

Notice of Meeting



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Eastern Area Planning Committee Wednesday 6 November 2024 at 6.30 pm in the Council Chamber, Council Offices, Market Street, Newbury

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

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

If members of the public wish to make representations to the Committee on any of the planning applications being considered at this meeting, they can do so either remotely or in person. Members of the public who wish to make representations must notify the Planning Team by no later than 4.00pm on Tuesday 5 November 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 29 October 2024

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.



Agenda - Eastern Area Planning Committee to be held on Wednesday 6 November 2024
(continued)

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

Agenda - Eastern Area Planning Committee to be held on Wednesday 6 November 2024
(continued)

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

Substitutes: Councillors Laura Coyle, Jane Langford, Janine Lewis, Biyi Oloko,
Christopher Read and Joanne Stewart

Agenda

Part I

Page No.

1. **Apologies for absence**
To receive apologies for inability to attend the meeting (if any).
 2. **Minutes** 7 - 10
To approve as a correct record the Minutes of the meeting of this Committee held on 4 September 2024.
 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) **24/00533/FULMAJ - Sulhamstead** 11 - 34
- Proposal:** Section 73a: Variation of conditions 16 (Private Equestrian Use), 4 (CEMP), 6 (Landscaping), 7 (Biodiversity Mitigation and Enhancement Plan) and 15 (Manure Storage and Disposal) and remove condition 5 (Tree Protection) of previously approved application 21/03260/COMIND: Change of use of agricultural land to equestrian and erection of stable block/yard, menage and creation of associated access. Retention of 4 No. temporary field shelters and mobile stable unit on skids
- Location:** Oakdown Fields, Shortheath Lane, Sulhamstead, Reading
- Applicant:** Mrs and Mr Cottingham
- Recommendation:** To delegate to the Development Manager to

Agenda - Eastern Area Planning Committee to be held on Wednesday 6 November 2024

(continued)

GRANT PLANNING PERMISSION subject to the conditions listed in the report.

- (2) **24/01667/TPW - Tilehurst** 35 - 46
- Proposal:** Step 1. Installation of new fencing around field margins and PRow routes within the RPAs of TPO trees.
- Step 2. Methodology and design for upgraded footpath along the central tree lined and hedgerow section of PRow and within the RPAs of retained trees.
- Stage 3. Design methodology and construction of proposed drainage improvements of existing ditches within the RPAs of retained trees
- Location:** Land East Of Pincents Lane, Tilehurst, Reading
- Applicant:** Landsec U+I
- Recommendation:** To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed in the report.
- (3) **24/01163/REG3 - Thatcham** 47 - 58
- Proposal:** The proposal is to change the usage for Laburnam from Age Concern class F2 to class E for WBC Staff Offices
- Location:** The Laburnam Centre, Stirling Way, Thatcham, RG18 3FW
- Applicant:** West Berkshire Council
- Recommendation:** To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed in the report.
- (4) **2400955FUL - Purley Park Trust** 59 - 74
- Proposal:** Retrospective change of an area of waste land approx. 200sqm in the south of the site to provide car park space for up to 6 cars. Removal of storage shed (7.3m x 4.3m) and a derelict greenhouse.
- Location:** Huckleberry Close, Purley On Thames, Reading, RG8 8HU
- Applicant:** Purley Park Trust
- Recommendation:** To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed in the report.



Agenda - Eastern Area Planning Committee to be held on Wednesday 6 November 2024
(continued)

Background Papers

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

Sarah Clarke.

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

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



West Berkshire
C O U N C I L

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DRAFT

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

EASTERN AREA PLANNING COMMITTEE**MINUTES OF THE MEETING HELD ON
WEDNESDAY 4 SEPTEMBER 2024**

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

Also Present: Stephen Chard, Shaheen Kauser, Thomas Radbourne, Simon Till

PART I**4. Minutes**

The Minutes of the meeting held on 10 July 2024 were approved as a true and correct record and signed by the Chairman subject to the inclusion of the following amendments:

- 'Warren Davies' corrected to 'Warren Richards' who was from Transforming Developments Ltd, not the Care Quality Commission.
- Final line, specialist transport would be from the applicant Transforming Developments Ltd or the Local Authority.
- Page 10 – Second bullet point Paragraph 30 amended to say "members were advised to consider"
- Final sentence was amended to say, "He had listened to concerns".

5. Declarations of Interest

Councillor Justin Pemberton declared an interest in Agenda Item 4 (1) by virtue of the fact that he used to live in the next door property, however, he did not know the applicant. He reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

6. Schedule of Planning Applications**(1) Application No. and Parish: 24/00378/HOUSE Woolhampton**

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 24/00378/HOUSE in respect of a Retrospective New patio and garden works, 49 Abbey Gardens, Woolhampton, Reading, RG7 5TZ.

1. Mr Simon Till 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 Development Manager be authorised to grant planning permission subject to the conditions outlined in the main and update reports/for the reasons listed in the main and update reports.

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2. In accordance with the Council's Constitution, Dr Diana Davies, supporter, and Ms Helena Reid-Hinchcliffe, applicant/agent, addressed the Committee on this application.

Supporter Representation

3. Dr Diana Davies addressed the Committee. This representation can be viewed on the recording: [Eastern Area Planning Committee](#)

Member Questions to the Supporter

4. Members asked questions of clarification and were given the following responses:

- No further additional applications would be made such as a gazebo.

Applicant/Agent Representation

5. Helena Reid-Hinchcliffe addressed the Committee. This representation can be viewed on the recording: [Eastern Area Planning Committee](#)

Member Questions to the Applicant/Agent

6. Members asked questions of clarification and were given the following responses:
7. The applicant had not been informed by the Estate Management Company that any development would need planning permission as there were no permitted development rights in place.

Ward Member Representation

8. Councillor Christopher Read addressed the Committee. This representation can be viewed on the recording: [Eastern Area Planning Committee](#)

Member Questions to the Ward Member

9. Members did not have any questions of clarification.

Member Questions to Officers

10. Members asked questions of clarification and were given the following responses:
 - Mr Till stated that there was a drain channel to the rear of the site. Planning would extend to the matter of strategic drainage issues and flood risk. The planning application was a localised drainage issue in an area without existing drainage issues. Drainage in this case would be a civil matter between the landowners concerned, rather than a planning matter to consider.
 - Mr Till noted that as part of the conveyancing of properties, Solicitors are required to assemble the correct planning permissions in relation to properties that is compiled into an information pack that would be passed on to the buyer of the property. In this case the removal of permitted development rights featured within the original planning permission for redevelopment of the site into residential, and would have been within the information pack passed on to the prospective buyer at the time.
 - Mr Till noted that regarding the removal of permitted development rights, it applied to all extensions, outbuildings, and alterations to the exterior of the properties and would cover development of a permanent nature outside of the property. Temporary structures were a different matter which Planning could not apply control over, unless they were sited in such a manner as to effectively constitute a permanent structure. There were controls in place for any additional structures.
 - Mr Till stated that a patio had been taken into Case Law as constituting a raised platform in terms of interpreting permitted development rights. Permitted development

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rights restrict raised platforms above 30 cm. However, all permitted developments rights had been removed from the property, so they would not apply to this application. The works undertaken do constitute works that require planning permission.

Debate

11. Councillor Jeremy Cottam opened the debate by highlighting the localised flooding potential but supported the application.
12. Councillor Richard Somner stated that they had looked into the location of the site, and considered the local area, and noted that there was no permitted development in place and highlighted the lack of information provided to the applicants. Councillor Somner indicate that he supported the application.
13. Councillor Somner 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 Cottam
14. The Chairman invited Members of the Committee to vote on the proposal by Councillor Somner, seconded by Councillor Cottam to grant planning permission. At the vote the motion was carried

RESOLVED that the Development Manager be authorised to grant planning permission subject to the following conditions and informatives.

Conditions

1. Approved details

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

- Application form - 29/02/2024
- CIL form - 29/02/2024
- Location and Block Plan - 15/02/2024
- Sections, Elevation and Plan - 29/02/2024

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

2. Materials

The materials to be used in the development hereby permitted shall be as specified on the plans or application forms. Where stated that materials shall match the existing house, those materials shall match those on the existing development in colour, size and texture.

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).

Informatives

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

EASTERN AREA PLANNING COMMITTEE - 4 SEPTEMBER 2024 - MINUTES

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.

(The meeting commenced at 6.30 pm and closed at 7.05 pm)

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	24/00533/FULMAJ Sulhamstead	14 th June 2024 ¹	Section 73a: Variation of conditions 16 (Private Equestrian Use), 4 (CEMP), 6 (Landscaping), 7 (Biodiversity Mitigation and Enhancement Plan) and 15 (Manure Storage and Disposal) and remove condition 5 (Tree Protection) of previously approved application 21/03260/COMIND: Change of use of agricultural land to equestrian and erection of stable block/yard, menage and creation of associated access. Retention of 4 No. temporary field shelters and mobile stable unit on skids Oakdown Fields, Shortheath Lane, Sulhamstead, Reading Mrs and Mr Cottingham
¹ Extension of time agreed with applicant until 11 th October 2024			

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

<https://publicaccess.westberks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SAE7OYRD0S100>

Recommendation Summary: To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions

Ward Member(s): Councillor Ross Mackinnon

Reason for Committee Determination: More than 10 letters of objection received

Committee Site Visit: 2nd October 2024

Contact Officer Details

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

1. Introduction

- 1.1 The purpose of this report is for the Committee to consider the proposed development against the policies of the development plan and the relevant material considerations, and to make a decision as to whether to approve or refuse the application.
- 1.2 This application seeks to vary conditions 16 (private equestrian use), 4 (CEMP), 6 (landscaping), 7 (biodiversity mitigation and enhancement plan) and 15 (manure storage and disposal) and remove condition 5 (tree protection) of previously approved application 21/03260/COMIND.
- 1.3 The application site includes 6.92ha of land used for equestrian purposes as granted under 21/03260/COMIND. The land is to the south of Shorth Heath Lane and to the west of Burghfield Common. The stable block and manège granted permission under 21/03260/COMIND have been built and sit adjacent to the western boundary of the application site. The proposed access in the north-east corner is not yet constructed with the existing access to the north-west being utilised. The parking area has not yet been formalised.
- 1.4 The original permission 21/03260/COMIND granted the change of the use of the site from agricultural to equestrian and the erection of a stable block/yard and manège. The proposal also included the creation of an associated access and the retention of 4 temporary field shelters and mobile stable unit on skids.
- 1.5 This application originally sought to vary condition 16 which required the application site to only be used for private recreational equestrian purposes to allow for the use of the site for assisted livery purposes. It is intended that other people could keep their horses at the site, and these would primarily be looked after by the applicants with owners visiting occasionally. It is not intended for the site to be used for commercial riding, breeding or training.
- 1.6 During the application the proposal description was updated to include additional amendments to permission 21/03260/COMIND. This was to regularise conditions that had not been fully satisfied under 22/02542/COND or where details had not been submitted in line for the requirements of the condition. The following is proposed:
 - Vary the wording of condition 4 so that the construction of the new access (granted under 21/03260/COMIND) does not take place until a CEMP has been submitted and approved in writing by the Local Planning Authority.
 - Remove condition 5 for tree protection as this is no longer required.
 - Vary the wording of condition 6 for landscaping works to be carried out in accordance with details submitted with this application.
 - Vary the wording of condition 7 to require biodiversity enhancement measures to be submitted and approved in writing by the Local Planning Authority.
 - Vary the wording of condition 15 requiring the storage and disposal of manure is carried out in accordance with details submitted during the course of the application.
- 1.7 During the course of the application a Landscape and Ecological Management Plan was submitted to address the requirements of condition 4 and 7 to avoid the use of a condition requiring details.
- 1.8 Condition 8 related to external lighting is not intended to be varied or removed as part of this application. It is proposed that the external lighting that has been installed would be removed and that an application would be submitted to agree any external lighting details if the applicant wished to install external lighting.

2. Planning History

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

Application	Proposal	Decision / Date
22/02542/COND	Application for approval of details reserved by condition 1 'Commencement of Development', 3 'Construction Method Statement', 4 'Construction Environmental Management Plan', 5 'Tree Protection Scheme', 6 'Landscaping', 7 'Biodiversity Mitigation and Enhancement Plan', 9 'Ecology Report', 11 'Hours of Work' and 12 'Drainage' of approved application 21/03260/COMIND: Change of use of agricultural land to equestrian and erection of stable block/yard, menage and creation of associated access. Retention of 4 No. temporary field shelters and mobile stable unit on skids.	PART APPROVED/ PART REFUSED 17.08.2023
21/03260/COMIND	Change of use of agricultural land to equestrian and erection of stable block/yard, menage and creation of associated access. Retention of 4 No. temporary field shelters and mobile stable unit on skids.	APPROVED. 07.10.2022

2.2 21/03260/COMIND is the original permission which this application seeks to vary conditions.

