Highway Authority have reviewed the submitted documents. They advised that they are content with the details of the CMS, and queried *"...if the CMP is covering the demolition phase, as we do not have a detailed site layout at this stage. We only have an outline planning application. I had assumed that a CMP would be applied again later for actual construction. The CMS already states that school opening and closing times will be avoided for larger vehicles. I also continue to consider that the car park is of sufficient size for 20 to 40 workers"*.
- 7.8 To clarify, the details seeking approval relate only to the demolition phase. The condition is worded in such a way as to allow approval in phases and a further construction method statement will need to be submitted for approval before further works can proceed.
- 7.9 It is recommended that the details submitted in relation to condition 19 on construction method statement for the demolition phase only are approved. The case officer, environmental health officer and local highway authority reviewed the submitted documents and are satisfied with the contents.

8. 23/00716/COND

- 8.1 Application for approval of details reserved by condition 20 (Construction Environmental Management Plan) of approved 20/01336/OUTMAJ. The condition states:
- 8.2 *No phase of the development hereby granted outline planning permission, demolition, or works associated with the change of use hereby permitted shall take place until a Construction Environmental Management Plan (CEMP) (phased as appropriate) has been submitted to and approved in writing by the local planning authority. The CEMP shall take account of the suggested mitigation in the Environmental Statement and include the following:*
- (a) *Risk assessment of potentially damaging construction activities.*
 - (b) *Identification of "biodiversity protection zones".*
 - (c) *Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
 - (d) *The location and timing of sensitive works to avoid harm to biodiversity features including protected species.*
 - (e) *The times during construction when specialist ecologists need to be present on site to oversee works.*
 - (f) *Responsible persons and lines of communication.*
 - (g) *The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
 - (h) *Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP shall be adhered to and implemented throughout the development works or phase thereof strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure biodiversity is protected during the development works. This condition is required in order to meet the policy objectives of the National Planning Policy Framework and West Berkshire Core Strategy 2006-2026 Policy CS17.

A pre-commencement condition is required because insufficient detailed information accompanies the application; environmental measures will be required prior to and during the development works and so it is necessary to approve these details before any development takes place.

Statutory and non-statutory consultation

8.3 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.

Compton Parish Council:	This only seeks to deal with the remediation phase, not the construction phase, and therefore can only be a partial discharge – again, the condition does allow phased discharge. Conflicts with information provided under Condition 19 on site speed limits (5mph here, and 10 in the other document) and the Council should ask for the documents to be consistent. It contains a number of risk assessments which detail any issues arising should be dealt with in the remediation phase. These are largely generic in nature. West Berkshire Council needs to be satisfied that these details are sufficient given the history of the Site, before it can discharge these conditions. There is very little specific about contaminants and how these will be dealt with (likely because this is dealt with under condition 18) but consistent approaches are key.
Environmental Health:	Summary: Details submitted acceptable.
Ecology:	Summary: Details submitted acceptable. A - Risk assessment yes as set out in 445-2000-2007-CEMP-01 rev 004 B – Identified in 445-2000-2007-CEMP-01 rev 004 section 5 and 7 C , D and E - Identified in 445-2000-2007-CEMP-01 rev 004 section 5 and 6 F G – Identified in 445-2000-2007-CEMP-01 rev 004 section 7 and 8 also AECOM report Feb 2023 H Identified in 445-2000-2007-CEMP-01 rev 004 I – identified in 445-2000-2007 CEMP -01 Rev 4 section 3 J - Identified in 445-2000-2007-CEMP-01 rev 004 table 1 K - Identified in 445-2000-2007-CEMP-01 rev 004 section 4 and 7

Public representations

8.4 One representation has been received which objects to the details of the condition on the basis of:

- Impact of noise, vibration and dust on health during demolition and construction
- No detail on effects for the environment in terms of noise and vibration are going to be mitigated during the period of demolition
- Does not to provide any measure in decibels of what this acceptable noise level on neighbouring dwellings
- The demolition contractors and Homes England should consider in far more detail how they are going to prevent an adverse impact from the demolition activities on properties so close to the site such as ours, in line with the legislative framework and national policies on noise and vibration pollution.

Appraisal

- 8.5 The details submitted under condition 19 are 'Cognition Land + Water, Construction Environmental Management Plan, File 445-2000-2007-CEMP-01, Revision 004'.
- 8.6 The Council's Environmental Health have reviewed the submitted documents and confirmed they are satisfied with the contents. The Council's Ecologist was consulted and the submitted information was deemed acceptable to discharge the condition.
- 8.7 To clarify, the report relates to the demolition and remediation phase, not the construction phase. The condition is worded in such a way as to allow approval in phases and a further construction environmental management plan will need to be submitted for approval before further works can proceed.
- 8.8 It is recommended that the details submitted in relation to condition 20 on construction environmental management plan for the demolition phase only are approved. The case officer, ecologist and environmental health officer reviewed the submitted documents and are satisfied with the contents.

9. 23/00713/COND

- 9.1 Application for approval of details reserved by condition 21 (Ecological Mitigation and Enhancement Plan) of approved 20/01336/OUTMAJ. The condition states:
- 9.2 *No phase of the development hereby granted outline planning permission, demolition, or works associated with the change of use hereby permitted shall take place until an Ecological Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall take account of the suggested mitigation in the Environment Statement and include adequate details of the following:*
- (a) *Description and evaluation of features to be managed and created.*
 - (b) *Aims and objectives of management.*
 - (c) *Appropriate management options to achieve aims and objectives.*
 - (d) *Prescriptions for management actions.*
 - (e) *Preparation of a costed schedule for securing biodiversity enhancements in perpetuity.*
 - (f) *Ongoing compliance reports, monitoring and remedial measures.*
 - (g) *How the habitat enhancements will be managed long term to ensure a net gain legacy.*
 - (h) *Measures to build biodiversity into the design of the new dwellings, providing details of location and design of features, e.g. bird and bat boxes integrated into buildings, bat lofts, fence holes for hedgehogs, access points for badgers, ponds for amphibians, banks for bees.*
 - (i) *Description of how the developer expects to ensure no impact on protected species on site during construction and through scheme design.*

- (j) *Sensitive Lighting Strategy during construction and once the site is in operation (to minimise adverse impacts on bat species present).*
- (k) *A biodiversity net gain calculation demonstrating at least 10% net gain.*

Proposed enhancements should be based on the recommendations of the ecological reports submitted in support of this application.

With the exception of ongoing measures after construction no part of the development shall be brought into use, or dwelling occupied, until the mitigation measures have been provided in accordance with approved details for each phase.

Reason: To ensure biodiversity is enhanced and maintained. This condition is required in order to meet the policy objectives of the National Planning Policy Framework and West Berkshire Core Strategy 2006-2026 Policy CS17, and to ensure compliance with the statutory requirements of relevant protected species legislation and the NERC Act 2006. A pre-commencement condition is required because insufficient detailed information accompanies the application; ecological mitigation will be required prior to, during and subsequent to the development works and so it is necessary to approve these details before any development takes place.

Statutory and non-statutory consultation

9.3 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.

Compton Parish Council:	The cover letter refers to a “remediation and earthwork strategy” The only thing provided is a cover letter. The detailed document is not available on the Council portal, and therefore cannot be subject to consultation. It is unclear if this information has actually been submitted and therefore whether the condition can be appropriately discharged at this time.
Ecology:	Summary: Details submitted acceptable. A) AECOM report section 4 B) AECOM section1 C) AECOM section 4 D) AECOM section 4 E) No part of S106 F) AECOM section 4 G) No as NET Gain is not a requirement for applications submitted pre-November 2023 H) No scheme design not yet finalised I) No scheme design not yet finalised J) No – would be at a different stage of the development. K) Yes - AECOM 28/06/2021 + net 24.57 habitat and -0.35 Hedgerow units

Public representations

9.4 No representations have been received.

Appraisal

- 9.5 The details submitted under condition 19 are 'Report to Partially Discharge Condition 21 of 20/01336/OUTMAJ, Ecological Mitigation and Enhancement Plan – Demolition, by Aecom.
- 9.6 The document is not available on the Council's website where the Council does not publish information that may relate to protected species. The Council's Ecologist was consulted and the submitted information was deemed acceptable to discharge the condition.
- 9.7 To clarify, the report relates to the demolition and remediation phase, not the construction phase. The condition is worded in such a way as to allow approval in phases and a further ecological mitigation and enhancement plan will need to be submitted for approval before further works can proceed.
- 9.8 It is recommended that the details submitted in relation to condition 21 on ecological mitigation and enhancement for the demolition phase only are approved. The case officer and ecologist have reviewed the submitted documents and are satisfied with the contents.

10. Planning Balance and Conclusion

- 10.1 The case officer and relevant consultees have reviewed the information submitted pursuant to details submitted for approval under the following discharge of condition applications:

23/00719/COND for of conditions 16 and 17 regarding archaeological investigation and building recording;

23/00711/COND for condition 18 Part A regarding land contamination;

23/00794/COND for condition 18 Part B-D regarding land contamination;

23/00718/COND for condition 19 regarding construction method statement during the demolition phase only;

23/00716/COND for condition 20 regarding construction environmental management plan during the demolition phase only;

23/00713/COND for condition 21 regarding ecological mitigation and enhancement during the demolition phase only;

- 10.2 Subject to the requirement that all demolition and development activities take place in accordance with the approved details and the full requirements of the conditions the details are considered to be acceptable.