2.3 22/02542/COND sought to approve details relating to permission 21/03260/COMIND. The split decision was as follows:

- Condition 1 (commencement) and 9 (ecology surveys): Development had commenced and it was considered that these conditions could be discharged.
- Condition 3 (Construction Method Statement) and 12 (Drainage): It was considered that the details were adequate, and these were approved.
- Condition 4 (CEMP), 5 (tree protection scheme), 6 (landscaping) and 7 (biodiversity mitigation and enhancement plan): Details were considered inadequate and therefore refused.
- 11 (hours of work): It was considered that the construction hours condition was adhered to and therefore discharged.

2.4 Permission 21/03260/COMIND is not considered to be invalid, and details required by condition can be dealt with under the current Section 73a. Case law advises a judgement must be made as to whether the conditions go to the heart of the permission as to whether the permission is made invalid. Whilst some of the conditions were pre-commencement this was due to requiring compliance with the conditions during construction and did not go to the heart of permission e.g. these details did not make the stables and change of use unacceptable. Furthermore 22/02542/COND discharged the commencement condition.

3. Legal and Procedural Matters

- 3.1 **Environmental Impact Assessments (EIA):** Under 21/03260/COMIND it was advised that due to the nature, scale and location 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. The proposed variations to the original permission are not considered to affect this assessment.
- 3.2 **Publicity:** Publicity has been undertaken in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's Statement of Community Involvement. Site notices were displayed on 24th April 2024 at Shortheath Lane, with a deadline for representations of 16th May 2024. A public notice was displayed in the Reading Chronicle on 4th April 2024; with a deadline for representations of 18th April 2024. An amended plans site notices were displayed on 31st July 2024 at Shortheath Lane and Hollybush Lane; with a deadline for representations of 21st August 2024.
- 3.3 **Local Financial Considerations:** Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body. The table below identified the relevant local financial considerations for this proposal.

Consideration	Applicable to proposal	Material to decision	Refer to paragraph(s)
Community Infrastructure Levy (CIL)	No	No	3.4
New Homes Bonus	No	No	
Affordable Housing	No	No	
Public Open Space or Play Areas	No	No	
Developer Contributions (S106)	No	No	
Job Creation	Yes	Yes	6.7 & 7.1

- 3.4 **Community Infrastructure Levy (CIL):** CIL is a levy charged on most new development within an authority area. The money is used to pay for new infrastructure supporting the development of an area by funding the provision, replacement, operation or maintenance of infrastructure. This can include roads and transport facilities, schools and education facilities, flood defences, medical facilities, open spaces, and sports and recreational areas. 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). The proposal does not fall within the development categories liable for CIL.

- 3.5 **Public Sector Equality Duty (PSED):** In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The Council must have due regard to the need to achieve the following objectives:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.6 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—
- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3.7 The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have regard to and remove or minimise disadvantage. In considering the merits of this planning application, due regard has been given to these objectives.
- 3.8 There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.
- 3.9 **Human Rights Act:** The development has been assessed against the provisions of the Human Rights Act, including Article 1 of the First Protocol (Protection of property), Article 6 (Right to a fair trial) and Article 8 (Right to respect for private and family life and home) of the Act itself. The consideration of the application in accordance with the Council procedures will ensure that views of all those interested are taken into account. All comments from interested parties have been considered and reported in summary in this report, with full text available via the Council's website.
- 3.10 Letters of representation have raised issues regarding impact on amenity. However, any interference with the right to a private and family life and home arising from the scheme as a result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the district and wider area and is proportionate given the overall benefits of the scheme in terms of benefits to the rural economy.
- 3.11 Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

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.

Sulhamstead Parish Council:	No objections, with the assumption that the other restrictions on the use of the site for commercial purposes would remain.
Adjacent: Ufton Nervet Parish Council:	Object: Concerns with suitability of Shortheath Lane and the impact to traffic. Queries whether commercial use is taking place.
Adjacent: Burghfield Parish Council:	No objection to original and amended submission.
WBC Highways:	Request for additional information regarding vehicle movements and car parking layout. Amended description & further information: No comments to make on amended layout drawings as these only relate to minor changes that do not impact on highway considerations. No objections to the variation of condition 16- full comments in report.
WBC Ecology:	Further information is required it is requested that a biodiversity mitigation and enhancement condition is required. Conditions for Construction Environmental Management Plan, Landscape and Ecological Management Plan and lighting strategy. Agreed with Ecologist different condition triggers due to stage of development. Amended description: No objection to variations of conditions. Landscape and Ecological Management Plan: no objection but would need to ensure any external lighting does not harm protected species.
WBC Trees:	Request for landscaping plan to include measures to protect root protection buffer. Amended Landscape Plan: With the tree protection annotation this is acceptable.
WBC Public Protection Partnership:	No objection to original and amended submission.
WBC Lead Local Flood Authority:	No comments to make on original and amended submission.
WBC Joint Emergency Planning Unit:	No adverse comments to make on original and amended submission.

Office for Nuclear Regulation:	No comment- does not meet consultation criteria.
WBC Planning Policy:	No comments received at time of writing the report.
Ward Member:	No comments received at time of writing the report.

Public representations

4.2 Representations have been received from 20 contributors, 7 of which support, and 13 of which object to the proposal.

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

- **Objection:**
 - Impact on traffic and road safety: suitability of existing roads, damage to existing roads, increase in vehicle movements, use of existing access, already consider there has been a noticeable increase in traffic, request for cut-back of hedge on Shortheath Lane.
 - Intensification of use would harm the environment including noise, damage to surrounding bridleways, traffic.
 - Commercial use and buildings out of character with existing area.
 - No requirement for the livery yard within area.
 - Concerns with the location of the site in relation to AWE Burghfield DEPZ and that further information should be provided regarding public safety.
 - Potential breaches of planning control: already being used for commercial purposes, storage of vehicles, conditions on original permission not met.
- **Support:**
 - Request to control volume and timings of vehicles including no on road parking.
 - Supporting the local equestrian industry with the provision of a livery yard.
 - Suitable location for equestrian development.
 - In-keeping with the rural character of the area.
 - Impacts to infrastructure would be minimal.
 - Local business support and employment.
 - Preferential to housing development.

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, ADPP6, CS5, CS10, CS12, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).

- Policies TRANS.1, OVS.5, OVS.6, ENV.29 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

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

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance
- Environmental impacts
- Highways
- Trees and ecology
- Other matters

Principle of development

6.2 Policy ADPP1 advises that only appropriate development in the countryside will be allowed focused on an identified needs and maintaining a strong rural economy. Policy ADPP6 seeks to strictly control development in the countryside.

6.3 Policy CS10 seeks appropriate farm diversification and support for small and medium business enterprises to maintain a strong rural economy. It is noted there is a particular support for diversification where they are located in or adjacent to a Rural Service Centre or Service Village. This is further supported through CS12 for proposed equestrian development that helps to strengthen the rural economy and increase opportunities for people to enjoy the countryside in a sustainable manner.

6.4 Saved Policy ENV.29 relates to the principle of stabling accommodation. In which stabling is required to meet criteria related to impact on the character of the area, amenity, highway safety and welfare of the horses.

6.5 The principle of changing the use of the site from agricultural land to equestrian use with associated development including stables, manège, new access and car parking area have been established by permission 21/03260/COMIND.

6.6 It is considered that the current development plan supports the use of the stable accommodation and the equestrian land for assisted livery purposes. Whilst Policy ADPP1 advises only appropriate development is allowed in the countryside, an equestrian use would be a typical rural use. In addition, the application site is located in close proximity to the Rural Service Centre of Burghfield Common (the closest eastern corner of the field is approximately 46 metres from the settlement boundary). Policy CS10 seeks to support farm diversification of sites adjacent to Rural Service Centres.

6.7 It is noted that letters of representation both argue for and against an identified need. However, the supporting information with the application advises that the proposed variation to condition 16 will allow for assisted livery services and permit the applicants to accommodate horses for a fee. It would also create employment for one full-time worker (the applicant's daughter) with some occasional part-time and weekend staff

opportunities. This aligns with the aims of Policy CS10 and CS12 which seek equestrian development that strengthens the rural economy.

- 6.8 The variations to conditions 4, 5, 6, 7 and 15 relate to development management considerations and therefore it is considered that these would not impact on the principle established under 21/03260/COMIND.

Character and appearance

- 6.9 Policy CS14 seeks development that must demonstrate high quality design that respects and enhances the character of the area. Development shall contribute positively to local distinctiveness and sense of place.
- 6.10 Policy CS19 requires particular regard given to the sensitivity of the area to change, ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.11 Saved Policy ENV.29 advises stables will be permitted where the design will blend into the landscape and the buildings would not urbanise an attractive rural area or spoil key views or vistas.
- 6.12 This application is not intended to change the built form and therefore these remain acceptable.
- 6.13 It is noted that letters of representation raise concerns with the commercial use and intensification that would result in harm to the rural character of the area.
- 6.14 It is acknowledged there may be some intensification of use if an assisted livery use was granted because there would be more visitors to the site because of horses being visited by their owners which would extend beyond the applicants. However, there is no intention to increase the number of horses kept at the site from the 16 that was agreed on the original permission. Furthermore, the applicants propose only one full-time worker to visit the site who would look after the horses which as a result would not require the owners visiting the site every day. It is therefore considered that any intensification of use would not be significantly different than that approved and not harmful to the rural character of the area.
- 6.15 Details of soft landscaping for condition 6 have been submitted as part of this application which included planting a hedge on the western boundary of the site with the retention of the roadside bank and hedge (apart from where the new access is proposed). This was considered to still maintain the rural character of the area. The plans indicate for the parking area a new bank will be proposed. It is suggested that this will be small in scale, however details are recommended to be dealt with by condition to ensure it would be acceptable. The knee rail is acceptable and the fence line to the south of the parking area has already been erected under permitted development.
- 6.16 Details for condition 15 (manure storage and disposal) do indicate that a storage container is stored on site and collected (every 1-2 months dependent on season and number of horses). The storage container does increase the number of equestrian paraphernalia on the site. It is considered that on balance this would be acceptable, but to prevent any further proliferation of equestrian paraphernalia on the site it is recommended that a condition be applied to this permission that no other materials, goods, storage containers etc. should be stored on the land particularly with the proposed change to the commercial use.
- 6.17 It is considered with the use of conditions that an acceptable impact on the character of the area could be secured.

Environmental impacts

- 6.18 Policy CS14 seeks development that will have a positive contribution to the quality of life in West Berkshire.
- 6.19 Saved Policy ENV.29 seeks buildings that would not cause a material loss for the occupants of the adjoining properties or other users of the countryside.
- 6.20 Saved Policies OVS.5 and OVS.6 seeks development that does not give rise to unacceptable pollution of the environment and that adverse impacts should be minimised include noise and waste disposal.
- 6.21 The built form is not proposed to be changed under this application and therefore physical impacts such as outlook, daylight/sunlight and privacy would remain unchanged.
- 6.22 Letters of representation raised concerns with noise generated from a commercial operation taking place from site. It is not considered that the assisted livery use would generate adverse noise impacts to be a nuisance to nearby residential properties. It is suggested that the hours visitors (other than employees/emergencies) are allowed to visit is restricted to help minimise disturbance through a condition. No objections from Public Protection Partnership have been received.
- 6.23 The impact from traffic from an environmental perspective is not considered to be harmful to warrant refusal as it is not considered that there would be a significant difference to that approved.
- 6.24 Details for condition 15 seek to deal with manure storage and management. No objections have been raised from consultees regarding the use of the storage container or the timings of removal. It is considered that this is acceptable, and the condition wording can be amended for manure storage and disposal to be carried out in accordance with the details submitted.

Highways

- 6.25 Policy CS13 and Saved Policy TRANS.1 relate to access, parking, turning and highways impacts of a development. Road safety is a key consideration for all development.
- 6.26 Saved Policy ENV.29 requires for stabling that the access to and from the public highway is in a location that would present a hazard to riders and other highway users.
- 6.27 One of the main issues raised in letters of objection was the impact on the highway in terms of traffic and road safety. These concerns were also shared by the adjacent parish Ufton Nervet Council. However, it is noted that letters of support consider the impact from allowing a livery use would have a minimal impact on the highway.
- 6.28 Following the receipt of additional information requested by the Highways Officer, the Highways Officer provided the following comments on the variation to condition 16 to allow for an assisted livery services:

This application seeks consent for the variation of this condition to allow for the site, and stables, to be used for liveries. The site is currently restricted to private recreational equestrian purposes only. No commercial uses are permitted, such as commercial riding, breeding, training or liveries. This application seeks consent for the variation of the above condition to allow for the use of the site for liveries, but the restrictions on no commercial riding, breeding or training would remain.

The existing permission allows for up to 16 stabled horses to be on site and this number would not change as a result of this application.

The applicant proposes to provide an assisted livery service whereby the horse owner is provided with a stable in which to keep their horse and a field for the horse to graze and exercise on.

I understand that the horses are to be kept on site as part of the livery service and would be primarily cared for by the applicant's daughter, who would be based on site as a full-time worker. I understand that this is quite normal practise for yards that have a livery service that someone looks after the horses for an assortment of owners.

It is unlikely that the owners would visit the site on a daily basis, and even if they did that would be 16 car movements in an out per day, and even that from a highways point of view would not be significant.

I note the concerns from objectors regarding horses being transported to and from the site but as with all horse yards that's unlikely to occur on a daily basis. I am not convinced that having the horses differently owned would mean significant additional journeys for them to be transported to from the site. If there are additional horsebox or trailer movements then I would consider overtime that they would be very low in number per week for what is a relatively small yard.

In conclusion, from the evidence put before me, I do not consider but the proposal would cause sufficient harm for us to recommend refusal. Therefore, all our previous comments still apply, and the local highway authority raises no objection.

- 6.29 This application does not intend to change the access and parking area approved under 21/03260/COMIND. As part of the original application visibility splays were provided for the new access and form part of the existing approved plans condition. It is noted that these have yet to be constructed and it is recommended before an assisted livery service commence that the access and parking area are constructed.
- 6.30 Whilst the objections are noted due to the proposed scale of the assisted livery service and that the number of horses will remain the same to that granted permission it is considered that the impact to the highways would not result in harm that would warrant refusal.

Trees and ecology

- 6.31 Policy CS17 seeks the conservation and enhancement of biodiversity assets across the District. Policies CS14 and CS18 are also relevant seeking the proposals enhancing biodiversity, opportunities for landscaping and the protection of green infrastructure.
- 6.32 The proposed amendment to allow for an assisted livery service would not impact upon the trees and ecology. However, details submitted in relation to other conditions do relate to the protection of biodiversity and trees.
- 6.33 With the original submission of the application, the Council's Ecologist requested that condition 4 regarding the Construction Ecological Management Plan (CEMP) be amended so that a plan could be agreed before works commence on the access and parking area. During the application a Landscape and Ecology Management Plan (LEMP) was submitted which sought to address the requirements of the CEMP condition. The Council's Ecologist was satisfied with this.

- 6.34 Regarding condition 7, the Council's Ecologist recommended that the condition be amended for these details to be submitted before works commence on the access and parking area and suggested an additional condition of a Landscape and Ecology Management Plan to ensure biodiversity is enhanced at the site. During the application a LEMP was submitted to address these requirements. The Council's Ecologist was satisfied with this.
- 6.35 It is recommended that conditions 4 and 7 are replaced with one condition for construction works and enhancement works be carried out in accordance with the LEMP submitted.
- 6.36 It was noted that the Council's Ecologist was concerned regarding the use of external lighting. The applicants are proposing to remove the existing lighting that has been installed. It is recommended that a condition be applied to require their removal within 1 month of this permission if granted approval. It was requested that an external lighting condition required consideration was given to areas particularly sensitive to bats and how the design would prevent any harm. This is because the Ecology Officer wanted to ensure that any car park lighting would not disturb the proposed bat boxes indicated in the LEMP. It is recommended that the condition be updated to reflect the Ecologists requirements.
- 6.37 The applicant is seeking the removal of condition 5 regarding tree protection measures during construction. Most works have been undertaken and therefore it is not possible to retrospectively require these details. The Tree Officer has not requested the condition be re-applied for remaining works. An informative is advised to be applied for tree protection measures for the remaining construction.
- 6.38 The applicant sought to submit details for the soft landscaping condition this would vary condition 6 which required details to be submitted before the use commences. The Tree Officer did not agree to the first plan submitted because it did not include measures to protect the 5-metre root protection area and there were concerns that cars may park in this area. A new plan was submitted on 05.09.2024 this was considered acceptable to the Tree Officer. It is recommended a condition is applied which requires landscaping in accordance with the submitted plan and specifying that the knee fence shall be poisoned 5 metres from the hedge to form the root protection buffer.
- 6.39 Whilst it has not been possible to secure protections for works that have taken place it is considered the details submitted would minimise the impact to trees and ecology and on balance it is considered to be acceptable.

Other matters

- 6.40 Flooding and Drainage: the proposed variations and removal of conditions does not impact on flooding and drainage. The Lead Local Flood Authority considered they did not need to provide further comments.
- 6.41 Detailed Emergency Planning Zone (DEPZ): The site sits on the boundary with the DEPZ for AWE Burghfield. It is noted a letter of representation has raised concerns regarding public safety and the DEPZ in relation to this development. However, the Joint Emergency Planning Unit consider that since there are no residential units proposed and there continues to be a defining gap between the current DEPZ and Ufton Nerve there was no adverse comments to make. The Office for Nuclear Regulation did not wish to comment on this application.
- 6.42 Horse welfare: Saved Policy ENV.29 requires consideration to be given to whether there is sufficient space and land to accommodate the number of horses. The amendments

proposed to 21/03260/COMIND do not alter the number of horses and therefore this is still considered to be acceptable.

- 6.43 Potential breaches of planning control: It is noted in letters of representation refer to breaches in the conditions on 21/03260/COMIND and that the site is potentially being used for commercial purposes before a decision on this application. It is unfortunate that works had taken place without securing tree protection and biodiversity measures which cannot be addressed retrospectively, however details submitted with this application seek to regularise and mitigate impacts of the development. It is noted that there is a live enforcement case for this site, but this permission would regularise any commercial activity if this has taken place on site. It is not a material planning consideration that this application is made retrospectively.

Update

- 6.44 The applicant requested amendments to proposed conditions 14 (New Bank), 16 (Restriction on externally stored equestrian paraphernalia) and 17 (Visitor Hours). These were considered as part of the Update Report to committee and this consideration is repeated below.

The applicant has suggested that the condition for the new bank could be amended to require that the bank shall match the roadside bank in height and appearance. It is suggested that this amendment to the condition is acceptable as this would mean the new bank would not result in harm to the character of the area.

The applicant has raised concerns that condition 16 would make it difficult to properly manage the land effectively. It is suggested to assist with the management of the land that the condition is amended to remove the word operated and include a caveat for equipment required for the maintenance of the land. Concerns were raised with the use of the of equestrian paraphernalia it is considered that this is both reasonable and precise as it intends to cover other items equipment required for equestrian purposes and is also described in the preceding list.

Regarding the visiting hours, a small extension to those recommended in the condition is proposed to accommodate the greater opportunity in summer for owners to visit their horses. It is suggested that visits could commence from 07:00 and finish at 20:00. It is considered the slight variation would both still safeguard the living conditions of surrounding occupiers and the rural character of the area. Due to the proposed use as an assisted livery where care will be predominately carried out by an employee it is not considered that visitor hours would need to be further extended to protect the welfare of the horses. A condition is still considered necessary to protect amenity of nearby residential dwellings (objections received did relate to noise) and the reason will be updated to also include that the protection of the rural character of the area.

- 6.45 The conditions in this agenda report have been updated to reflect the changes suggested in the Update Report.

7. Planning Balance and Conclusion

- 7.1 The proposed variation to condition 16 to allow for an assisted livery service at Oakdown Fields would in principle be supported. This variation to the condition would deliver some minor economic and social benefits due to the creation of a full-time job and some

occasional weekend staff. It would help to maintain a strong rural economy in accordance with Policy ADPP1, CS10 and CS12 in the Core Strategy. It is acknowledged there is some support for this proposal from the public regards to the provision of the assisted livery service.

7.2 However, it is noted that there are objections to the proposal in terms of traffic, road safety and environmental impacts. With the use of conditions, it is considered that the impact on character of the area, amenity, trees and ecology can be minimised. Furthermore, it was considered that the proposed intensification of the use would not have a significant impact to the highway. These matters are given neutral weight in the planning balance.

7.3 It is therefore considered the proposed variations and removal of conditions proposed to 21/03260/COMIND would be acceptable and conditional approval is recommended.

7.4 The following is proposed for the conditions on 21/03260/COMIND:

- Condition 1 (commencement of development) and 9 (validity of ecology surveys) of 21/03260/COMIND have been discharged and therefore are not recommended to be re-applied.
- Condition 2 (approved plans), 10 (materials), 11 (hours of work), 13 (number of horses), 14 (hay store/tack room use) are recommended to remain the same as approved on 21/03260/COMIND.
- Condition 3 (construction method statement) and Condition 12 (drainage) shall be amended for these to be carried out in accordance details approved by 22/02542/COND.
- Condition 4 (CEMP) and condition 7 (biodiversity mitigation and enhancement plan) shall be amended into one condition for details to be implemented in accordance with the Landscape and Ecological Management Plan submitted as part of this application.
- Condition 5 (tree protection) is recommended for removal.
- Condition 6 (landscaping) a condition requiring the remaining landscaping to be implemented in accordance with the Layout Plan received on 05.09.2024 with the root protection buffer.
- Condition 8 (lighting strategy) the wording is proposed to be amended to meet the requirements of the Ecology Officer.
- Condition 15 (manure storage and disposal) the use shall be carried out in accordance with the measures submitted with this application.
- Condition 16 (private equestrian use only) is amended to only allow for assisted livery use to be undertaken at this site. This would prevent any other commercial activity taking place on the site without an application for this purpose. This condition has been amended from the first agenda report for precision.

8. Full Recommendation

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

Conditions

1. Approved plans

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

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

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

2. Construction Method Statement

The remaining construction works hereby approved shall be constructed in accordance with the Method Statement received on 19.02.2022.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

3. Construction Environmental Management Plan and Landscape and Ecological Management Plan

All ecological measures and/or works shall be carried out in accordance with the details contained in Landscape and Ecological Management Plan (Arbtech, Updated 2.0) received on 30.08.2024 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

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

4. Landscaping

The hard and soft landscaping detailed on Layout Plan received on 05.09.2024 shall be implemented prior to the assisted livery is brought into use. The rail 'knee fence' shall be built in accordance with the details provided in email on 27.08.2024 and maintain a 5 metre buffer from the hedge on the northern boundary of the site as confirmed by email received on 26.09.2024.

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

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality. This is to ensure the implementation of a satisfactory scheme of landscaping in accordance with the National Planning Policy Framework and Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026).

5. **Lighting Strategy (Landscape/Ecology)**

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

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places; and
- c) Ensure all lighting levels are designed within the limitations of the appropriate lighting zone, as described by the Institute of Lighting Engineers.

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

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

6. **Materials**

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

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

7. **Hours of work (construction/demolition)**

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

8:30am to 6:00pm Mondays to Fridays;

9:00am to 1:00pm Saturdays;

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

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

8. **Drainage**

The drainage measures constructed in accordance with the Surface Water Strategy Revised Layout May 2023 shall be maintained hereafter.

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

9. **Number of horses**

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

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

10. **Hay store/tack room**

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

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

11. **Manure storage and disposal**

The methods of storage and disposal of manure provided within Supporting Information (Carter Jonas, 23/07/2024) received on 24.07.2024 shall be implemented and carried out in accordance with the approved details for the lifetime of the use.

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

12. **Restriction on commercial use**

No trade, business or commercial use of any kind other than assisted livery services (described in Cover Letter by Carter Jonas received on 15.03.2024) shall be carried out from the application site.

Reason: To ensure the scale, character and intensity of the development is appropriate to its location in the interests of highways safety, amenity and rural character of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS12, CS13, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Policies TRANS.1, OVS.5, OVS.6 and ENV.29 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

13. **Removal of existing external lighting**

Within one month of the decision, existing external lighting installed at the site shall be removed.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, and ensure lighting is appropriate within the landscape. This condition is

applied in accordance with the National Planning Policy Framework, and Policies CS17 and CS19 of the West Berkshire Core Strategy (2006-2026).

14. **New Bank**

The new bank indicated on Layout Plan received on 05.09.2024 shall be of a similar appearance and match the height of the existing roadside bank immediately adjacent to the new bank.

Reason: To ensure the new bank would respect the character 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).

15. **Vehicle access and parking**

Prior to the use of the stables and land for assisted livery purposes the new access and car parking area shown on the approved plans shall be constructed and brought into use. The car parking and access shall be maintained in that condition thereafter.

Reason: In the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

16. **Restriction on externally stored equestrian paraphernalia**

No materials, goods, plant, machinery, equipment, storage container, waste containers or other items of equestrian paraphernalia shall be stored, processed, repaired or displayed in the open land on the site other than that approved or such tools and equipment as required to carry out upkeep and maintenance of the land.