11. Full Recommendation

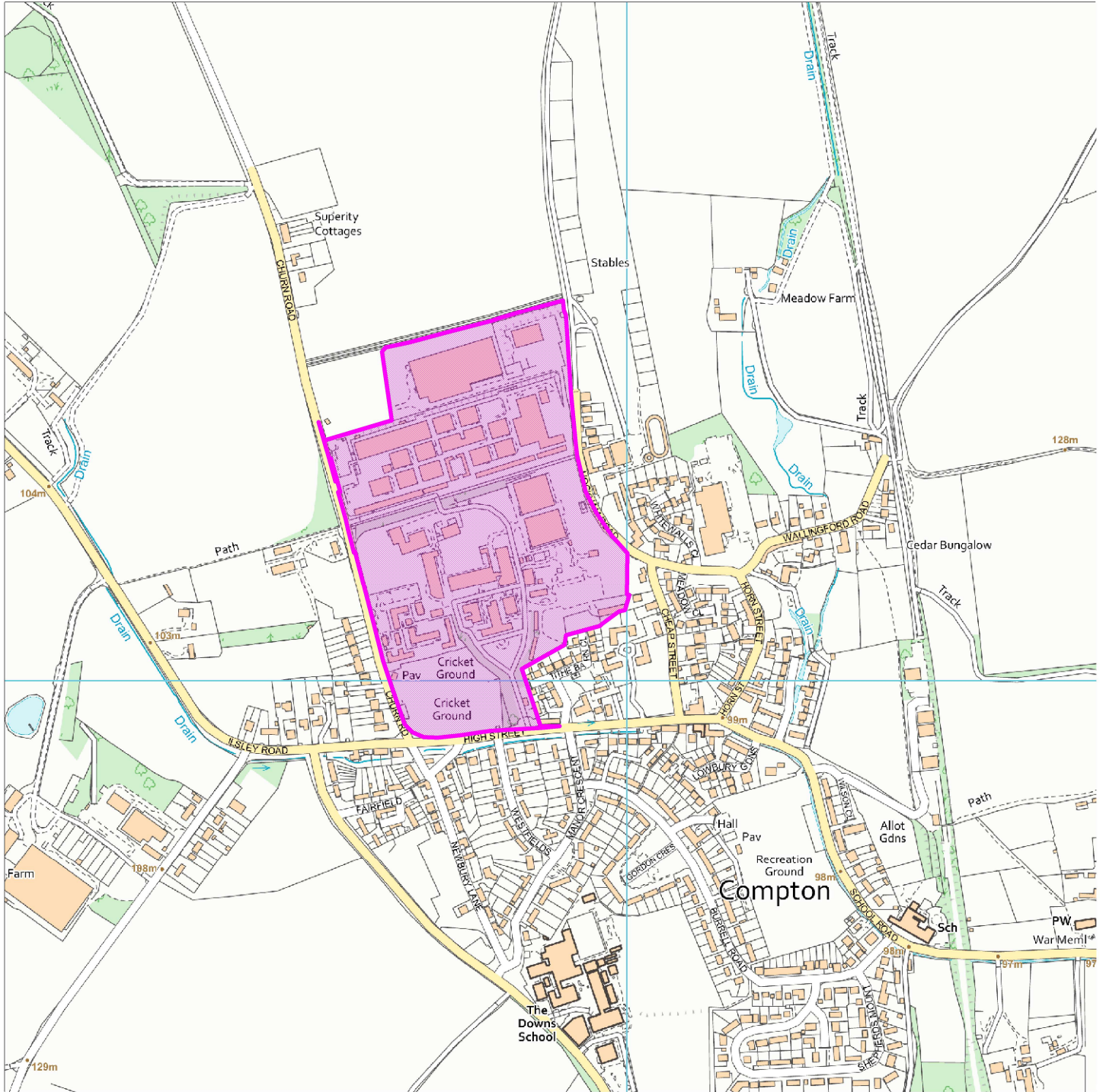
- 11.1 To delegate to the Development Control Manager to APPROVE the information submitted pursuant to conditions 16 and 17 of planning permission 20/01336/OUTMAJ, in accordance with the schedule set out below.

- 11.2 To delegate to the Development Control Manager to APPROVE the information submitted pursuant to conditions 18 Part A of planning permission 20/01336/OUTMAJ, in accordance with the schedule set out below.
- 11.3 To delegate to the Development Control Manager to APPROVE the information submitted pursuant to conditions 18 Part B-D of planning permission 20/01336/OUTMAJ, in accordance with the schedule set out below.
- 11.4 To delegate to the Development Control Manager to APPROVE the information submitted pursuant to conditions 19 of planning permission 20/01336/OUTMAJ, in accordance with the schedule set out below.
- 11.5 To delegate to the Development Control Manager to APPROVE the information submitted pursuant to conditions 20 of planning permission 20/01336/OUTMAJ, in accordance with the schedule set out below.
- 11.6 To delegate to the Development Control Manager to APPROVE the information submitted pursuant to conditions 21 of planning permission 20/01336/OUTMAJ, in accordance with the schedule set out below.

1.	<p>Condition 16</p> <p>The details submitted in relation to Condition 16 are hereby approved by the Local Planning Authority. To fully comply with this condition, the development must be carried out in accordance with the full terms of the condition as set out in the decision notice, and in accordance with the following approved details:</p> <p>Written Scheme of Investigation for Archaeological Mitigation Works and Historic Building Recording 60544578 received 22nd March 2023.</p>
2.	<p>Condition 17</p> <p>The details submitted in relation to Condition 17 are hereby approved by the Local Planning Authority. To fully comply with this condition, the development must be carried out in accordance with the full terms of the condition as set out in the decision notice, and in accordance with the following approved details:</p> <p>Written Scheme of Investigation for Archaeological Mitigation Works and Historic Building Recording 60544578 received 22nd March 2023.</p>

3.	<p>Condition 18 Part A</p> <p>The details submitted in relation to Condition 18 Part A are hereby approved by the Local Planning Authority. To fully comply with these conditions, the development must be carried out in accordance with the full terms of the conditions as set out in the decision notice, and in accordance with the following approved details:</p> <p>Geo-environmental Desk Study ref 60544578 dated October 2019 Part 1 received 22nd March 2023. Geo-environmental Desk Study ref 60544578 dated October 2019 Part 2 received 22nd March 2023. Geo-environmental Desk Study ref 60544578 dated October 2019 Part 3 received 22nd March 2023. Geo-environmental Desk Study ref 60544578 dated October 2019 Part 4 received 22nd March 2023. Ground Investigation Report dated September 2019 Part 1 received 22nd March 2023. Ground Investigation Report dated September 2019 Part 2 received 22nd March 2023. Ground Investigation Report dated September 2019 Part 3 received 22nd March 2023. Ground Investigation Report dated September 2019 Part 4 received 22nd March 2023. Ground Investigation Report dated September 2019 Part 5 received 22nd March 2023. Ground Investigation Report dated September 2019 Part 6 received 22nd March 2023.</p>
4.	<p>Condition 18 Part B-D</p> <p>The details submitted in relation to Condition 18 Part B-D are hereby approved by the Local Planning Authority. To fully comply with this condition, the development must be carried out in accordance with the full terms of the condition as set out in the decision notice, and in accordance with the following approved details:</p> <p>Remediation Scheme RS-Compton Rev B received 22nd March 2023.</p>
5.	<p>Condition 19</p> <p>The details submitted in relation to Condition 19 are hereby approved by the Local Planning Authority for the demolition phase. To fully comply with this condition, the development must be carried out in accordance with the full terms of the condition as set out in the decision notice, and in accordance with the following approved details:</p> <p>Construction Method Statement CMS-Compton Rev 01 received 2nd August 2023.</p>
6.	<p>Condition 20</p> <p>The details submitted in relation to Condition 20 are hereby approved by the Local Planning Authority for the demolition phase. To fully comply with these conditions, the development must be carried out in accordance with the full terms of the conditions as set out in the decision notice, and in accordance with the following approved details:</p> <p>Construction Environmental Management Plan 445-2000-2007-CEMP-01 Rev 004 received 22nd March 2023.</p>
7.	<p>Condition 21</p> <p>The details submitted in relation to Condition 21 are hereby approved by the Local Planning Authority for the demolition phase. To fully comply with these conditions, the development must be carried out in accordance with the full terms of the conditions as set out in the decision notice, and in accordance with the following approved details:</p> <p>Ecological Mitigation and Enhancement Plan – Demolition dated February 2023 received 22nd March 2023.</p>

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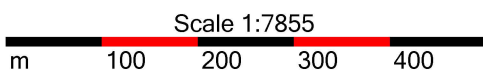
Map Centre Coordinates :

Scale : 1:7854

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	11 July 2023
SLA Number	0100024151



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Agenda Item 4.(3)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	22/00858/COND1 Lambourn	Land South of Tower Works 2 nd June 2022 ¹	Application for approval of details reserved by condition 9 'zero carbon', 10 'CEMP', 11 'LEMP', 16 'levels' and 18 'travel plan' of approved application 19/02979/OUTMAJ: Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale Land South of Tower Works, Lambourn Woodlands, Hungerford Walker Logistics Limited

¹ Extension of time agreed with applicant until 25th September 2023

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=22/00858/COND1>

Recommendation Summary: To **DELEGATE** to the **Development Control Manager** to **GRANT APPROVAL OF THE SUBMITTED DETAILS.**

Ward Member(s): Councillor Howard Woollaston

Reason for Committee Determination: More than 10 letters of objection

Committee Site Visit: Not required

Contact Officer Details

Name: Sian Cutts
Job Title: Senior Planning Officer
Tel No: 01635 519111
Email: Sian.cutts@westberks.gov.uk

1. Introduction

- 1.1 This application seeks approval of details reserved by conditions 9 (zero carbon), 10 (Construction Environmental Management Plan), 11 (Landscape Ecological Management Plan), 16 (levels) and 18 (travel plan) of approved application 19/02979/OUTMAJ. This application granted outline permission the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping.
- 1.2 The application site is located outside of any defined settlement boundary in land defined as countryside under Policy ADPP1 of the Core Strategy. It consists of an agricultural field that to the west is bordered by a dense boundary of trees separating it from Membury Airfield. To the north and south adjoining the site are industrial buildings within the Membury Protected Employment Area. To the east of the site is Ramsbury Road and open agricultural land.
- 1.3 Condition 9 of planning permission 19/02979/OUTMAJ required that before development commences a plan would be submitted demonstrating how the approved building would meet the requirement for zero carbon development, which would include construction, monitoring and reporting measures. The condition was imposed to secure zero carbon measures in accordance with Policy CS15 of the Core Strategy. This application was submitted with an Energy Statement setting out the proposed source of energy for the building, being roof mounted air source heat pumps and photovoltaic panels.
- 1.4 Condition 10 of planning permission 19/02979/OUTMAJ required the submission of a Construction Environmental Management Plan (CEMP) to be submitted and approved before any development commenced, and set out what was required to be included within the CEMP. A CEMP has been submitted with this application, and which was subsequently updated during the consideration of the application.
- 1.5 Condition 11 required the submission of a Landscape Ecological Management Plan (LEMP) to be submitted and approved before the development commences. This plan sets out the features which would be managed on the site, how they would be managed and details of the mechanisms for long term implementation of the plans and ongoing monitoring. The submitted LEMP was also amended during the course of the application.
- 1.6 Condition 16 required full details of the existing and proposed ground and floor levels to be approved. Plans have been submitted and amended during the course of the application in association with consideration of the current application for approval of reserved matters.
- 1.7 Condition 18 requires a Travel Plan to be submitted and approved before the building is brought into use. A workplace travel plan has been submitted for this application.