Reason: In the interest of the rural character of the site. This condition is applied in the accordance with the National Planning Policy Framework, Policies CS12, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Policy ENV.29 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

17. **Visitor hours**

The stable yard shall not be open to visitors (except for employees and in emergencies) outside of the following: 07:00 - 20:00 on every day of the week.

Reason: To safeguard the living conditions of surrounding occupiers and to protect the rural character of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Polices ENV.29 and OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Informatives

1. **Proactive**

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.

2. **Part retrospective**

This planning permission is granted in accordance with Section 73 A of the Town and Country Planning Act 1990.

3. **Biodiversity Net Gain (Not required S73)**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be West Berkshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

EXEMPTIONS AND TRANSITIONAL ARRANGEMENTS

The following are the statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

APPLICABLE EXEMPTION

The exemption that is considered to apply to this application is: The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

- (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
- (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

IRREPLACEABLE HABITAT

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

THE EFFECT OF SECTION 73D OF THE TOWN AND COUNTRY PLANNING ACT 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

PHASED DEVELOPMENT

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 would apply if the permission were subject to the biodiversity gain condition.

In summary: Biodiversity gain plans would be required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

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**

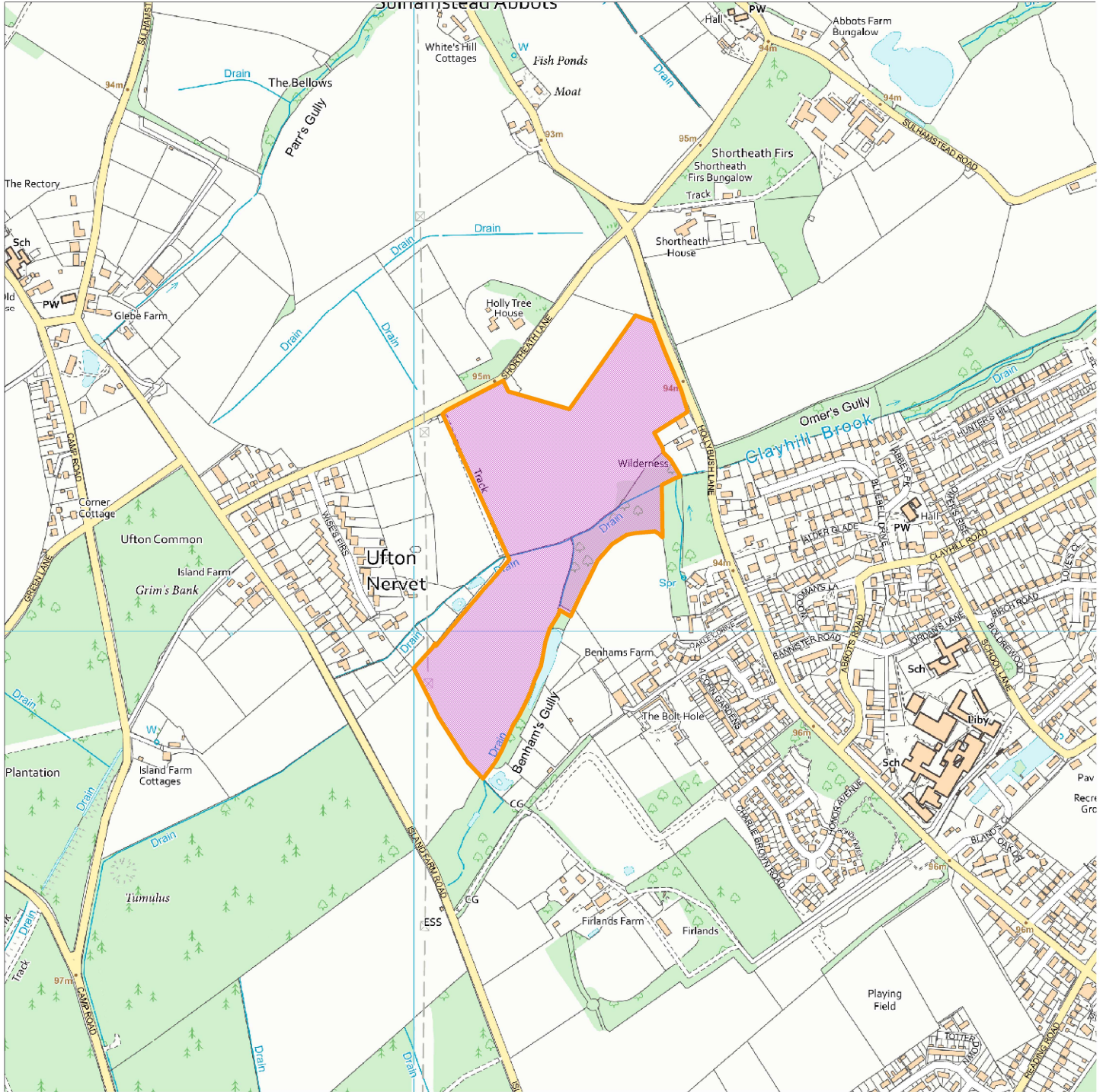
The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.

6. **Trees**

- To ensure that the trees/hedges which are to be retained are protected from damage, ensure that all works occur in a direction away from the trees.
- In addition, that no materials are stored within close proximity i.e. underneath the canopy of trees/hedges to be retained.
- Ensure that all mixing of materials that could be harmful to tree/hedge roots is done well away from trees/hedges (outside the canopy drip line) and downhill of the trees if on a slope, to avoid contamination of the soil.
- To ensure the above, erect chestnut pale fencing on a scaffold framework at least out to the canopy extent to preserve rooting areas from compaction, chemicals or other unnatural substances washing into the soil.
- If this is not possible due to working room / access requirements The ground under the trees'/hedge canopies on the side of construction / access should be covered by 7.5cm of woodchip or a compressible material such as sharp sand and covered with plywood sheets / scaffold boards to prevent compaction

of the soil and roots. This could be underlain by a non-permeable membrane to prevent lime based products / chemicals entering the soil.

- If there are any existing roots in situ and the excavation is not to be immediately filled in, then they should be covered by loose soil or dry Hessian sacking to prevent desiccation or frost damage. If required, the minimum amount of root could be cut back using a sharp knife.
- If lime-based products are to be used for strip foundations then any roots found should be protected by a non-permeable membrane prior to the laying of concrete.



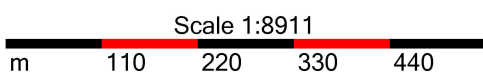
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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	27 September 2024
SLA Number	0100024151



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Agenda Item 4.(2)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	24/01667/TPW Tilehurst Parish	17 Sept 2024	<p>Proposal</p> <p>Step 1. Installation of new fencing around field margins and PRow routes within the RPAs of TPO trees.</p> <p>Step 2. Methodology and design for upgraded footpath along the central tree lined and hedgerow section of PRow and within the RPAs of retained trees.</p> <p>Stage 3. Design methodology and construction of proposed drainage improvements of existing ditches within the RPAs of retained trees</p> <p>Site</p> <p>Land East Of Pincents Lane, Tilehurst, Reading</p> <p>Applicant</p> <p>Landsec U+I</p> <p>6th Floor, 100 Victoria Street, Horley, London SW1E 5JL</p> <p>¹ Extension of time agreed with applicant until 6 Nov 2024</p>

The application can be viewed on the Council's website at the following link:
[24/01667/TPW | Step 1. Installation of new fencing around field margins and PRow routes within the RPAs of TPO trees. Step 2. Methodology and design for upgraded footpath along the central tree lined and hedgerow section of PRow and within the RPAs of retained trees. Stage 3. Design methodology and construction of proposed drainage improvements of existing ditches within the RPAs of retained trees | Land East Of Pincents Lane Tilehurst Reading](#)

Recommendation Summary: Approval recommended, with Arboricultural supervision condition

Ward Member(s): Councillors Joanne Stewart and Clive Taylor, Tilehurst Birch Copse

Reason for Committee Determination: Call in by Member

Committee Site Visit: 30th Oct 2024

Contact Officer Details

Name: Jon Thomas

Job Title:	Senior Tree Officer
Tel No:	01635 519611
Email:	Jon.thomas@westberks.gov.uk

1. Introduction

1.1 To report to and seek approval from Committee for proposed works subject to Tree Preservation Order 195.

1.2 The works include:

Step 1. Installation of new fencing around field margins and PRow (Public Rights of Way) routes within the RPAs (Root Protection Areas) of TPO (Tree Preservation Order) trees.

Step 2. Methodology and design for upgraded footpath along the central tree lined and hedgerow section of PRow and within the RPAs of retained trees.

Stage 3. Design methodology and construction of proposed drainage improvements of existing ditches within the RPAs of retained trees.

1.3 The site is a green area east of Pincents Lane. Historically the site was used as a golf course, since lapsed, but now the area is grass and scrub, with old tree lines and areas of young woodland developing.

1.4 The proposal seeks permission to carry out specific works within the Root Protection Areas of trees under Tree Preservation Order 195. These relate to fencing, surface works on the adjacent Tilehurst Public Footpath 13 and reinstating and or improving drainage alongside the path.

2. Planning History

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

Application	Proposal	Decision Date /
82/18372/ADD	Residential [outline]	Refused 02/03/1983 Appeal withdrawn
82/18373/ADD	Residential [outline]	Refused 02/03/1983 Appeal withdrawn
85/24064/ADD	New residential housing development	Withdrawn 23/07/1985
87/29614/ADD	Residential development with associated infrastructure and provision of public open space	Refused 09/09/1987

87/29774/ADD	Residential development with associated infrastructure and provision of public open space	Refused 09/09/1987 Appeal dismissed
89/35158/ADD	Residential development with low cost housing for local needs together with access road and associated infrastructure	Refused 10/08/1989
91/39251/ADD	Change of use of agricultural land to 9 hole pay and play golf course with kiosk car parking and road widening to Pincents lane	Approved 27/01/1995
92/40920/ADD	Temporary change of use of part of land for car parking and access to manor by pond	Withdrawn 15/03/1996
00/00268/FUL	Application to relax condition 6 of planning permission 139251 to allow the provision of an alternative 50 space car park and relocation of bollards on Pincents lane north westwards of the junction with Poplar Drive	Withdrawn 06/04/2001
18/00353/SCREEN	To provide up to 750 dwellings; a healthcare centre; library and children's library; business and communications forum; nursery/crèche; up to six shops; 40 - bed hotel with spa and gym facilities; up to two restaurants and cafes; one drinking establishment; primary school; open space and landscaping; three energy centres; new and improved accesses; parking for residents, staff and visitors; walking, fitness and jogging trails; ecology and wildlife corridors; up to four commercial offices; And up to ten homeworking units.	Refused 26/02/2010 Appeal dismissed
18/00353/SCREEN	EIA Screening Opinion Request	Application required 05/03/2018
18/01959/SCOPE	Scoping Opinion Request Environmental Impact Assessment (EIA) Scoping Report) as required under the Town and Country Planning (EIA) (England & Wales) Regulations 2017, in relation to an application for a residential development on land at Pincents Lane in Tilehurst, West Berkshire	Response issued 08/10/2018
19/00113/OUTMAJ	A hybrid application comprising the following elements: Outline application for up to 165 dwellings on the western part of the site and a 450sqm (GIA) of floorspace building in use class E to be offered initially to provide a community healthcare hub under use E(e), and excluding use E(g); Engineering operations on the area covered by the outline application to create suitable gradients for	Refuse 14/04/2022

	internal site roads and development platforms for the residential development; and FUL application for change of use of the eastern part (8ha) of the site for use as public parkland, to be protected from development in perpetuity. All matters except for access to the site are to be reserved. Matters for which detailed approval are sought are: The detailed design of the vehicular access to the site from Pincents Lane and associated turning area, the location emergency vehicular access to the site and the locations of pedestrian and cycling accesses to the site.	
23/01519/TPW	(201/21/95) A2 Area: TPO English Oak, Hazel and Field Maple - Re-pruning of only those branches impacted by poor pruning in February 2023. To be undertaken in line with best practice as set out in BS5837.	Approved 25/08/2023

3. Legal and Procedural Matters

- 3.1 **Publicity:** Site notices were displayed on 12 September 2024 at four locations along Tilehurst Footpath 13, with a deadline for representations of 3 October 2024.
- 3.2 **Public Sector Equality Duty (PSED):** In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The Council must have due regard to the need to achieve the following objectives:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.3 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—
- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- 3.4 The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have regard to and remove or minimise disadvantage. In considering the merits of this planning application, due regard has been given to these objectives.
- 3.5 There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular application and there would be no significant adverse impacts as a result of the development. Improving the drainage of the Public Footpath is likely to bring a benefit, in terms of public access.
- 3.6 **Human Rights Act:** The development has been assessed against the provisions of the Human Rights Act, including Article 1 of the First Protocol (Protection of property), Article 6 (Right to a fair trial) and Article 8 (Right to respect for private and family life and home) of the Act itself. The consideration of the application in accordance with the Council procedures will ensure that views of all those interested are taken into account. All comments from interested parties have been considered and reported in summary in this report, with full text available via the Council's website.
- 3.7 This Tree Works application will have no impact on any individuals private and family life.
- 3.8 Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.
- 3.9 **Listed building setting:** Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 16(2) has the same requirement for proposals for listed building consent. No listed building or heritage asset will be affected by this application.
- 3.10 **Conservation areas:** Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. This application is not within a Conservation Area.

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.

Tilehurst Parish Council:	<p>Objects to application for following reasons -</p> <ul style="list-style-type: none"> • Safety of users of the public rights of way would be compromised with fencing surrounding the routes. No easy means of escape.
----------------------------------	--

	<ul style="list-style-type: none"> • Would restrict use of this much used space particularly during bad weather when original [definitive] paths are impassible. • Detrimental effect on wildlife due to disruption of environment and habitats. • Concerns raised over potential damage to remaining trees particularly TPO trees. • Council questions suitability and size of fencing to be used.
WBC Highways:	Not consulted

Public representations

- 4.2 Representations have been received from 21 contributors, none of which support, and all of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- Wildlife will be impacted by reduced access to habitat
 - Habitat will be reduced by grazing
 - Trees and hedges will be adversely impacted, including by machinery
 - Protected species will be impacted
 - Public access to a green area will be reduced
 - The fencing is a precursor to development
 - Pedestrian safety will be reduced

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: ADDP1, CS14, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).

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

National Planning Policy Framework (NPPF)

Planning Practice Guidance Tree Preservation Orders and trees in conservation areas, March 2014.

The Town and Country Planning (Tree Preservation)(England) Regulations 2012

Town and Country Planning Act 1990 Part VIII Chapter 3

6. Appraisal

6.1 The main issue for consideration in this application are:

- The impact of the proposal on TPO trees and their Root Protection Areas.

Principle of development

- 6.2 The proposal specification sets out the steps the applicant proposes to undertake on site. These have the potential to adversely impact on the Root Protection Areas (RPAs) of trees under Tree Preservation Order (TPO) 195. Therefore an Arboricultural Method Statement (AMS) by Arborclimb Consultants to British Standard BS 5837:2012 Trees in relation to design, demolition and construction has been submitted within the application paperwork.
- 6.3 The AMS states either post and rail or stock fencing will be installed for the boundary treatments. For the most part these are outside the RPAs of protected trees. One fence run does intersect the RPAs of two protected Oaks. Stock fencing measuring 1.2m in height is proposed which is the preferred type.
- 6.4 The AMS notes there maybe the need to improve the surface of Footpath 13, by laying an aggregate layer over a geotextile. Where this intersects the RPAs of TPO trees the specification of the section of the path requires further clarification in order to minimise impacts on root respiration. This again could be secured by Condition.
- 6.5 Proposed work to the drainage ditch alongside Tilehurst Public Footpath 13 is detailed in the Civic Drainage Engineers Report at Appendix 8 of the AMS. This an old drainage ditch and bank feature on which many of the TPO trees sit. The ditch is shallow and silted up in parts. So, in terms of improving the drainage of the footpath the AMS proposes using an airspade to clean the ditch of detritus.
- 6.6 The AMS also proposes using the airspade in locations within the RPAs where sections of drainage pipe might be needed. In so doing soil can be cleared without damaging tree roots and sections of pipe can then be installed with roots intact, prior to backfilling.
- 6.7 The AMS anticipates work will be by hand, however if machinery is to be used within the RPAs then appropriate ground protection recommendations are made in line with BS 5837:2012.
- 6.8 The above is an acceptable method in line with BS 5837:2012 and National Joint Utilities Guidance NJUGS 4 and (with Arboricultural supervision) is unlikely to result in damage to the roots of protected trees.

Character and appearance

- 6.9 Whilst the installation of post and rail or stock fencing may alter the appearance of the site, this is not a consideration of a Tree Works Application beyond the potential immediate physical effects on protected trees and their roots.

Town/Parish Council representations

- 6.10 With regard to the objection of the Parish Council:
- 6.11 The effect of the proposed fencing on the safety of path users or the usability of the path in bad weather are not direct considerations of a Tree Works application.

- 6.12 Nor is the potential for a detrimental effect on wildlife due to disruption of environment and habitats resulting from the fencing and other works.
- 6.13 The AMS answers concerns raised over potential damage to remaining trees particularly TPO trees, in that the recommendations of the current British Standard and industry best practice are to be followed (i.e. the use of airspade, hand digging techniques, ground protection etc.)
- 6.14 The fencing proposed is unlikely to adversely impact TPO trees if the methodology in the AMS is followed. The precise specification of the fencing in the RPAs of TPO trees can be secured by Condition

7. Planning Balance and Conclusion

- 7.1 This is a Tree Works application submitted to provide the Local Planning Authority with the specifics of works which may impact trees on site, which fall under TPO 195. Whilst no tree pruning is proposed, the application shows that certain operations have the capacity to adversely impact the RPAs of these protected trees. Provided the recommendations in the submitted AMS area adhered to, harm to the TPO trees will be minimised or avoided altogether, in line with good arboricultural practice and consistent with a sustainable approach to tree management. The works are considered appropriate and are therefore arboriculturally acceptable.

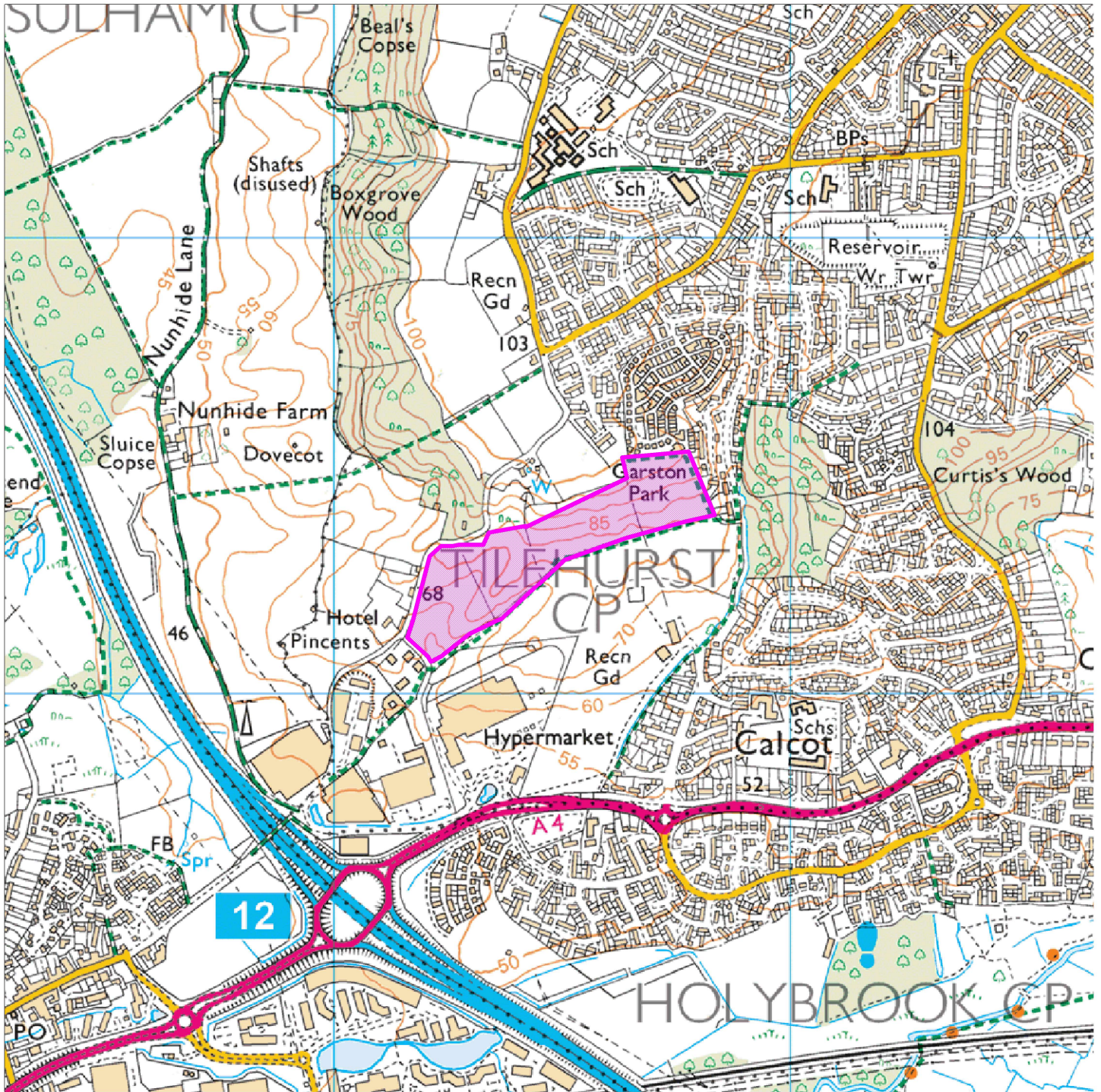
8. Full Recommendation

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

Conditions

1.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Arborclimb AMS P63jrJuly24FV01_AMS Fencing details as specified in email dated 28th October 2024 from Kate Percival from Town.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
2.	<p>Arboricultural supervision condition</p> <p>No development shall take place (including site clearance and any other preparatory works) within the Root Protection Areas of TPO trees until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site supervision works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>

	<p>Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with the objectives of the NPPF and Policies ADPP1, CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>
3	<p>Specifications condition</p> <p>No development shall take place (including site clearance and any other preparatory works) until the applicant has submitted specifications of footpath improvements (including of piped drain sections) within the RPAs of TPO trees, which has been submitted to and approved in writing by the Local Planning Authority.</p> <p>A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures and site supervision works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p> <p>Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with the objectives of the NPPF and Policies ADPP1, CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p>



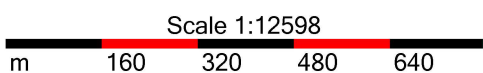
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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	24 October 2024
SLA Number	0100024151



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Agenda Item 4.(3)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(3)	24/01163/REG3 Thatcham Town Council	10.10.2024 ¹	The proposal is to change the usage for Laburnam from Age Concern class F2 to class E for WBC Staff Offices Age Concern The Laburnam Centre Stirling Way Thatcham RG18 3FW West Berkshire Council

¹ Extension of time agreed with applicant until 08.11.2024

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

<https://publicaccess.westberks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SEYX0TRD09N00>

Recommendation Summary: That the Development Manager be Authorised to GRANT PLANNING PERMISSION subject to conditions

Ward Member(s): Councillor Cottam and Councillor Lee Dillon

Reason for Committee Determination: More than 10 objections received.

Committee Site Visit: 30.10.2024

Contact Officer Details

Name: Alice Attwood
Job Title: Senior Planner
Tel No: 01635 519111
Email: alice.attwood1@westberks.gov.uk

1. Introduction

- 1.1 The purpose of this report is for the Committee to consider the proposed development against the policies of the development plan and the relevant material considerations, and to make a decision as to whether to approve or refuse the application.
- 1.2 This application seeks planning permission to change the usage for Laburnam from Age Concern class F2 to class E for WBC Staff Offices. The Laburnam Centre itself can be described as a single storey red brick building. No physical works are proposed as part of this application. It is a pure change of use application.
- 1.3 The Laburnam Centre was built for purpose in the early 1990's for Age Concern. The building falls under use class F2 (b) (Local Community) because the building was used as hall and meeting place whose principal use is for the local community.
- 1.4 The proposal would change the building to Class E(g)(i); an office to carry out administrative functions. The office would be used by West Berkshire Council Adult Social Care (ASC) locality team. This office would not be a public-facing building and only used by West Berkshire Council employees. The usual working hours of the office would be 8:00 to 18:00.
- 1.5 The site is accessed via Stirling Way. The development would make use of the existing parking arrangement onsite. The Laburnam Centre has allocated parking in a parking courtyard which is shared with some of the residence of Stirling Way.
- 1.6 The site is located within the settlement boundary of Thatcham. The building is within flood zone 1 and not in a critical drainage area. There is a small northwest part of the site which is in a critical drainage area.

2. Planning History

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

Application	Proposal	Decision / Date
92/40466/ADD	Residential development of 66 houses and age concern buildings	Approved 22 March 1993

3. Legal and Procedural Matters

- 3.1 Environmental Impact Assessments (EIA): Given the nature, scale and location of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 **Publicity:** Publicity has been undertaken in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's Statement of Community Involvement. Site notice was displayed on 25.07.2024 at The Laburnam Centre, with a deadline for representations of 15.08.2024.
- 3.3 **Local Financial Considerations:** Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local

finance consideration as far as it is material. Whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body. No local financial considerations are material to this application.