2. Planning History

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

Application	Proposal	Decision / Date
23/01299/COND	Application for approval of details reserved by condition 12 'lighting' of approved application 19/02979/OUTMAJ: Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Approved 10/08/2023
23/00886/COND	Application for approval of details reserved by condition 6 (CMS) of approved application 19/02979/OUTMAJ: Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Approved 15/05/2023
23/00202/COND	Application for approval of details reserved by condition 13 (SuDS) of planning permission 19/02979/OUTMAJ - Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Approved 10/08/2023
23/00011/COND	Application for approval of details reserved by condition 12(Lighting) of approved 19/02979/OUTMAJ - Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Refused 28/03/2023

22/00897/RESMAJ	Approval of reserved matters following Outline application 19/02979/OUTMAJ for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Access, Appearance, Landscaping and Layout.	Approved 14/02/2023
22/00862/COND3	Application for approval of details reserved by condition 13 'SuDS' of approved application 19/02979/OUTMAJ: Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Refused 28/6/2022
22/00861/COND2	Application for approval of details reserved by condition 6 'CMS' of approved application 19/02979/OUTMAJ: Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Refused 9/9/2022
22/00884/NONMAT	Non Material Amendment to planning permission 19/02979/OUTMAJ: Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale. Amendment: Alter the wording of Condition 8 (BREEAM) of the original approved application.	Refused 28/4/2022
19/02979/OUTMAJ	Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale	Approved 5/5/2021

19/01123/SCREEN	EIA Screening Opinion made under Regulation 6 of the Town and Country Planning (EIA) Regulations 2017 (as amended)	Not EIA Development Response issued 3/6/2019
17/01175/SCREEN	EIA Screening Opinion made under Regulation 5 of the Town and Country Planning (EIA) Regulations 2011 (as amended)	Not EIA Development Response issued 13/6/2017

- 2.2 This application is seeking approval of details reserved by conditions of the outline planning permission previously granted under 19/02979/OUTMAJ. It is only matters relating to these conditions that are for consideration in the determination of this application.

3. Procedural Matters

EIA

- 3.1 EIA screening opinions were previously sought (ref: 17/01175/SCREEN and 19/01123/SCREEN) and the Council determined that the development proposed in both of those applications was not considered to represent EIA development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. A Screening Opinion has also been issued with reference to the application for approval of reserved matters, as the proposal is classed as Schedule 2 development within the meaning of the EIA Regulations. As was established in the previous screening opinions, taking into account the selection criteria in Schedule 3 of those Regulations, it was again considered that the proposal is not likely to have significant effects on the environment in terms of the EIA Regulations. An EIA screening opinion was also undertaken in assessing the matters seeking approval of conditions. It was again considered that the proposal is not likely to have significant effects on the environment in terms of the EIA Regulations. Therefore, the development proposed is not considered EIA Development within the meaning of the Regulations.

Publicity

- 3.2 No formal publication of the application is required under the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Community Infrastructure Levy (CIL)

- 3.3 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development. CIL is not considered in this report.

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.

WBC Highways:	No objection
WBC Ecology:	<p>CEMP: Requested minor amendments, providing Ecologist contact details; period of time for checking for bird nests; clarification on temporary lighting hours; and frequency of checks on tree and hedgerow protection fencing.</p> <p>LEMP: 1st Response, requested a number of detailed amendments.</p> <p>2nd Response: required Isolux lighting plans, and required checks on the wildlife underpass.</p> <p>3rd Response: The LEMP is acceptable.</p>
WBC Transport Policy:	<p>1st Response: Clarification is sought on the details of the bus service, further information is required in the timing of the baseline survey for the targets for reducing single occupancy vehicles.</p> <p>2nd Response: Providing that the bus service is to be a long-term measure, I am happy to consider the updated Travel Plan to be acceptable.</p>
WBC Environment Delivery:	<p>1st Response: Further clarifications and information required about regulated and unregulated energy, how the current building regulations apply, and calculations required for how Zero Carbon has been reduced, and how the information dovetails with BREEAM requirements.</p> <p>2nd Response: Overall the updated Energy Statement is acceptable.</p>

Public representations

- 4.2 Representations have been received from 28 contributors, 27 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. Some of the representations referred to other applications for approval of details reserved by conditions and the reserved matters application. In summary, the following issues/points have been raised:
- Concern that foul and surface water discharge to the underlying chalk through soakaways could reach the aquifer, there is a risk that water could pollute the Kennet and Lambourn, aviation fuel has not been considered

- Drainage statements refer to access to the runway, which was not mentioned in the outline planning permission
- Existing flooding from Membury
- When outline planning permission was granted a material fact of a taxiing strip and extension to Membury Airfield, and associated air traffic movements and runway extension were not considered.
- Outline planning permission has not been granted used for a T2 hangar (B8)
- Noise, traffic, pollution and disturbance from additional flights
- Safety concerns about flights
- The personal permission was not defined, that are two Walkers Logistics Ltd registered at Companies House
- It is an unsustainable location
- Problems with agreeing the Travel Plan to an unknown company
- Travel plan is not detailed, is unrealistic and not sustainable
- Insufficient number of parking spaces provided
- Implausible that a Travel Plan coordinator will be able to reduce risk to cyclists
- A shuttle bus is not realistic
- Increase in traffic,
- No public transport, or road suitable, lack of pavements, room for cyclists, pedestrians or horse riders due to the HGVs
- A highway survey of the B4000 should be undertaken
- Increase in carbon footprint, Zero Carbon will be breached, carbon emissions only refer to the building not the whole impact & flights
- Exceed the scale of the outline permission
- Surrounding road network in unfit for levels or traffic as existing and proposed
- Danger and space for HGVs to pass each other
- Museum will add to the excess of traffic in the area, Insufficient parking for employees
- Speed of traffic in the area is excessive
- Traffic data, TRICS have not been used
- Electricity supply in often overloads and results in power cuts, additional consumption of the site and electric vehicles will exacerbate this
- Removal of trees
- Tree planting is more suited to urban areas rather than the rural character of the surrounding area
- Air and noise pollution
- Museum is a red herring to support and disguise a Warehouse and distribution centre in the AONB
- Travelling to the Museum should be included in the travel plan
- Hours of working will disturb residents when employees leave after a late shift, including shuttle bus
- Disturbance from existing alarms on the Walkers site
- New business model is required enabling an Environmental Impact Assessment.
- Light pollution
- Impact on wildlife in the AONB
- Increase in employee numbers to make economic case for development
- Contrary to West Berkshire Environment Policy to address climate crisis
- Unlawfulness of conditions 15 & 19

5. Planning Policy

5.1 The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS5, CS9, CS10, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

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

6. Appraisal

Principle of development

6.1 The principle of the development has been established through the granting of outline planning permission reference 19/02979/OUTMAJ. This application is seeking approval of details reserved by conditions 9, 10, 11, 16 and 18 attached to that permission only. Each of the conditions is considered on its own merits.

Zero Carbon

6.2 Condition 9 requires a plan to be submitted before the building is occupied to demonstrate how the building will meet with the requirement for zero carbon development, including construction, monitoring and reporting measures. The report submitted provides baseline information for assessing the energy requirements. It has discussed a range of renewable energy sources. The primary source of heating and cooling in the building is proposed to be roof mounted air source heat pumps, and electricity is to be provided by photovoltaic panels to be installed on the roof of the building. The report indicates that there would be a reduction in 105.63% in savings in carbon dioxide emissions through the use of the air source heat pumps and photovoltaic panels. The report also assessed other sources of renewable technology and assessed why they were not suitable for this development. Policy CS15 requires that the calculations are made after the installation of energy efficient measures have been applied. In this instance the Building Regulations Part L 2021 have been the relevant standard to apply. There were further updates and clarification that were required to the originally submitted plan, to indicate that the proposals meet with Policy CS15, and the proposal is considered to accord with the requirements of the condition and Policy CS15.

6.3 It has been noted that there have been a number of objections to the proposal, particularly with regards to the aircraft use. This condition relates only to the buildings, and not to transport movements associated with the site.

CEMP

6.4 Condition 10 requires the submission of a CEMP to be submitted and approved before development commences to ensure that development works on site ensure that the

construction works protect biodiversity features within the site. The condition sets out what information and measures are required to be included. The Council's Ecologist has reviewed the details which have been submitted, and the CEMP is considered to meet the requirements of the condition and Policy CS17.

LEMP

- 6.5 Condition 11 requires the submission of a LEMP to be submitted and approved before any development commences on site and sets out what information is required to be provided. The submitted LEMP was amended through the course of the application to address landscaping issues identified within the separate reserved matters application. The amended LEMP has been reviewed by the Council's Ecologist and no objections have been raised to the amended plan, and the LEMP is considered to meet the requirements of the condition and Policy CS17.

Levels

- 6.6 Condition 16 required the submission of full details of existing and proposed ground and floor levels to be submitted to and approved before any development can commence on site, to ensure that the building is constructed on a level which is visually appropriate to its surroundings within the NWD AONB. The application was amended during the course of the consideration, as details which are considered within the reserved matters approval for appearance and landscaping are relevant to the consideration of the levels. The section plan which has been submitted indicates the existing ground levels, together with the proposed floor levels, and show these in relation to the forecasts for the landscaping scheme at the stages of maturity. The ground levels plans show that the levels will be raised above the existing ground levels in some places, and will be lower than existing, in others, and show the overall ridge height level. The details of levels submitted align with the proposals approved within the reserved matters application. The details do not indicate significant alterations to the ground level which would result in additional harm to the NWD AONB, and are considered to accord with the requirements of the condition and Policies CS14 and CS19.

Travel Plan

- 6.7 Condition 18 requires that the building is not brought into use until a Travel Plan is submitted to and approved in writing. A Travel Plan has been submitted within this application, and was updated following the initial consultation response. The Travel Plan acknowledges that the site is not suitable for pedestrians, and is not readily accessible by public transport, as indicated in the objections received. The Travel Plan has referred to the proximity of the site to the National Cycle Network route (NCN) and the regional route which is adjacent to the site. The aim of the Travel Plan is to shift the transport from individual vehicles, to shared vehicle movements and sustainable transport modes. To meet this aim the Travel Plan proposes the provision of 10 covered cycle store facilities, and refers to the provision of showers and changing facilities within the building. A private minibus service will be provided, the route and timings to be established in response to employee demand and catchment areas. A Travel Plan co-ordinator will also be appointed. The details which have been submitted are considered to be reasonable given the location of the site. The Highways Authority have raised no objection to the proposal, and the Transport Policy team have also reviewed the proposal and are satisfied with the and the details which have been submitted are considered to be reasonable in this case. They accord with the conditions and the requirements of Policies CS13 and TRANS1.

7. Conclusion

- 7.1 The details which have been submitted to meet the requirements of each condition are considered to be acceptable. Whilst other matters have been raised within the objections these are not relevant to the set of conditions being assessed within this application.