- 3.4 **Community Infrastructure Levy (CIL):** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).
- 3.5 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
- 3.6 **Public Sector Equality Duty (PSED):** In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The Council must have due regard to the need to achieve the following objectives:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.7 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—
- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3.8 The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have regard to and remove or minimise disadvantage. In considering the merits of this planning application, due regard has been given to these objectives.
- 3.9 The existing building comply with Building Regulations which have their own criteria to apply for the design of buildings which also has due regard to the Act. The Local Highway Authority have noted the change of use would not lead to a different in trip generation and have confirmed they do not have concerns with regards to highway safety.

- 3.10 **Human Rights Act:** The development has been assessed against the provisions of the Human Rights Act, including Article 1 of the First Protocol (Protection of property), Article 6 (Right to a fair trial) and Article 8 (Right to respect for private and family life and home) of the Act itself. The consideration of the application in accordance with the Council procedures will ensure that views of all those interested are taken into account. All comments from interested parties have been considered and reported in summary in this report, with full text available via the Council's website.
- 3.11 Public representations have raised that they have disabled member of family and friends who use the parking spaces when visiting them. The houses in question have their own allocated parking which could be used to accommodate disabled guests.
- 3.12 It is acknowledged that there are certain properties where they may be some minor impact (this can be mitigated by conditions). However, any interference with the right to a private and family life and home arising from the scheme as a result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the district and wider area and is proportionate given the overall benefits of the scheme in terms of provision of Council Offices which will have to facilitate the provision of adult social care service in the Thatcham and the local surrounding area. The development will provide both social and economic benefits.
- 3.13 Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.
- 3.14 **Biodiversity Net Gain (BNG):** The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:
- 3.15 (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- 3.16 (b) the planning authority has approved the plan.
- 3.17 The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be West Berkshire District Council.
- 3.18 There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.
- 3.19 The proposed development is within de minimis threshold. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun de minimis statutory exemptions considered to apply.

4. Consultation

Statutory and non-statutory consultation

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

Thatcham Town Council	No comments.
WBC Highways:	No Objection:- There are objections on the file on potential parking and traffic grounds. There is an existing permitted use that would have generated vehicle movements. The level of vehicle movements that would be generated by staff to/from the site would be too low to substantiate an objection to. The car park is existing and there is no increase in floor area and, as previously stated, the level of car parking complies with current highway standards. No objections.
Local Drainage Authority	No Objection
Ward Member	No comment received
Transport Policy	No comment received
Environment	No comment received

Public representations

- 4.2 Representations have been received from 3 contributors and a petition containing 47 signatures from residents, 0 of which support, and 47 of which object to the proposal. Total objection to this proposal stands at 50 at the time of writing.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- Deliveries to residents will be made more difficult and at times almost impossible.
 - There is no lighting in this area and would be a big disadvantage to staff parking and walking in darkness. Health and Safety could be compromised.
 - There would have to be a disabled parking bay for any disabled member of staff.
 - There is a neglected corner plot here that would be a much better place for making a parking area for staff with lighting that could be installed for them without disturbing others.
 - Additional traffic and visitor will cause parking issues and be dangerous to children playing.
 - Bring potentially unsavoury character to the area.
 - People coming and ongoing 24/7
 - Risk to public health
 - Make parking worst for disabled residence.
 - Have a negative effect on neighbouring amenity.
 - Increase noise levels.

5. Planning Policy

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

- Policies ADPP1, ADPP3, CS9CS13, CS14, of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS.6 and TRANS1 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)
- WBC Quality Design SPD (2006)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and Appearance of the area
- Neighbouring amenity
- Highways considerations
- Drainage considerations

Principle of development

6.2 According to Policy ADPP1, most development will be within or adjacent to the settlements in the hierarchy and related to their transport accessibility and level of services. The urban areas will be the focused for most development. The scale and density of development will be related to the site's accessibility, character and surroundings. The majority of development will take place on previously developed land.

6.3 CS9 encourages more efficient use of existing sites and premises should be made in order to attract inward investment, respond to modern business requirements, and meet the demand for employment land over the plan period. The Council will promote the intensification, redevelopment, and upgrade of existing, vacant and/or derelict employment sites and premises for business development.

6.4 The Laburnam Centre is located within Thatcham which is classed as an Urban Area under ADPP1. While it is acknowledged the site is outside the town centre. It is considered that the site is sustainably located. There is access to bus services. Being in an urban area the site can be accessed by walking and cycling.

6.5 The clarification statement submitted by the applicant demonstrates the F2 use is redundant and there are other community spaces which can meet the needs of local people.

6.6 The Laburnam centre has been redundant and empty for some time. The change of use would bring the centre back into use. The building would be used as a base for the Adult Social Care Team who work in the Thatcham Locality. There will be a small permanent team working there daily, plus occasional drop-ins from the field-based team in between their customer visits, providing them a space to complete their administrative responsibilities and undertake team and management meetings.

6.7 Adult Social Care is an important function within our modern society.

- 6.8 It is considered the proposed development would comply with ADPP1 and CS9 of the West Berkshire Core Strategy 2006-2026 (WBCS).

Character and appearance

- 6.9 Policy CS14 finds 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.
- 6.10 The Laburnam Centre will retain the same character as there are no physical works are proposed as part of this application. It is considered the proposed change of use would not change the character or the appearance of Laburnam Centre. Bringing the centre back into use will enhance the character and appearance of the Laburnam Centre. It is considered the purposed change of use would comply with CS14 of the of the West Berkshire Core Strategy 2006-2026 (WBCS).

Neighbouring Amenity

- 6.11 Policy CS14 seeks high quality design to ensure development respects the character and appearance of the area and makes a positive contribution to the quality of life in West Berkshire. This can be interpreted as requiring development to not have an adverse impact on neighbouring amenity or future occupiers of the proposed development.
- 6.12 Saved policy OVS.6 also outlines that the Council will require appropriate measures to be taken in the location, design, layout and operation of development proposals in order to minimise any adverse impact as a result of noise generated.
- 6.13 Concerns have been raised by local residents that the change of use will lead to increase in noise levels.
- 6.14 A clarification statement was submitted by the applicant. The Laburnam Centre will be used 08:00-18:00 Monday to Friday. Operational hours can be secured via condition. It is considered that a class E(g)(i) use as proposed would be less intensive than an F2 use as is existing because a F2 use of the building includes use during weekends and evenings. The condition would restrict the use which means there will be no use of the building during unsociable hours.
- 6.15 Furthermore, the applicant has confirmed that this is not a public facing office which means it will only be used by employees of West Berkshire Council. No member of the public will come to the building. The use will be secured as class E(g)(i) because the other use within the class E use class made not be acceptable in this residential area. Restricting the use will help to protect neighbouring amenity.
- 6.16 Concerns have been raised with regards to a lack of lighting causing health and safety issue within the parking area. There is no physical work proposed as part of this application and thus lighting is not part of this proposal. The site is located on Stirling Way which is does has access to street lighting. The officer and car park will only be used 08:00-18:00 Monday to Friday. Majority of the time the office will be used at times where there will be natural daylight. Even at the winter solstice there will be daylight of approx. 8 hours which covers most of the working day. This change of use would improve the current situation as the F2 use could be used during the evening when there would be a lack of light. Thus, a lack of lighting is not a reason to refuse this change of use.
- 6.17 No physical work proposed as part of this application. The Laburnam Centre remains at sufficient distance away from neighbouring properties so as not to give rise to amenity

issues, such as overlooking, overshadowing or loss of natural light. Therefore, it is considered the proposal will not have a materially harmful impact on neighbouring amenity.

- 6.18 It is considered the proposed change of use would comply with CS14 of the of the West Berkshire Core Strategy 2006-2026 and Saved policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Highway Considerations

- 6.19 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.
- 6.20 The Highways Authority were consulted on the application documents. The Highways Authority have noted there are objections on the file on potential parking and traffic grounds. There is an existing permitted use that would generate vehicle movements. The level of vehicle movements that would be generated by staff to/from the site would be too low to substantiate an objection to. The car park is existing and there is no increase in floor area and, as previously stated, the level of car parking complies with current highway standards.
- 6.21 The clarification statement submitted by the applicant states *“Parking spaces at the Laburnam Centre are labelled on the Block Plan within the application submission. The applicant is confident that staff can fit up to 8 cars in the allocated space, parked side-by-side. The ASC team are currently based on a site with 6 spaces, which meets their needs. As such, there is no risk that staff parking would impact residents outside of the spaces allocated to the building. WBC also has responsible parking and driving policies for all employees which staff based at the Laburnum Centre would be expected to adhere to”*
- 6.22 Officers have noted the local objections raised with regards to Highway Safety. The existing Highways arrangement is considered to meet Highway Safety Standards. No physical changes are proposed as part of this scheme. The proposed use would be less intensive in terms of use than the current established use and entail a similar amount of parking and number of vehicle movements. It is considered that the proposed change of use would not lead to an unacceptable impact on highway safety. It is considered the level of car parking complies with current highway standards. Thus, officers consider the proposal to be compliant with Policy CS13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan.

Drainage Considerations

- 6.23 Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of sustainable drainage methods in accordance with best practice and the proposed national standards. On all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS) in accordance with best practice and the proposed national standards and to provide attenuation to greenfield run-off rates and volumes, for all new development and re-development and provide other benefits where possible such as water quality, biodiversity and amenity.
- 6.24 The proposed development site is located within flood zone 1 and the building is considered not to be in a Critical Drainage Area. No physical changes are proposed as

part of this scheme. The use will not be changed to a more vulnerable use in flood risk terms. The proposed development is considered minor and therefore a Flood Risk Assessment is not required with this application.

- 6.25 The Local Flood Authority have no objection to the change of use. Drainage will be managed via the existing drainage system on site. The proposal is compliant with CS16 of West Berkshire Core Strategy (2006-2026).

7. Planning Balance and Conclusion

- 7.1 In conclusion, the change of use from F2 to E(g)(i) is considered to bring a redundant building back into use. The proposal has both social and economic associated benefits. The change of use would not lead to any harmful impacts with regards to character of the area, neighbouring amenity, highway or drainage. It is considered that the proposed change of use is compliant with West Berkshire Council Local Development Policies and thus Officers recommend that members approve this application.