8. Full Recommendation

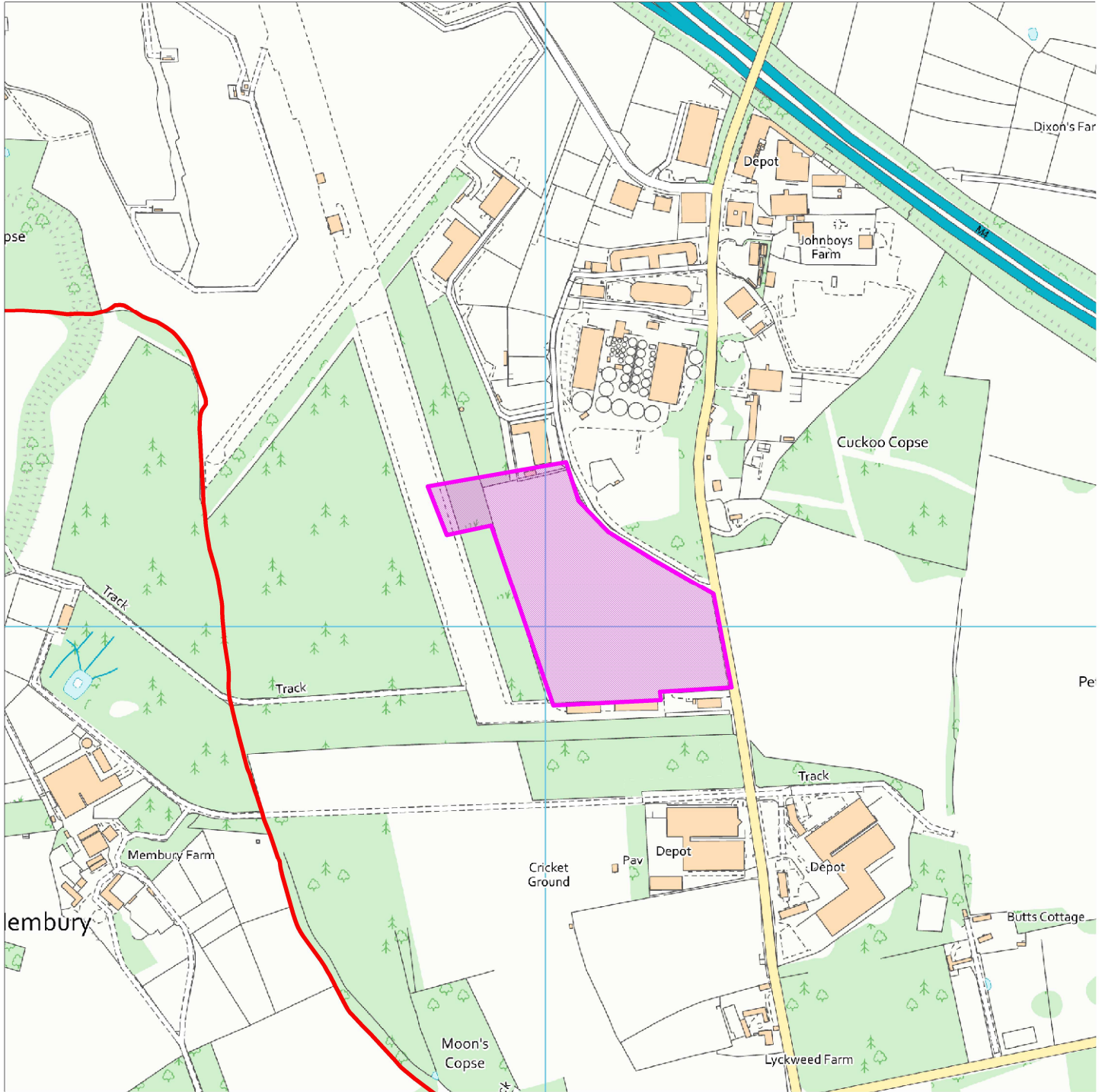
- 8.1 To delegate to the Development Control Manager to GRANT APPROVAL OF THE SUBMITTED DETAILS as detailed below.

Decision notice schedule

1.	<p>Condition 9: Zero Carbon</p> <p>The details submitted in relation to Condition 9 are hereby approved by the Local Planning Authority. To fully comply with this condition, the development must be carried out in accordance with the full terms of the condition as set out in the decision notice 19/02979/OUTMAJ, and in accordance with the following approved details:</p> <p>Energy Statement Prepared by Method Consulting Rev P03 dated 09/08/2023 and received on 9th August 2023.</p>
2.	<p>Condition 10: CEMP</p> <p>The details submitted in relation to Condition 10 are hereby approved by the Local Planning Authority. To fully comply with this condition, the development must be carried out in accordance with the full terms of the condition as set out in the decision notice 19/02979/OUTMAJ, and in accordance with the following approved details:</p> <p>Construction Environmental Management Plan: Biodiversity Prepared by Aspect Ecology received on 18th January 2022</p>
3.	<p>Condition 11: LEMP</p> <p>The details submitted in relation to Condition 11 are hereby approved by the Local Planning Authority. To fully comply with this condition, the development must be carried out in accordance with the full terms of the condition as set out in the decision notice 19/02979/OUTMAJ, and in accordance with the following approved details:</p> <p>Landscape and Ecological Management Plan (LEMP) prepared by Aspect Ecology dated 2nd November 2022, received on 15th December 2022</p>
4.	<p>Condition 16: Levels</p> <p>The details submitted in relation to Condition 16 are hereby approved by the Local Planning Authority. To fully comply with this condition, the development must be carried out in accordance with the full terms of the condition as set out in the decision notice 19/02979/OUTMAJ, and in accordance with the following approved details:</p>

	Site Section Drawing No 21025-TP-002 Rev E received on 13 th January 2022
5.	<p>Condition 18: Travel Plan</p> <p>The details submitted in relation to Condition 18 are hereby approved by the Local Planning Authority. To fully comply with this condition, the development must be carried out in accordance with the full terms of the condition as set out in the decision notice 19/02979/OUTMAJ, and in accordance with the following approved details:</p> <p>Workplace Travel Plan Prepared by Vectos dated February 2023 received on 6th March 2023; and Email received from Pegasus dated 23rd February 2023.</p>

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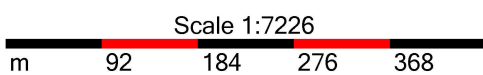


Map Centre Coordinates :

Scale : 1:7225

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	10 August 2023
SLA Number	0100024151

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Pegasus Group
Jim Tarzey
10 Albemarle Street
London
W1S 4HH

Applicant:
Walker Logistics Limited

PART I - DETAILS OF APPLICATION

Date of Application

18th November 2019

Application No.

19/02979/OUTMAJ

THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

Outline application for the erection of a new logistics warehouse building (for occupation by Walker Logistics) (Use Class B8) with ancillary office floorspace, an aircraft museum building (Use Class D1), and associated access, car parking and landscaping. Matters to be considered: Scale

Land South Of Tower Works, Lambourn Woodlands, Hungerford,

PART II - DECISION

In pursuance of its powers under the Town and Country Planning Act 1990, West Berkshire District Council GRANTS OUTLINE planning permission for the development referred to in Part I in accordance with the submitted application form and plans, subject to the following condition(s):-

1. **Reserved Matters**
Details of the access, appearance, layout and landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

2. **Time limit**
The development to which this permission relates shall be begun before the expiration of 3 years from the date of this decision, or before the expiration of two years from the date of approval of the last of the approved matters to be approved, whichever is the later.

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

3. Indicative plans

The layout of the site shall be in broad accordance with the indicative block plan reference number 03100-00-C. The building hereby approved shall be a maximum of 12.6 metres in height.

Reason: For the avoidance of doubt and in the interests of proper planning, and in the interests of visual amenity in the North Wessex Downs AONB in accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy 2012.

4. Permitted Development restriction

Irrespective of the provisions of the Town and Country General Permitted Development Order 2015, as amended, or any subsequent revision thereof no addition floors or mezzanines shall be inserted in the building hereby approved.

Reason: In order to prevent the overdevelopment and intensification of use of the site in a manner that might otherwise result in harm to the tranquillity of the AONB, highway safety and residential amenity in accordance with the NPPF, Policies CS9, CS13, CS14, CS19 of the West Berkshire Local Plan Core Strategy 2012 and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)

5. Maximum floor areas

The floor areas for the building hereby approved shall be limited to the maximum following floor areas:

- Museum and military vehicle storage area 2180 sq.m
- Class B8 storage and distribution warehouse 9060 sq.m
- Ancillary office area 1150 sq.m
- Ancillary welfare and security area 180 sq.m

Reason: In order to prevent the overdevelopment and intensification of use of the site in a manner that might otherwise result in harm to the tranquillity of the AONB, highway safety and residential amenity in accordance with the NPPF, Policies CS9, CS13, CS14, CS19 of the West Berkshire Local Plan Core Strategy 2012 and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)

6. Construction Method Statement

No development shall take place until a Construction Method Statement has been submitted and approved under a formal discharge of conditions application. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities

- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works

The provisions of the Construction Method Statement shall be implemented in full and retained until the development has been occupied. Any deviation from the approved Construction Method Statement shall be first agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5, CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

- 7. Noise management plan
A scheme shall be submitted to and approved in writing by the Local Planning Authority, which specifies the provisions to be made for the control of noise emanating from the site. Thereafter, the use shall not commence until the approved scheme has been fully implemented.

Reason: To protect the occupants of nearby residential properties from noise in accordance with the requirements of the NPPF, Policy CS14 of the West Berkshire Local Plan Core Strategy 2012 and Policies OVS5 and OPS6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

- 8. BREEAM
The development hereby approved shall not be occupied until a post construction review demonstrating that the approved building has achieved a construction standard of BREEAM Excellent has been submitted and approved under a formal discharge of conditions application.

Reason: In order to ensure a sustainable development of high quality construction in accordance with the NPPF and Policies CS14 and CS15 of the West Berkshire Local Plan Core Strategy (2006-2026) 2012.

- 9. Zero carbon
No development shall take place until a plan demonstrating how the building hereby approved will meet with the requirement for zero carbon development including construction, monitoring and reporting measures has been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved plan.

Reason: In order to secure zero carbon development in accordance with Policy CS15 of the West Berkshire Local Plan Core Strategy 2012.

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

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

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

Reason: A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction. This condition is imposed in accordance with the requirements of the NPPF and Policy CS17 of the West Berkshire Local Plan Core Strategy 2012.

11. Landscape Ecological Management Plan
- No development shall take place until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:
- (a) Description and evaluation of features to be managed.
 - (b) Ecological trends and constraints on site that might influence management.
 - (c) Aims and objectives of management.
 - (d) Appropriate management options for achieving aims and objectives.
 - (e) Prescriptions for management actions.
 - (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - (g) Details of the body or organization responsible for implementation of the plan.
 - (h) Ongoing monitoring and remedial measures.