8. Full Recommendation

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

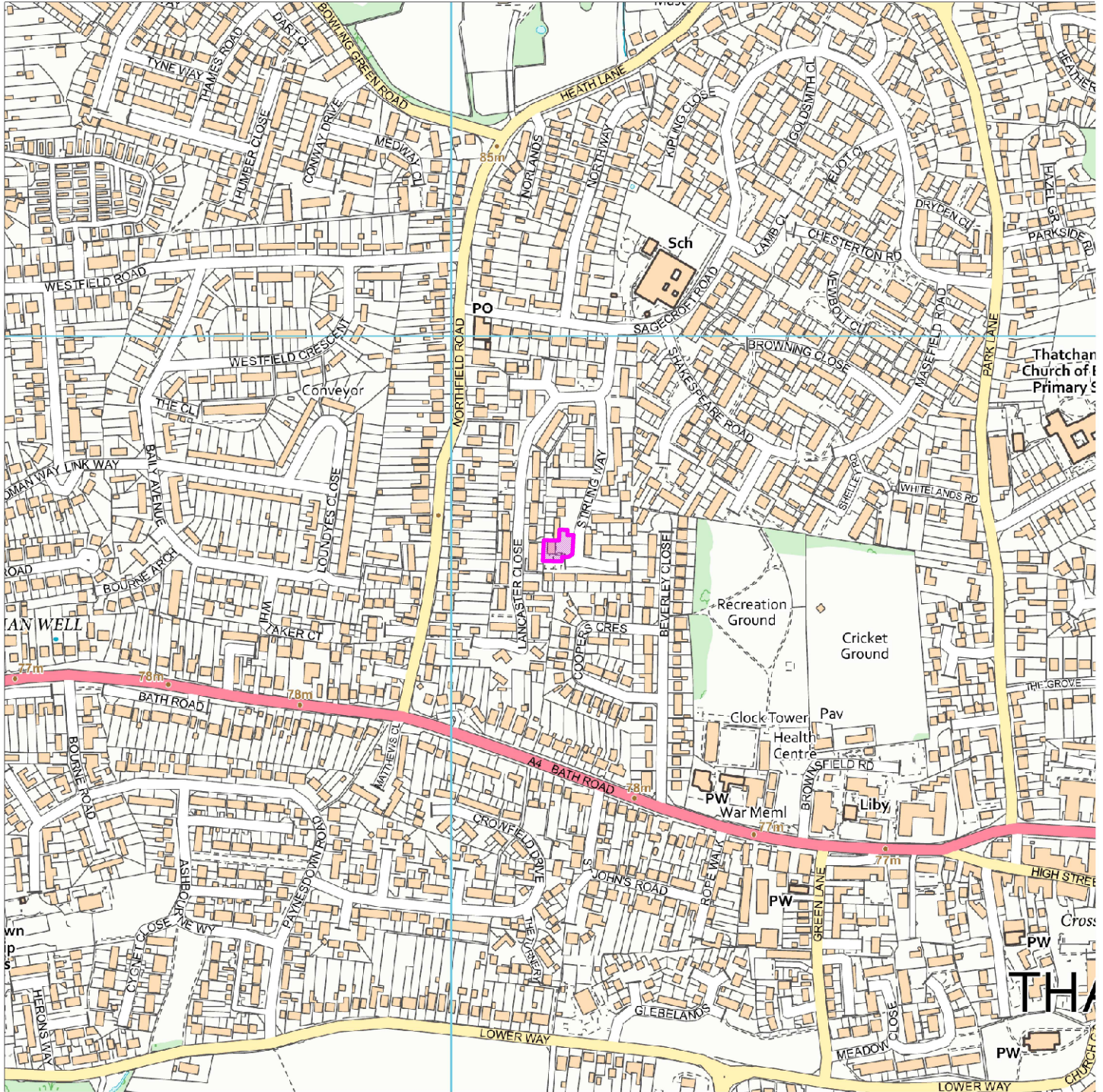
Conditions

1.	<p>Commencement of development</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <ul style="list-style-type: none"> • Location Plan drawing reference 240105-10-001 received 09.07.2024 • Block Plan drawing reference 240105 - 20 - 001 received 03.07.204 • Existing Ground Flood Plan: 240105 - 30 – 001 received 09.07.2024 <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Permitted uses within Class E</p> <p>The building shown on Location Plan drawing reference 240105-10-001 received 09.07.2024 shall be used for Class E(g)(i) (an office to carry out administrative functions) use only and for no other purpose, including any other purpose in Class E 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>

	Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
4	<p>Hours of work</p> <p>The Class E(g)(i) use shall not take place outside of the following hours:</p> <p>Mondays to Fridays: 7:00 to 19:00</p> <p>The site shall not be use on Saturdays, Sundays and public holidays unless otherwise agree in writing with the Local Planning Authority.</p> <p>Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>

Informatives

1.	Proactive consideration of application
2.	CIL
3.	BNG de minimis

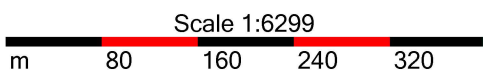


Map Centre Coordinates :

Scale : 1:6298

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	24 October 2024
SLA Number	0100024151

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Agenda Item 4.(4)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(4)	24/00955/FUL Purley On Thames Parish Council	25.09.2024 ¹	Retrospective change of an area of waste land approx. 200sqm in the south of the site to provide car park space for up to 6 cars. Removal of storage shed (7.3m x 4.3m) and a derelict greenhouse. Purley Park Trust Huckleberry Close Purley On Thames Reading RG8 8HU Purley Park Trust

¹ Extension of time agreed with applicant until 08.11.2024

The application can be viewed on the Council's website at the following link:
<https://publicaccess.westberks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SD66VXRD00X00>

Recommendation Summary: That the Development Manager be Authorised to GRANT PLANNING PERMISSION subject to condition

Ward Member(s): Councillor Paul Kander, Councillor Jane Langford and Councillor Janine Lewis

Reason for Committee Determination: 10 objections received

Committee Site Visit: 30.10.2024

Contact Officer Details

Name: Alice Attwood
Job Title: Senior Planner
Tel No: 01635 519111
Email: alice.attwood1@westberks.gov.uk

1. Introduction

- 1.1 The purpose of this report is for the Committee to consider the proposed development against the policies of the development plan and the relevant material considerations, and to make a decision as to whether to approve or refuse the application.
- 1.2 This application seeks planning permission for Retrospective change of an area of waste land approx. 200sqm in the south of the site to provide car park space for up to 6 cars. Removal of storage shed (7.3m x 4.3m) and a derelict greenhouse.
- 1.3 The application site is within the settlement boundary of Purley on Thames. The site is accessible from Duncan Gardens. The site is within flood zone one and is not within a critical drainage area. To the south of the site, there is a row of trees. The trees on the site are covered by TPO 201/21/0087 - A1. To the west of the site is a close boarded fence. To the north of the site are houses which are occupied by adults with learning difficulties. Works have begun on site and the construction of the car park is largely complete.
- 1.4 The site is operated by Purley Park Trust. The Trust is a charity that supports adults with learning disabilities. The car park is required for carers to park and to help facilitate the running of the care facility.

2. Planning History

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

Application	Proposal	Decision Date /
09/02711/XFULMAJ	Replacement of three residential units with purpose designed residential units and integral hydro-therapy facility	Approved 17.03.2010
07/01524/FULMAJ	Section 73. Amendment to condition 24 (Any gates erected on the access road between Hazel Road and Purley Park House shall be secured open) of Planning Permission 00/01095/FUL to read "Any gates erected on the access road between Hazel Road and Purley Park House shall be fitted with a control system to allow a proper access to emergency and other service vehicles"	Approved 30.11.2007
06/01645/FULMAJ	Replacement of three residential units with purpose designed residential units and integral hydro therapy facility.	Approved 20.10.2006
00/01095/FUL	Int/Ext renovations; conversions; conversion of main house to create 5 flats. Replace exist service wing; erection of 11 private dwellings; erection of 5 units and Monday Club in grounds for residents of Duncan Trust.	Approved 22.12.2000

84/22973/ADD	Proposed houses for the disabled	Approved 02.01.1985
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3. Legal and Procedural Matters

- 3.1 **Environmental Impact Assessments (EIA):** Given the nature, scale and location of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 **Publicity:** Publicity has been undertaken in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's Statement of Community Involvement. Site notice were displayed on 17.07.2024 at entrance to the Purley Park Trust site with a deadline for representations of 07.08.2024.
- 3.3 **Local Financial Considerations:** Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body. The table below identified the relevant local financial considerations for this proposal.
- 3.4 **Community Infrastructure Levy (CIL):** Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).
- 3.5 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
- 3.6 **Public Sector Equality Duty (PSED):** In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The Council must have due regard to the need to achieve the following objectives:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.7 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3.8 The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have regard to and remove or minimise disadvantage. In considering the merits of this planning application, due regard has been given to these objectives.
- 3.9 There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.
- 3.10 **Human Rights Act:** The development has been assessed against the provisions of the Human Rights Act, including Article 1 of the First Protocol (Protection of property), Article 6 (Right to a fair trial) and Article 8 (Right to respect for private and family life and home) of the Act itself. The consideration of the application in accordance with the Council procedures will ensure that views of all those interested are taken into account. All comments from interested parties have been considered and reported in summary in this report, with full text available via the Council's website.
- 3.11 It is acknowledged that there are certain properties where they may be some impact (this can be mitigated by conditions) However, any interference with the right to a private and family life and home arising from the scheme as a result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the district and wider area and is proportionate given the overall benefits of the scheme in terms of provision of car park to help facilitate the running of a care facility for Adults with complex care needs. The development will provide social and care benefits.
- 3.12 Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.
- 3.13 **Listed building setting:** Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 16(2) has the same requirement for proposals for listed building consent. Adjacent to the site about approx. 40m away is Purley Park which is a grade II* listed building. It is considered the proposed development is a sufficient distance way from the site as to not to affect the setting of the listed building.
- 3.14 **Retrospective Application:** Regardless of the emotions that can be stirred by someone carrying out development without planning permission, the decision maker must approach a retrospective application seeking to legitimise a development that has already taken place in exactly the same way as a 'normal' application for proposed development. So, for example, the national and development plan policies current at the

time of the application should be applied, rather than those in place when the development was carried out. If a development is in existence this can make it much easier to assess its impact, particularly where visual amenity and design considerations are of importance. However, the fact that a development has been carried out is not in itself a material consideration.

- 3.15 **Biodiversity Net Gain (BNG):** The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:
- 3.16 (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- 3.17 (b) the planning authority has approved the plan.
- 3.18 The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be West Berkshire District Council.
- 3.19 There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.
- 3.20 The proposed development is retrospective. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun de minimis statutory exemptions considered to apply.

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.

Purley On Thames Parish Council:	<p>Purley on Thames Parish Council recommends that approval of this application is conditional on the following:</p> <ul style="list-style-type: none"> - Limitation on the hours of use to between 8am and 8pm in order to minimise noise disturbance to local residents and prohibit use on weekends and bank holidays. - Any lighting provision must be on a timer and switched-off outside of the hours of use. <p>Purley on Thames Parish Council also requests that the applicant considers actions, for example a change of surface, to mitigate noise levels.</p>
WBC Highways:	No Objection.
Tree Officer	Due to the number of trees near the parking area and the fact it intersects their Root Protection Areas, Arboricultural input is

	required. I would suggest an AMS would help in the understanding of remedial work and appropriate surfacing. So I have no objections subject conditions.
Ecology Team	No comment received.
Network Rail	No Objections
Local Flood Authority	No Objection with conditions
Conservation Officer	No comments received
Archaeology	No Objections

Public representations

4.2 Representations have been received from 11 contributors, 1 of which neutral, and 10 of which object to the proposal.

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

- Objections
 - proposed is harmful to ecology.
 - The loose surface of the car park and user of the car causes unacceptable noise levels.
 - The proposal will lead to an unacceptable impact of neighbouring amenity.
 - The car park looks ugly and has harmed the character and appearance of the area.

- Neutral
 - Welcome the provision of more parking spaces in Purley Park I would request that if planning is to be approved, the following changes are made to the current layout:
 - The fencing is re-arranged so that no vehicle can come within 10 metres of any fence in Duncan Gardens.
 - The recently planted young trees, close to the boundary fence, are moved at least 5 metres from the fence to allow for future growth.
 - The permanent light above the site is put on a timer to avoid unnecessary inconvenience to nearby residents.
 - The loose surface is paved or finished with tarmac to reduce noise.

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, ADPP4, CS13, CS14, CS16, CS17 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies 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)
- WBC Quality Design SPD (2006)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and Appearance of the area
- Neighbouring amenity
- Highways considerations
- Drainage considerations
- Heritage Considerations

Principle of development

6.2 Under policy ADPP1 it is found that most development will be within or adjacent to the settlements included in the settlement hierarchy. According to the policy ADPP1, the development site is considered to be located in Purley on Thames which is classed as an urban area which means the area benefits from a wide range of services. It is considered that the focus for the majority of development will be in urban areas.

6.3 The car park is located within the settlement boundary for Purley on Thames. There is a presumption in favour of development and redevelopment within the settlement boundaries. The proposed development is situated in the settlement boundary of Purley on Thames. There is a presumption in favour of the proposed development providing there are no adverse impacts that would outweigh the benefits, when assessed against the policies in this Local Development Plan taken as a whole.

Character and appearance

6.4 Policy CS14 finds 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.

6.5 Policy CS19 finds that development should ensure diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural, and functional components of its character will be considered as a whole. Having regard

to the sensitivity of the area to change and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.

- 6.6 It is understood from the application plans and from satellite imagery the site was mostly originally hardstanding, and the retrospective works are extending this area of hard standing for the purposes of parking. The retrospective car park is within the urban area of Purley on Thames and within a care complex. While it is understood that the works have led to some trees being removed. It is considered the car park would not appear to be out of keeping with the character and appearance of the immediate site. It is considered the retrospective car extension would be appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.7 As trees have been removed as part of the retrospective development is felt that a landscaping plan with details of soft and hard surfacing details would help to further soften the development's appearance.
- 6.8 With a soft and hard landscaping condition in place, it is felt that the retrospective works would comply with policy CS14 and CS19 of West Berkshire Core Strategy 2006-2026 (WBCS).

Neighbouring amenity

- 6.9 Policy CS14 seeks high quality design to ensure development respects the character and appearance of the area and makes a positive contribution to the quality of life in West Berkshire. This can be interpreted as requiring development to not have an adverse impact on neighbouring amenity or future occupiers of the proposed development.
- 6.10 Saved policy OVS.6 also outlines that the Council will require appropriate measures to be taken in the location, design, layout and operation of development proposals in order to minimise any adverse impact as a result of noise generated.
- 6.11 There have been a number of objections in relation to the proposed works increasing noise levels and this having a negative impact on neighbouring amenity. It is considered that noise levels can be mitigated by a noise management secured via a condition. It is considered a noise management plan is the best way to ensure that the proposed car park is used in a way which respects the residential amenity neighbouring properties but also balances the operational need of the care facility.
- 6.12 The site is in an urban area and there is external lighting on the wider site. No lighting is proposed as part of this application, but there has been an objection with regards to lighting. The Local Planning Authority can address this issue by conditioning the no external lighting will be erected before details have been reviewed by the local planning authority. This would protect the neighbours from light spill.
- 6.13 The car park at sufficient distance away from neighbouring properties so as not to give rise to amenity issues, such as overlooking, overshadowing or loss of natural light. Therefore, it is considered with conditions in place, the proposal will not have a materially harmful impact on neighbouring amenity.