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

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

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

Reason: A pre-commencement condition is required because the LEMP may need to be implemented during construction. This condition is imposed in accordance with the requirements of the NPPF and Policy CS17 of the West Berkshire Local Plan Core Strategy 2012.

12. Lighting strategy

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

- (a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.
- (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species.
- (c) Include and isolux diagram of the proposed lighting.
- (d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.
- (e) Include a plan of timings for external lighting to minimise external lighting at times when the external areas of the site are not in use.

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

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, to conserve the dark night skies of the North Wessex Downs AONB and in the interests of the amenity of nearby residential occupants. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, Policies CS14 CS17 and CS19 of the West Berkshire Core Strategy 2006-2026 and Policies OVS5 and OVS 6 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

13. SuDS

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

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- d) Include detailed manufacturer's information to ensure adequate sizing and water cleaning operation of the propose sewage treatment plant and oil interceptor;
- e) Include detailed hydraulic run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- f) Include flood water exceedance routes, both on and off site;
- g) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime;
- h) Include a Flood Risk Assessment (FRA) for the development as the site area is larger than 1 hectare;

- i) Include a Contamination Risk Assessment for the soil and water environment (assessing the risk of contamination to groundwater, develop any control requirements and a remediation strategy);

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

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

14. Hours of external operation

No external operations (including deliveries and unloading of lorries, but excluding use of the car park by employees for parking of private motor cars and access to and from the logistics warehouse building hereby approved) shall take place except in accordance with the following hours:

7:00am to 8:00pm Mondays to Fridays;

9:00am to 1:00pm on Saturdays;

No external operations on Sundays and Bank holidays.

Reason: In the interests of the amenity of nearby residential occupants in accordance with the NPPF, Policy CS14 of the West Berkshire Local Plan Core Strategy 2006-2026 and Policies OVS5 and OVS6 of the West Berkshire District Local Plan 1991-2006 Saved Policies 2007.

15. Personal permission

The logistics warehouse building and ancillary offices hereby permitted shall be occupied only by Walker Logistics Limited unless planning permission is granted on a planning application made for this purpose.

Reason: The applicant has demonstrated through submissions accompanying this application that the associated vehicle movements and hours of external works relating to the operation of the site for his business are such as to allow for the applicant's particular business to operate on the site under the restrictions of the conditions of this planning permission without resulting in undue detriment to the amenity of neighbouring residential occupants, highway safety and the amenity of the highway network that might result from the operation of an uncontrolled B8 or other industrial use of the site. This condition is imposed in order that the use of the site by any alternative future occupant can be given details consideration in terms of the associated impacts on highways safety and residential amenity in the interests of residential amenity and highway safety in accordance with the NPPF, Policies CS5, CS13 and CS14 of the West Berkshire Local Plan Core Strategy

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

16. Levels

No development shall commence on the site until full details of ground and floor levels as existing and proposed have been submitted and approved in writing by the Local Planning Authority. The site shall be constructed in accordance with the approved levels.

Reason: In the interests of visual amenity in the North Wessex Downs AONB in accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy 2012.

17. Public access (Museum)

The museum hereby approved shall not be taken into use until details of arrangements for public access have been submitted and approved in writing by the Local Planning Authority. Such access arrangements shall provide for the public to have visiting access to the museum on no less than 28 days per year, and shall include details of how such arrangements can be booked and will be publicised. The museum shall be made available for public visits in accordance with the approved details thereafter.

Reason: To secure the public benefit of the museum and its relationship to the wider Membury airfield site as a heritage asset, in the interests of the conservation and enhancement of heritage assets and their associated public benefits in accordance with the NPPF and Policies CS14 and CS19 of the West Berkshire Local Plan Core Strategy 2006-2026.

18. Travel plan

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

Reason: To ensure the efficient function of the site and to promote sustainable forms of transport. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

19. Use restriction

Irrespective of the provisions of the Town and Country (General Permitted Development) Order 2015, as amended, or any subsequent revision thereof, the building hereby approved for a logistics warehouse shall be used only for purposes of use Class B8 storage and distribution and ancillary office accommodation, and the building hereby approved as a museum building shall only be used as a museum unless planning permission is granted on a planning application made for the purpose of changing the use of the buildings hereby approved.

Reason: The acceptability of the approved building in planning terms is dependent on an assessment of the associated level of vehicle movements and external works that relate to the buildings in their approved use. This condition is imposed in the

interests of preventing a change of use of the approved buildings that might otherwise result in an intensification of associated vehicle movements and associated activities in accordance with the requirements of the NPPF, Policies CS5, CS13 and CS14 of the West Berkshire Local Plan Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan Saved 1991-2006 Saved Policies 2007.

The decision to grant Outline Planning Permission has been taken having regard to the policies and proposals in the National Planning Policy Framework, South East Plan 2006-2026, West Berkshire District Local Plan 1991-2006 (WBDLP) Saved Policies 2007, the Waste Local Plan for Berkshire, adopted 1998, the Replacement Minerals Local Plan for Berkshire 1991-2006 (incorporating the alterations adopted in December 1997 and May 2001) and to all other relevant material considerations, including Government guidance, Supplementary Planning Document; and in particular guidance notes and policies:

The reasoning above is only intended as a summary. If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.

INFORMATIVE:

- 1 The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.
- 2 The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "*Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority*". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met. A fee is required for an application to discharge conditions.
- 3 This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.
- 4 Ecology & construction
The applicant's attention is drawn to the following comments from the ecologist and the AONB officer in respect of detailed design:
Ecologist - We recognise that one of the concerns of this development is that it is in the NWD AONB, the concern relates to the visibility of the new structure(s) we propose that one way that these concerns could be reduced is the installation of green vegetated walls. This would be best achieved with rainwater harvesting to feed into a reservoir to help maintain the watering of the vegetated green walls around the building. These green walls will; soften the landscape views of the building, improve internal thermal stability lowering energy bills with the associated environmental sustainability benefits, increase carbon capture and slow the peak flows in high rain fall events.

AONB officer - The local area is void of street lights. It must be noted that introducing lighting columns or increased building floodlights into this locality would significantly impact upon the dark sky environment, a special quality of the AONB. The building has a number of windows which will cause light spill into a dark environment. Low transmittance glass should be conditioned if the officer is minded to approve.

The colour of the building will not fade into the landscape, it will appear as a contrast to the natural greens and browns that make up the natural colour system of this landscape character area. Using the natural colour system to identify colours in the landscape which can aid in choosing more appropriate shades of green would have been a more responsible approach within a protected landscape.

The detailed design of the building accompanying the reserved matters application should demonstrate how these matters have been considered in choice of materials

5 The reserved matters application should be accompanied by a statement setting out how design, layout, travel, water management and energy solution choices have been made in order to positively contribute to the sustainability characteristics of the site, location and approved building. This may be in the form of a separate document or a chapter in the planning statement.

6 The applicant's attention is drawn to the fact that an updated ecological appraisal may be required to be submitted with a reserved matters application together with any additional surveys recommended. These updated ecological surveys should be used to inform any additional mitigation. It is therefore recommended that the applicant contacts the Council's ecologist for advice prior to the submission of the reserved matters.

Decision Date :- 5th May 2021



Gary Lugg
Head of Development and Planning

TOWN AND COUNTRY PLANNING ACT 1990

Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against the local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online using the Planning Portal at www.planningportal.co.uk.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Agenda Item 4.(4)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(4)	21/02865/REG3 Compton	17.02.2022 ¹	Extension and refurbishment of existing school sports hall. Temporary overflow car parking space to be resurfaced and reused for the duration of the construction process. External plant compound. The Downs School, Compton, Newbury, RG20 6AD West Berkshire Council

¹ Extension of time agreed with applicant until 28 July 2023

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

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/02865/REG3>

Recommendation Summary: To **DELEGATE** to the Development Control Manager to **GRANT PLANNING PERMISSION**

Ward Member(s): Councillor Carlyne Culver

Reason for Committee Determination: Residents have concerns about the design and setting in the wider landscape. They are concerned about privacy for children doing PE behind large glass windows. They are concerned that they might not have access to exercise facilities that they are used to using.

Committee Site Visit: 17th August 2023

Contact Officer Details

Name: Catherine Ireland
Job Title: Planning Officer
Tel No: 01635 519111
Email: Catherine.Ireland@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for the extension and refurbishment of the existing school sports hall. Temporary overflow car parking space to be resurfaced and reused for the duration of the construction process. External plant compound.
- 1.2 The Downs School is located on the southwestern edge of Compton, within the settlement boundary. The existing sports hall is the southernmost building on the site and is located next to playing fields to the east, highway to the west with open countryside beyond to the west and south.
- 1.3 The existing sports hall was granted planning permission in July 1982 and permissions for extensions were subsequently approved in 2004 and 2011, however, neither of these permissions were implemented and have subsequently lapsed.
- 1.4 The current sports hall is no longer of a size suitable for the Downs School, which has a capacity of 1,355 pupils. The current facilities fall below the minimum standards required by *BB103 Area guidelines for mainstream schools*. It is also in a relatively poor state of repair, with the roof having already been over-roofed due to leaking and cracks forming in the floor.
- 1.5 The proposed works would create a wrap-around extension on the north, west and east sides of the existing sports hall, which would also be refurbished. The additions to the main sports hall would have a design to match the existing building, whilst the front extension would have a modern appearance, with a flat roof and areas of glazing.
- 1.6 The extensions would include the addition of one 'bay' on either end of the hall, thereby allowing the main hall to meet the requirements of BB103. An extension to the front of the building would provide ancillary accommodation such as an entrance lobby, offices, male, female and accessible changing rooms at ground floor level. At first floor level a larger gym would be created along with a dedicated studio space as well as storage and plant rooms.
- 1.7 Solar panels are proposed to be installed on the south facing roof slope of the extended sports hall.
- 1.8 The extension of the sports hall would result in the loss of 21 car parking spaces and 1 disabled parking bay. It is therefore proposed to enlarge the existing car park which would ensure that there would be no net loss of spaces, and one additional disabled parking bay. An area to the north of the application site is to be resurfaced and used during the construction process.

2. Planning History

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

Application	Proposal	Decision / Date
11/02754/COMIND	Parking for up to 25 cars on ground to the North East of the existing tennis courts	Approved
11/01867/FUL	The extension and refurbishment to the Downs School Sports Hall including an additional badminton court to the hall and new male and female change block with a	Approved

	second floor dance studio, and an extended refurbished gym. Also the associated sprinkler tank and pump room.	
11/01789/FUL	Erect enclosure for existing pool with incorporated male and female changing rooms.	Approved
08/00749/FUL	Fencing and gates to enclose school grounds along main road on western boundary of school (part retrospective)	Approved
04/03088/FULMAJ	Construction of new access on to site. New car parking facilities, three storey teaching block, single storey science extension. Demolition of single storey sixth form block and barn.	Approved
04/00438/FUL	1-Bay extension and additional storage to existing sports hall	Approved
94/45211/FUL	Access road	Approved
82/17276/ADD	Sports hall with ancillary facilities	Approved

3. Procedural Matters

- 3.1 The proposed development falls within the column 1 description at paragraph 10(b) (Urban development project) of Schedule 2. It is located in a sensitive area, namely the North Wessex Downs Area of Outstanding Natural Beauty and the school site area exceeds 5 hectares. The proposal is therefore "Schedule 2 development" within the meaning of the Regulations.
- 3.2 However, taking into account the selection criteria in Schedule 3, it is not considered that the proposal is likely to have significant effects on the environment. Accordingly, the proposal is NOT considered "EIA development" within the meaning of the Regulations.
- 3.3 Site notices displayed to the front of the application site and the local area on 11.01.2022 and 22.03.2022, with expiry dates of 01.02.2022 and 12.04.2022 respectively. A notice was published in the Newbury Weekly News on 06.01.2022, expiring on 20.01.2022.
- 3.4 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).
- 3.5 Based on the CIL PAIR form it does not appear that the proposed works would be CIL liable. However, CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

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.

<p>Compton Parish Council:</p>	<p>Object. Concern regarding privacy and child protection issues. The amount of glass is excessive given the facility sits within the AONB. No information regarding noise generated by the plant area. The temporary car park for use during the build is currently in use by sixth form students throughout the day. Concern regarding the size of the Downs School logo on the front of the building. Has always been a community facility that is used by the school, the logo suggests the building purely belongs to the school. Construction method statement has not been supplied. Supports the Highways' disappointment that no electric charging points have been included. Regret that no information has been forthcoming regarding access for members of the community and highlights concerns that this has not been supplied. The council wishes to emphasise the message that this is a building funded by Council Tax Payers and not the school or the LEA.</p>
<p>WBC Highways:</p>	<p>It has been confirmed at paragraph 5.6 of the Design and Access Statement that there will be no increase in staff or pupils as a result of this application and so no increase in capacity is proposed.</p> <p>The proposal is to improve an existing shorts hall for the Downs School. Some of the car parking requires relocating as part of the development. The replacement / amended parking layout is acceptable. It would be preferable if some electric vehicle charging points are included as part of this development. Shared chargers should be a minimum of 22 kw. Should you consider this to be a reasonable request then this should be conditioned accordingly, or suitable details submitted.</p> <p>Given this is within a school a Construction Method Statement is required, this should detail how pupils and staff will be protected during the works, it must ensure there is sufficient parking for staff as well as contractors etc, with no deliveries permitted at the start or end of the school day – exact times to be specified within the CMS. Some of this has been referred to in paragraphs 5.7 and 5.8 of the Design and Access Statement and on the plans but I would request this is detailed within a single document - CMS.</p> <p>The highway recommendation is for conditional approval. Conditions requested: construction method statement, parking/turning in accord with plans. Informatives requested: Damage to footways, cycleways and verges, damage to the carriageway.</p> <p>Response to Parish Council parking concerns/current use of temporary parking area: Although this area may currently be</p>

	<p>used for 6th form parking, it would not be considered a requirement for this to be provided within the school grounds. On-site staff parking is, however, required and this takes precedent over student parking. It is acknowledged that this is likely to result in some displacement temporarily but the highway authority does not object on this basis.</p> <p>Removing this facility may even discourage some 6th form students from driving to the school if there is nowhere within the school grounds for them to park.</p>
Lead Local Flood Authority:	No objection in principle but comments that additional information is required on the flood risk assessment and drainage strategy.
Environmental Health:	<p>No objection. Recommend that if approved the standard “hours of noisy construction work” condition should be imposed.</p> <p>Following submission of geotechnical report and oil leak report: Consider that a preliminary risk assessment (phase 1 desktop study) needs to be carried out to determine if other contaminants need to be assessed as part of additional investigations. Asbestos fibres were detected.</p> <p>Further investigations are required following the demolition of the existing building. Conditions recommended: site characterisation (investigation and risk assessment), submission of remediation scheme, implementation of approved remediation scheme, reporting of unexpected contamination.</p>
WBC Education:	<p>The school is a medium sized co-educational comprehensive 11-18 school and has a current student capacity of 1355. The size of the existing sports hall and associated facilities are inadequate for the school and the aim is to address this accommodation deficiency.</p> <p>The driver for the project is to address the sports hall accommodation deficiencies associated with the existing sports hall which was built during the 1980’s. The existing size is now inadequate for the current school/sports England requirements and the school does not have adequate space to deliver the PE curriculum efficiently with inadequately sized changing facilities. Pupils are not being able to make full use of the facilities due to time constraints in place to ensure all pupils have the opportunity to exercise. This has an impact on the pupil’s mental and physical health and does not enable the pupils the opportunity to use the facilities fully to counter act the stresses and anxiety generated from the classroom environment.</p>
Ecology Officer:	No objection in principle but further information required on any potential impacts on existing trees onsite. Conditions relating to landscaping and managing potential construction phase impacts identified.
Sport England:	Having assessed the application, Sport England is satisfied that the proposed development meets exception 3 of our playing fields policy, in that:

	<p>'The proposed development affects only land incapable of forming part of a playing pitch and does not:</p> <ul style="list-style-type: none"> • reduce the size of any playing pitch • result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas); • reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality; • result in the loss of other sporting provision or ancillary facilities on the site; or • prejudice the use of any remaining areas of playing field on the site.' <p>Conclusion: This being the case, Sport England does not wish to raise an objection to this application. Sport England does welcome the increase in the number of courts and fitness area which will be of benefit to both the pupils and staff as well as the local community.</p>
<p>Thames Water:</p>	<p>Waste Comments</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.</p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p>

- 4.2 Rambler's Association, Public Rights of Way, Tree Officer, North Wessex Downs AONB: No response at time of report.

Public representations

- 4.3 Representations have been received from 2 contributors, 2 of which object to the proposal.
- 4.4 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- Concern over loss of parking spaces within the school site. School cars already park elsewhere in Compton.
 - Design is not in keeping with the existing building.
 - Deterioration of verges, heavy traffic and litter from the school

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, CS5, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
 - Policies OVS.5, OVS.6, OVS.7, OVS.8 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
 - Policies C1, C3, C8, C12, C14, C15, C17, C18, C19, C20 of the Compton Neighbourhood Development Plan 2020-2037 (CNDP).
- 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
 - WBC Quality Design SPD (2006)
 - Sustainable Drainage Systems Supplementary Planning Document - December 2018
 - Compton A Village Design Statement (2005)

6. Appraisal

- 6.1 The main issues for consideration in this application are:
- Principle of development
 - Character and appearance of the area
 - Neighbouring amenity
 - Highway matters
 - Sustainable design
 - Flooding and drainage
 - Ecology

- Green infrastructure
- Contamination
- Use

Principle of development

- 6.2 Policy ADPP1 of the Core Strategy sets out that most development will be within or adjacent to the settlements included in the settlement hierarchy. Compton is identified under this policy as a service village with a more limited range of services and some limited development potential.
- 6.3 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.
- 6.4 Policy CS5 of the Core Strategy allows for infrastructure provision. The application site itself is part of an existing school campus and the extension is required to meet modern standards for the provision of sports spaces. As such the principle of development is acceptable subject to consideration of the design and specific impacts.

Character and appearance

- 6.5 The NPPF seeks the creation of high quality, beautiful and sustainable places and planning decisions should ensure that developments are visually attractive as a result of good architecture.
- 6.6 Policy CS14 of the Core Strategy requires new development to demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area whilst making a positive contribution to the quality of life in West Berkshire. Policy CS19 seeks to ensure that development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.7 The site is located within the North Wessex Downs AONB, where development must respond positively to the local context and respect landscape features and components of natural beauty in accordance with Policy ADPP5 of the Core Strategy. The conservation and enhancement of the AONB is therefore of particular importance.
- 6.8 The existing building has a dual pitched roof with gable ends with an exterior finish of steel cladding in a dark finish above buff/brown brickwork. The roof is described in the design and access statement as having been over felted in 2015/16. Internally the existing accommodation is arranged over two floors.
- 6.9 There would be no discernible difference in the maximum height of the extended building when excluding the proposed roof vents. The eaves heights would be increased by a maximum of 300mm. The parapet wall surrounding the roof of the flat roofed, front extension would be set approximately 1.1 metres lower than the ridge of the pitched roof.
- 6.10 The design of the extensions would in part match that of the existing sports hall, with the front, flat roofed extension introducing a different design to part of the building. This is not dissimilar to a lapsed permission (ref. 11/01867/FUL) which allowed a three storey, flat roof element on the north/front elevation. The flat roof element now proposed would be lower than that previously approved and would therefore appear subservient to

the main part of the sports hall. As such, the proposed extensions are not considered to result in harm to the character of the existing building, school campus or the wider area as a result of the design, scale or massing.

- 6.11 A condition securing a schedule of materials is recommended to be attached to any permission granted in order to ensure that these are appropriate within the context of the site and the wider area.
- 6.12 The proposed design includes areas of glazing within the north and east elevations. The site is located on the edge of Compton, within the AONB, which benefits from dark night skies. The glazing would face towards existing school buildings to the north and the playing fields to the east. As such there would be no windows on the west and south elevations that face the open countryside. It is not therefore considered that there would be detrimental harm to the character of the area or AONB as a result of light pollution and overspill into the wider landscape from the proposed glazing.
- 6.13 An external lighting plan has been submitted as part of the application. The lighting proposed would provide a 10-lux average using LEDs as the main light source. The lanterns proposed would have an internal PIR sensor which would reduce the output of the lanterns to 10% of their normal output 5 minutes after the last activation. They would then remain at 10% output until the next activation.
- 6.14 The lighting scheme has been designed in accordance with the principles set out in the Institution of Lighting Professionals [ILP] Guidance Note on The Reduction of Obtrusive Light. However, the scheme has been designed as for a site within zone E2, whereas the ILP guidance note 01/21 states that rural zones under protected designations should use a higher standard of policy. As the site is within the AONB a lighting scheme should be designed for zone 1.
- 6.15 The external lighting scheme proposed includes the limiting of the external lighting to 10% output when the building is not in use. However, no justification has been provided as to why it is necessary for external lighting to be on when the building is not in use or if movement has not been picked up by the PIR sensors.
- 6.16 Given the concerns with the submitted lighting scheme, a condition securing details of external lighting of the extensions, the new parking spaces and the temporary construction parking area is recommended to be attached to any permission granted. This will ensure the protection of the dark night skies of the AONB in accordance with policy ADPP5 of the Core Strategy.
- 6.17 Concern has been raised by the Parish Council with regard to the proposed school logo on the north elevation. From the information provided it does not appear that this would benefit from deemed advertisement consent; express advertisement consent would therefore be required before the signage could be installed. An informative drawing the applicant's attention to this matter is recommended to be attached to any permission granted.
- 6.18 In order to protect the character of the area it is important to safeguard existing landscape features. Conditions to ensure tree protection and additional landscaping are therefore recommended to be attached to any permission granted.
- 6.19 A condition securing details of how spoil arising from the development will be used or disposed of is recommended to be attached to any permission granted in order to protect the character and amenity of the area.
- 6.20 The proposals are therefore considered to be in accordance with current development plan policies relating to design, character and appearance.