Highway considerations

- 6.14 Policies CS13 of the Core Strategy, and TRANS.1 of the Local Plan relate to highways and parking provision. 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. The

Highways Authority were consulted on the application documents. The Highways Authority has no objection to the proposal.

- 6.15 It has been noted that local residents have raised concerns with regards to the surfacing being noisy. This is considered to be a neighbouring amenity issue rather than a Highways issue. The Local Highway Authority has no issues with the surfacing material. It is considered e
- 6.16 It is considered the proposal is compliant with Policies CS13 of the Core Strategy, and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007)

Drainage considerations

- 6.17 Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of sustainable drainage methods in accordance with best practice and the proposed national standards. On all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS) in accordance with best practice and the proposed national standards and to provide attenuation to greenfield run-off rates and volumes, for all new development and re-development and provide other benefits where possible such as water quality, biodiversity and amenity.
- 6.18 The proposed development site is located within flood zone 1 and is considered not to be in a Critical Drainage Area.
- 6.19 The Local Flood Authority has no objection to the proposal but have requested conditions. Officers have reworded the condition trigger to suit a retrospective application. With the condition in place, the proposal would comply with CS16 of West Berkshire Core Strategy (2006-2026).

Ecology and Trees

- 6.20 Policy CS17 finds that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. Habitats designated or proposed for designation as important for biodiversity or geodiversity at an international or national level or which support protected, rare or endangered species, will be protected and enhanced. The degree of protection given will be appropriate to the status of the site or species in terms of its international or national importance.
- 6.21 Policy CS17 finds that development which may harm, either directly or indirectly, locally designated sites, habitats or species of principal importance, or the integrity or continuity of landscape features of major importance for wild flora and fauna will only be permitted if there are no reasonable alternatives and there are clear demonstrable social or economic benefits of regional or national importance that outweigh the need to safeguard the site or species and that adequate compensation and mitigation measures are provided when damage to biodiversity/geodiversity interests are unavoidable. In order to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity and geodiversity.
- 6.22 The site is not a designated habitat but the TPO tree does have ecological value and should be protected.
- 6.23 The Tree Officer has raised no objection to the scheme providing condition to require the submission of an Arboricultural Method Statement in attached to the permission. This report will help understand potential of remedial work and determined the appropriate surfacing.

- 6.24 No comments have been received from the ecology officer. It is important the proposal provides biodiversity enhancements. These enhancements can be secured via condition.
- 6.25 It is felt that with conditions the proposal will comply with policy CS17 of West Berkshire Core Strategy (2006-2026).

Heritage considerations

- 6.26 Policy CS19 finds that development should ensure diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural, and functional components of its character will be considered as a whole. Having regard to the conservation and, where appropriate, enhancement of heritage assets and their settings. Proposals for development should be informed by and respond to the nature of and the potential for heritage assets identified through the Historic Environment Record for West Berkshire and the extent of their significance.
- 6.27 Adjacent to the site about approx. 40m away is Purley Park which is a grade II* listed building. It is considered the proposed development is a sufficient distance away from the site as to not to affect the listed building or its setting of the listed building.

Parish Council representations

- 6.28 The Parish Council representation are as follows:
- 6.29 Purley on Thames Parish Council recommends that approval of this application is conditional on the following:
- 6.30 Limitation on the hours of use to between 8am and 8pm in order to minimise noise disturbance to local residents and prohibit use on weekends and bank holidays.
- 6.31 Any lighting provision must be on a timer and switched-off outside of the hours of use.
- 6.32 Purley on Thames Parish Council also requests that the applicant considers actions, for example a change of surface, to mitigate noise levels.
- 6.33 The Local Planning Authority have suggested operation hours condition to restrict hours of use 7:00 to 19:00. The Local Planning Authority have not suggested limiting the hours of use to zero on weekday and bank holidays because this would impact the running of the primary C2 use. It is considered the vehicle movement would be limited and with a Noise Management Plan condition. It is felt that this would address the parish's concerns with regards to neighbouring amenity issues.
- 6.34 The Local Planning Authority have suggested a lighting condition to address concerns with regards to light spill, and this should protect neighbouring amenity.
- 6.35 The Local Highways Authority have raised no objection to the car parking surface. The surface of the car park needs to not be detrimental to the TPO trees on site. Hence, securing an Arboricultural Method Statement by condition. The operation hours condition to restrict hours of use 7:00 to 19:00 will mean that the car park will not be used at unsociable hours.

7. Planning Balance and Conclusion

- 7.1 In conclusion, the car park is located within the settlement boundary for Purley on Thames. There is a presumption in favour of development and redevelopment within

the settlement boundaries. With conditions in place there will be no adverse impacts that would outweigh the benefits, when assessed against the policies in this Local Development Plan taken as a whole. Thus, officers recommend members approve this application.

8. Full Recommendation

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

Conditions

1.	<p>Commencement of development</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2.	<p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <ul style="list-style-type: none"> • Application Form received 24.05.2024 • Location Plan received 24.05.2024 • Post Alterations Site Plan received 20.06.2024 • Site Map showing area for additional parking received 20.06.2024 <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials</p> <p>The materials to be used in the development hereby permitted shall be as specified on the application form.</p> <p>Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).</p>
4	<p>Drainage</p> <p>Within three months of this decision notice 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> <p>a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and the WBC SuDS Supplementary Planning Document December 2018 with particular emphasis on Green SuDS and water re-use.</p> <p>b) Include run-off calculations based on current rainfall data models, discharge rates (based on 1 in 1 year greenfield run-off rates), and infiltration and storage capacity</p>

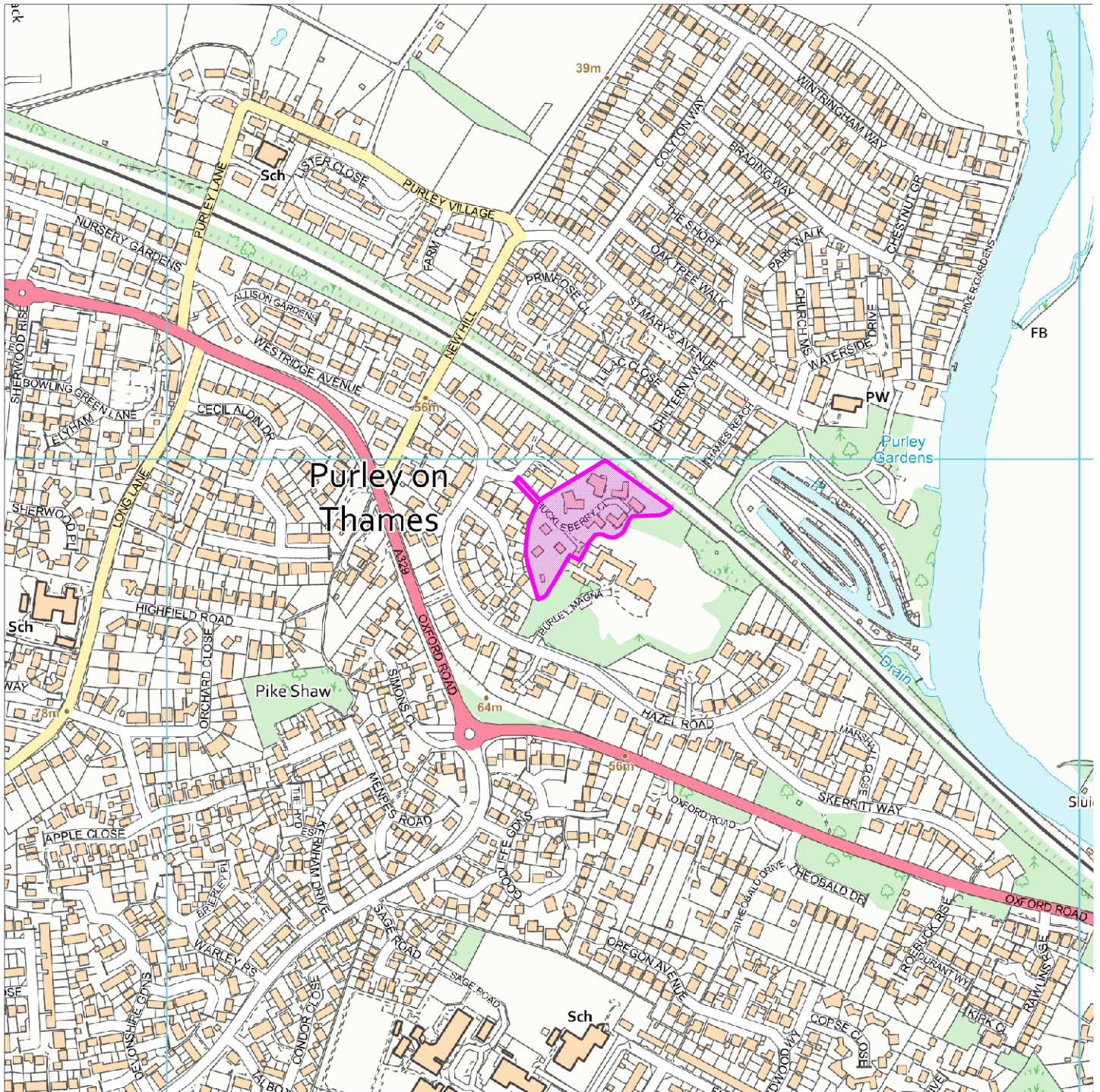
	<p>calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change.</p> <p>The above sustainable drainage measures shall be implemented in accordance with the approved details. The sustainable drainage measures shall be maintained in the approved condition thereafter.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018).</p>
5	<p>Arboricultural Method Statement</p> <p>Within three months of this decision notice an Arboricultural Method Statement must be submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area which were undertaken in the construction period.</p> <p>The Arboricultural method statement with also need to include mitigation measures and if necessary, compensation measures for any damaged Trees.</p> <p>The measures carried out in accordance with the approved details and shall be retained in that manner thereafter, unless otherwise agreed in writing with the Local Planning Authority.</p> <p>Reason: To ensure the retention and protection of trees identified at the site in accordance with the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
6	<p>Noise Management Plan</p> <p>Within three months of this decision notice a Noise Management Plan relating to the car park will be submitted in writing to the Local Planning Authority for review. The Noise Management Plan shall include the following:-</p> <ul style="list-style-type: none"> • Overview of the site • Show where noise sensitive receptors area in relation of the development. • Overview of the operation • Operational hours • Potential noise sources on site • Outline how activities will be managed to keep noise level to an amenable level. • Details of noise management and control measures. • Details of how these measures will be maintained <p>The operations in the car park shall be carried out in accordance with the approved details and shall be retained in that manner thereafter, unless otherwise agreed in writing with the Local Planning Authority.</p> <p>Reason: To protect the occupants of nearby residential properties from noise in accordance with policy OVS6 of the West Berkshire District Local Plan Saved Policies</p>

	2007, policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework.
7	<p>Biodiversity measures</p> <p>Within three months of this decision notice a details of biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The biodiversity enhancement shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.</p> <p>Reason: To ensure biodiversity enhancements are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p>
8	<p>Soft Landscaping Scheme</p> <p>Within three months of this decision notice a soft landscaping scheme must be submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following the discharge of this condition. 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>Lighting</p> <p>No external lighting shall be installed on the car park until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The Lighting will then be maintained in accordance with the approved details.</p> <p>To protect the occupants of nearby residential properties from light spill in policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework.</p>
10	<p>Use restriction</p> <p>The car park shall be used for parking of vehicles required to facilitate the primary C2 use and for no other purpose (including any purpose in Class C2 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.</p> <p>Reason: To protect the occupants of nearby residential properties and to make sure the car park serves the primary C2. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, CS13, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.</p>
11	<p>Operating hours (use/activity)</p> <p>The car park shall not take place outside of the following hours: Mondays to Fridays: 7:00 to 19:00</p>

	<p>Saturdays: 7:00 to 19:00 Sundays and public holidays: 7:00 to 19:00</p> <p>Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
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Informatives

1.	Proactive consideration of application
2.	CIL



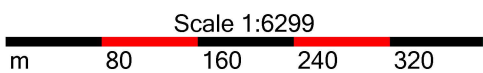
Map Centre Coordinates :

Scale : 1:6298

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Organisation	West Berkshire Council
Department	
Comments	Not Set
Date	24 October 2024
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