Neighbouring amenity

- 6.21 The NPPF requires planning decision to ensure that developments create places that are safe, inclusive and which have a high standard of amenity for existing and future users.
- 6.22 Policy CS14 of the West Berkshire Core Strategy states that new development must contribute to the quality of life in West Berkshire. SPD Quality Design - West Berkshire outlines considerations to be taken into account with regard to residential amenity.
- 6.23 The separation distance from the sports hall to the closest neighbours to the east is in excess of 100 metres. Separating the housing from the sports hall is the school playing field. Given the separation distances it is not considered that there would be a loss of privacy to, or additional overshadowing of, neighbouring amenity. The distance would be sufficient as to prevent an overbearing impact on neighbouring amenity. Uses on the site would remain as existing, and are therefore not considered to be such as to result in intensification of impacts on residential amenity.
- 6.24 The temporary parking area would be on an area previously approved for parking and is located close to residential properties on Manor Crescent and Gordon Crescent. As such, it is not considered that the re-surfacing and use of this area would be any more harmful than the use previously approved.
- 6.25 The external plant space would be located adjacent to the highway to the west of the sports hall. The separation distance and the screening provided by the building would help to protect neighbouring amenity from any noise.
- 6.26 The Environmental Health Officer recommended a condition restricting the hours of work during the construction period and this is recommended to be attached to any permission granted. Should any noise complaints arise from the development Environmental Health have powers outside of the planning process which could be used to address a statutory nuisance.
- 6.27 Concern has been raised by the Parish Council regarding privacy and child protection issues created by the large windows proposed. The school playing fields are already in view from the public right of way that runs around the edge of the school campus. The option to install obscure glazing or other means of preventing views is available to the school if they consider it necessary for child protection. It is not considered reasonable to secure this by way of planning condition as child welfare and safety is primarily the concern of the school and the LEA.
- 6.28 The proposals are therefore considered to be in accordance with current development plan policies relating to neighbouring amenity subject to condition.

Highway matters

- 6.29 Policies CS13 of the Core Strategy, and TRANS.1 of the Saved Local Plan relate to highway matters and parking provision for non-residential uses.
- 6.30 The Highways Authority were consulted on the application and noted that no increase in the number of staff or pupils are proposed as a result of the application. The proposed parking layout was considered to be acceptable. Conditions securing a construction method statement and the provision of parking in accordance with the approved plans are recommended to be attached to any permission granted. Informatives relating to damage to footways, cycleways and verges and for damage to the carriageway are also recommended.

- 6.31 The Highway Officer and the Parish Council both considered electric charging points to be a desirable addition to the scheme. The NPPF requires development to be designed to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. Policy CS13 of the Core Strategy is in accordance with this, requiring development that generates a transport impact to minimise the impact of all forms of travel on the environment and help tackle climate change. Policy C20 of the Compton Neighbourhood Development Plan states that planning applications for the installation of electric charging points at places of work or leisure will be supported. As such, a condition securing the installation of 2 EV charging bays is recommended to be attached to any permission issued.
- 6.32 Concern has been raised in representation letters regarding the loss of parking on site and the existing impact of the school on parking in the locality. However, the Highway Authority have raised no objections or concerns regarding the parking provision on site. The construction method statement condition requested would require the agreement of details relating to the parking of vehicles of site operatives and visitors before development commences.
- 6.33 The application is therefore considered to be in accordance with current development plan policies relating to highway matters subject to condition.

Sustainable design

- 6.34 Policy CS15 of the Core Strategy requires new non-residential development to meet the BREEAM excellent standard of construction. During the course of the application the agent submitted a statement as to why they did not consider BREEAM to be applicable to this project, due to the proposed works being an extension of an existing building. However, the proposals would require the removal of three external walls, and as such, the application is more akin to a new building than purely an extension. Therefore, for the purposes of CS15, it is considered that the proposal is required to meet the BREEAM excellent standard. The application is not accompanied by justification to suggest that a lower standard of BREEAM compliance should be accepted. A condition securing this standard is recommended to be attached to any permission granted.
- 6.35 The application is therefore considered to be in accordance with current development plan policies relating to sustainable design.

Flooding and drainage

- 6.36 Policy CS16 of the Core Strategy states that development within areas of flood risk from any source of flooding, including Critical Drainage Areas and areas with a history of groundwater or surface water flooding, will only be accepted if it is demonstrated that it is appropriate at that location, and that there are no suitable and available alternative sites at a lower flood risk. On all development sites surface water is required to be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS).
- 6.37 The application site is within flood zone 1, however Council records show that it is at risk of ground water flooding and surface water flooding. A flood risk assessment has been submitted. The Lead Local Flood Authority recommends maintaining 300mm freeboard above design flood levels. Further information is required on the drainage design with regard to making allowance for surface water flooding contributing to flooding within the drainage strategy and a number of other matters including groundwater levels, position of soakaways, exceedance routes and maintenance.

- 6.38 It is considered that the Lead Local Flood Authority do not have any 'in principle' concerns with the proposal and that the development is capable of complying with Policy CS16 by applying a condition requiring a drainage strategy to address the outstanding matters raised.

Ecology & Green Infrastructure

- 6.39 Policy CS18 of the Core Strategy states that the District's green infrastructure will be protected and enhanced whilst policy CS14 requires development proposals to respect the landscape and biodiversity of the surrounding area. Policy CS17 requires biodiversity and geodiversity assets across West Berkshire to be conserved and enhanced.
- 6.40 The Council's Ecologist requested clarity on potential impacts from the development on existing trees onsite. The Council's Tree Officer was consulted but did not provide comments on this application. Comparing the existing and proposed site plans changes are proposed to the landscaping to the boundary adjacent to the building. As such an arboricultural method statement and soft landscaping conditions are required along with details of enhancements to biodiversity. With these conditions the proposal is considered to comply with policies relating to ecology and green infrastructure.

Contamination

- 6.41 Following submission of geotechnical report and oil leak report additional comments were received from the Council's Environmental Health Officer. A fuel leak on the application site occurred in 2016 which required remediation works. The geo-environmental investigation report submitted concluded that further investigation is required beneath the building footprint to assess the presence of hydrocarbons. The report also states that there may be additional sources of contamination on the application site that can present a risk to health. The Environmental Health Officer therefore considered that a preliminary risk assessment (phase 1 desktop study) needs to be carried out to determine whether other contaminants need to be assessed as part of the additional investigations. Amosite asbestos fibres were detected in a composited Waste Acceptance Criteria (WAC) sample; the source or sources of the fibres cannot be defined. The report therefore recommended that asbestos analysis should be carried out across the site.
- 6.42 Based on the information submitted, the Council's Environmental Health Officer recommended conditions to be attached to any permission granted securing an investigation and risk assessment with an appraisal of remedial options, the submission of a remediation scheme, implementation of an approved remediation scheme and the reporting of unexpected contamination.

Use

- 6.43 The Parish Council raised concern regarding the use of the sports facilities by the community. Policy C12 of the Compton NDP states that the loss of valued community facilities and services will be resisted.
- 6.44 The application does not propose the loss of the facility from public use although it is understood that consultation will be held regarding the community/leisure use of the facilities. Arrangement related to access to the facility is a civil matter outside of the planning process; in planning terms the proposals would not result in the loss of the sports hall or associated facilities.

7. Planning Balance and Conclusion

- 7.1 The proposal would improve the sports facilities within an existing school campus and would bring them in line with current standards. There is in-principle support at local policy level and within the NPPF. The design of the extensions are considered to be acceptable and there would not be detrimental harm to the character of the area or neighbouring amenity. Subject to conditions, the proposal is considered acceptable with regard to highway matters, flooding and drainage, green infrastructure, sustainable design and contamination.
- 7.2 As such the application is considered to be in accordance with the NPPF and current development plan policies and is recommended for approval subject to conditions.

8. Full Recommendation

- 8.1 To delegate to the Development Control Manager to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1.	<p>Commencement of development The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2.	<p>Approved plans The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <ul style="list-style-type: none"> i. Site Location Plan Drawing No. 2000 Rev P4 received on 23.12.2021; ii. Proposed Site Plan Drawing No. 2003 Rev P5 received on 25.02.2022; iii. Proposed Elevations Drawing No. 5002 Rev P6 received on 09.05.2023; iv. Elevations – External Plant Compound Drawing No. 5003 Rev P1 received on 21.12.2021; v. Proposed Ground Floor GA Drawing No. 3005 Rev P4 received on 02.12.2021; vi. Proposed First Floor GA Drawing No. 3006 Rev P4 received on 02.12.2021; vii. Proposed Roof GA Drawing No. 3007 Rev P1 received on 02.12.2021; viii. Design and Access Statement Rev A received on 02.12.2021. <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3.	<p>Materials No works above ground level shall take place until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.</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</p>

	Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).
4.	<p>Hours of work</p> <p>No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:</p> <p>7:30am to 6:00pm Mondays to Fridays; 8:30am to 1:00pm Saturdays; No work shall be carried out at any time on Sundays or Bank Holidays.</p> <p>Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy 2006-2026.</p>
5.	<p>Construction method statement</p> <p>No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:</p> <ul style="list-style-type: none"> (a) The parking of vehicles of site operatives and visitors (b) Loading and unloading of plant and materials (c) Storage of plant and materials used in constructing the development (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing (e) Wheel washing facilities (f) Measures to control the emission of dust and dirt during construction (g) A scheme for recycling/disposing of waste resulting from demolition and construction works (h) A site set-up plan during the works <p>Reason: To safeguard the amenity of adjoining land uses and occupiers and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.</p>
6.	<p>Parking/turning in accord with plans</p> <p>The extended sports hall shall not be first brought into use until the vehicle parking and turning spaces have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and turning spaces shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
7.	External lighting

	<p>No external lighting shall be installed on the extensions hereby approved, the altered parking area or the temporary parking area until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a plan to show the location of any lighting, isolux contour diagram(s), an operation strategy (e.g. details of timed operation), and specifications all lighting to ensure that levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers. No external lighting shall be installed on the extensions hereby approved, the altered parking area or the temporary parking area except in accordance with the above strategy.</p> <p>Reason: To conserve the dark night skies of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
8.	<p>Landscaping plan</p> <p>The sports hall extensions hereby approved shall not be first brought into use until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first use of the extended sports hall (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</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>
9.	<p>BREEAM</p> <p>The development hereby permitted shall achieve a rating of “Excellent” under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). The development shall not be first brought into use until a final certificate has been issued certifying that this rating has been achieved, and a copy of the certificate has been provided to the Local Planning Authority.</p> <p>Reason: To ensure the development contributes to sustainable construction. This condition is applied in accordance with the National Planning Policy Framework, Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
10.	<p>EV Charging</p> <p>The extended sports hall shall not be first brought into use until two electric vehicle charging points have been provided in accordance with the approved plans. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.</p> <p>Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy</p>

	Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and C20 of the Compton Neighbourhood Development Plan 2020-2037.
11.	<p>Contaminated land</p> <p>No development* shall take place until a scheme to deal with contamination at the site has been submitted to and approved in writing by the LPA. The above scheme shall:</p> <ul style="list-style-type: none"> (a) Include an investigation and risk assessment. A report of the findings shall: identify the nature and extent of any contamination on the site (irrespective of its origin); include an assessment of the potential risks to human health, property, and the environment; and include an appraisal of remedial options, and proposal of preferred option(s). (b) Include a remediation scheme* which ensures that, after remediation, as a minimum, the land shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. (c) Include a monitoring and maintenance scheme* to ensure the long-term effectiveness of the proposed remediation, and the provision of reports on the same that shall be submitted to and approved in writing by the LPA. (d) Be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation), and conducted in accordance with current best practice. <p>Thereafter, any approved remediation scheme and/or monitoring and maintenance measures shall be carried out in accordance with the approved details. Two weeks written notice shall be given to the LPA prior to the commencement of any remediation scheme.</p> <p>If any previously unidentified land contamination is found during the carrying out of the development, it shall be reported immediately in writing to the LPA. Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. Thereafter, any remediation measures shall be carried out in accordance with the approved details.</p> <p>The development shall not be occupied* until all approved remediation measures have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the LPA.</p> <p>(* Unless otherwise agreed in writing by the LPA)</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is applied in accordance with paragraphs 170, 178, 179 and 180 the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required to ensure that adequate investigation and a suitable remediation and/or monitoring is agreed before it may be implemented throughout the demolition and/or construction phase.</p>
12.	Spoil

	<p>No development shall take place until details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:</p> <ul style="list-style-type: none"> (a) Show where any spoil to remain on the site will be deposited; (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels); (c) Include measures to remove all spoil from the site (that is not to be deposited); (d) Include timescales for the depositing/removal of spoil. <p>All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.</p> <p>Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because spoil may arise throughout development.</p>
13.	<p>SuDs/Drainage</p> <p>No development other than demolition 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 in accordance with best practice; b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and ground water levels; c) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site at no greater than Greenfield run-off rates; d) Include run-off calculations, discharge rates, exceedance rates and measures, infiltration and storage capacity calculations including allowance for climate change; e) Include details of how the drainage measures will be maintained and managed after completion; f) Demonstrate that the freeboard will be 300mm above design flood levels. <p>All sustainable drainage measures shall be implemented in accordance with the approved details before the building hereby permitted is brought into use. Thereafter the measures shall be maintained in accordance with the approved details.</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 imposed in accordance with the National Planning Policy Framework (February 2019), Policy CS16 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Sustainable Drainage.</p>
14.	<p>Arboricultural Method Statement</p> <p>No development, site clearance and/or other preparatory works shall take place until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include details of the implementation, supervision and monitoring of all temporary tree protection and any</p>

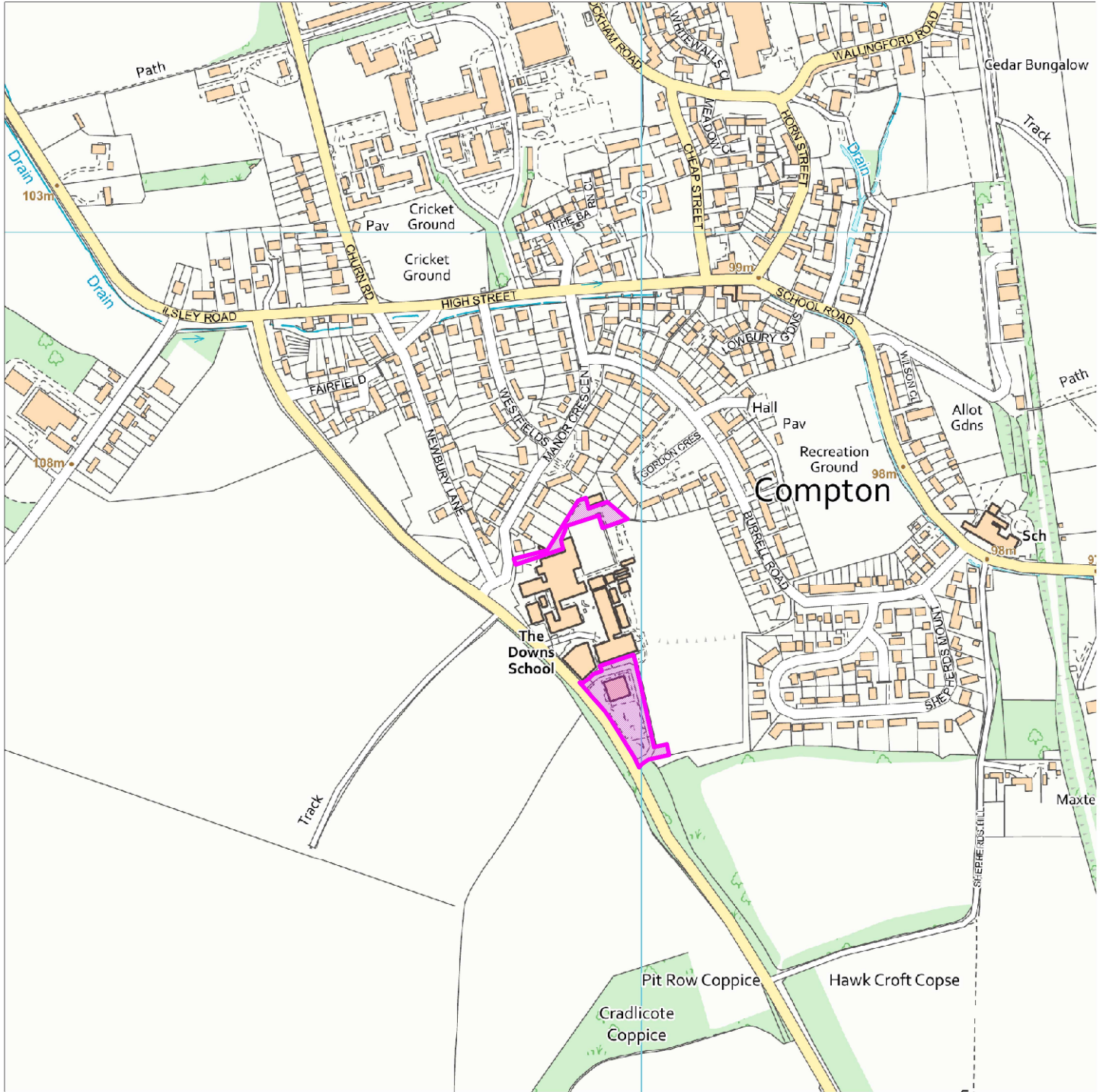
	<p>special construction works within any defined tree protection area. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.</p> <p>Reason: To ensure the protection of trees identified for retention at the site. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026). A pre-commencement condition is required as insufficient information accompanies the application and the works to trees and protection measures will be required at the outset of development and during the construction phase.</p>
15.	<p>Biodiversity Enhancements</p> <p>The development hereby permitted shall not be brought into use until biodiversity enhancements have been installed in accordance with details which 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 in accordance with the National Planning Policy Framework and policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
16.	<p>Avoiding disturbance to bats during construction</p> <p>No activities that could result in disturbance to roosting bats (such as works to trees or demolition) shall only be carried out under the direction of a licensed bat ecologist to ensure that an offence is not committed.</p> <p>Reason: To ensure protection to protected species in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
17.	<p>Protection of birds during construction</p> <p>No removal or works to trees shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.</p> <p>Reason: To ensure that breeding birds are protected from harm during construction in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>

Informatives

1.	Proactive
2.	CIL
3.	<p>Thames Water</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames</p>

	Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
4.	Damage to footways, cycleways and verges The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge, arising during building operations.
5.	Damage to the carriageway The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
6.	Advertisement consent It will be necessary to submit a separate application for Advertisement Consent for advertisements to be displayed on the site, including the school logo shown on the north facing elevation of the sports hall.
7.	Tree protection precautions The following precautions are recommended to ensure that the trees which are to be retained during the development are protected from damage: (a) Ensure that all works occur in a direction away from the trees. (b) Ensure that no materials are stored within close proximity i.e. underneath the canopy of trees to be retained. (c) Ensure that all mixing of materials that could be harmful to tree roots is done well away from trees (outside the canopy drip line) and downhill of the trees if on a slope, to avoid contamination of the soil. (d) To ensure the above, erect chestnut pale fencing on a scaffold framework at least out to the canopy extent to preserve rooting areas from compaction, chemicals or other unnatural substances washing into the soil. (e) If this is not possible due to working room / access requirements The ground under the trees' canopies on the side of construction / access should be covered by 7.5cm of woodchip or a compressible material such as sharp sand, and covered with plywood sheets / scaffold boards to prevent compaction of the soil and roots. This could be underlain by a non-permeable membrane to prevent lime based products / chemicals entering the soil. (f) If there are any existing roots in situ and the excavation is not to be immediately filled in, then they should be covered by loose soil or dry Hessian sacking to prevent desiccation or frost damage. If required, the minimum amount of root could be cut back using a sharp knife. (g) If lime based products are to be used for strip foundations then any roots found should be protected by a non-permeable membrane prior to the laying of concrete.

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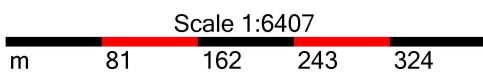
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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	10 August 2023
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