

Notice of Meeting



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Western Area Planning Committee Wednesday 22 January 2025 at 6.30 pm in the Council Chamber Council Offices Market Street Newbury

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

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If members of the public wish to 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 21 January 2024 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 14 January 2025

Further information for members of the public

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

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

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

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



Agenda - Western Area Planning Committee to be held on Wednesday 22 January 2025
(continued)

To: Councillors Phil Barnett (Chairman), Clive Hooker (Vice-Chairman), Adrian Abbs, Antony Amirtharaj, Paul Dick, Nigel Foot, Denise Gaines, Tony Vickers and Howard Woollaston

Substitutes: Councillors Dennis Benneyworth, Martin Colston, Carlyne Culver, Billy Drummond and Stuart Gourley

Agenda

Part I

Page No.

1. **Apologies for absence**
To receive apologies for inability to attend the meeting (if any).
 2. **Minutes** 5 - 22
To approve as correct records the Minutes of the meetings of this Committee held on 3 October 2024 and 23 October 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) **24/00037/FULMAJ - Newbury** 23 - 58
- Proposal:** Erection of Primary Care Centre with associated works.
- Location:** Land South of Newbury College and North Of Highwood Copse School, Highwood Copse Way, Newbury
- Applicant:** Greenham Trust Limited
- Recommendation:** To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed in section 8 of this report (or minor and inconsequential amendments to those conditions authorised by the Development Manager, in consultation with the Chairman or Vice Chairman of the Western Area Planning Committee).



(2) 24/02029/FULMAJ - Newbury

59 - 78

- Proposal:** Section 73: Variation of Condition (10) Travel Plan and (20) Vehicle Parking and Turning of previously approved application 20/02779/COMIND: Section 73 variation of conditions 2 (plans), 3 (boundary treatments), 4 (hardscaping), 6 (BREEAM), 7 (external lighting), 9 (noise from services), 11 (sport England), 12 (travel plan), 13 (cycle and scooter parking), 17 (landscaping) and 24 (E V charging points) of approved 17/03434/COMIND - Construction of a new 1 FE single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school. Construction of bunds adjacent to the temporary and permanent access roads to prevent access from the roads to private land.
- Location:** Newbury College Monks Lane Newbury RG14 7TD
- Applicant:** West Berkshire District Council
- Recommendation:** To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed in the report.

Background Papers

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

Agenda - Western Area Planning Committee to be held on Wednesday 22 January 2025
(continued)

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
Darius Zarazel on (+44)1635 519778.



West Berkshire
C O U N C I L

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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY 3 OCTOBER 2024

Councillors Present: Phil Barnett (Chairman), Clive Hooker (Vice-Chairman), Adrian Abbs, Antony Amirtharaj, Paul Dick, Nigel Foot, Denise Gaines, Tony Vickers and Howard Woollaston

Also Present: Sam Chiverton, Ben Ryan, Debra Inston, Thea Noli, Matthew Shepherd, Sam Robins, Paul Goddard

PART I

1. Declarations of Interest

Councillors Phil Barnett, Nigel Foot and Tony Vickers declared a personal interest in Agenda Item 3(1) by virtue of the fact that they were Newbury Town Councillors and members of the Town Council's Planning and highways committee. As their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

Councillor Nigel Foot declared a personal interest in Agenda Item 3(1) by virtue of the fact that he was heritage Champion for West Berkshire council and a member of the Newbury Society. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Adrian Abbs declared a personal interest in Agenda Item 3(1) by virtue of the fact that he had a business based in Newbury 200 metres away. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillors Phil Barnett, Antony Amirtharaj, Denise Gaines, Howard Woollaston, Paul Dick, Nigel Foot, Tony Vickers and Clive Hooker declared that they had been lobbied on Agenda Item 3(1).

2. Schedule of Planning Applications

(1) Application No. and Parish: 23/02094/FULMAJ - The Mall, The Kennet Centre, Newbury

1. The Committee considered a report (Agenda Item 3(1)) concerning Planning Application 23/02094/FULMAJ in respect of in respect of the full planning permission for the redevelopment of the Kennet Centre comprising the partial demolition of the existing building on site and the development of new residential dwellings (Use Class C3) and residents ancillary facilities; commercial, business and service floorspace including office (Class E (a, b, c, d, e, f and g)); access, parking and cycle parking; landscaping and open space; sustainable energy installations; associated works and alterations to the retained Vue Cinema and multi-storey car park.
2. Mr Matthew Shepherd introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In

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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, provided that a Section 106 Agreement had been completed within 3 months (or such longer period that may be authorised by the Development Manager, in consultation with the Chairman or Vice Chairman of the Western Area Planning Committee).

3. 5. Or, if the Section 106 Agreement was not completed, to delegate to the Development Manager to refuse planning permission for the reasons listed in the report.
4. The Chairman asked Mr Paul Goddard if he had any observations relating to the application. He noted the following:
 - Traffic generation from the proposal was predicted to be no higher than the Kennet Centre at its peak.
 - The proposal was likely to see higher traffic generation in the morning.
 - The VISSIM Traffic Model predicted no severe traffic impact.
 - A framework Traffic Plan had been submitted to encourage sustainable travel.
 - The existing car park was to be retained.
 - The service ramp was to be removed with the footways re-provided.
 - Two new access points were to be created on Cheap Street and Bartholomew Street.
 - Bartholomew Street South was to be made two way with the bollards moved northward.
 - The traffic lights were to be reconfigured.
 - The Framework Structure and Management Plan had been submitted.
 - They were satisfied with the number of cycle stores provided.
 - Electric Vehicle charging was at an acceptable level.
 - There was to be a net increase of 60 in the number of car parking spaces available which met car parking standards.
 - As the car park was dual use there was concern as to whether it was going to be big enough to cater.
 - It was noted that during the week it was expected that the space available was to be sufficient. However, on weekends there was the potential for overflow of up to 90 cars.
 - The car park signs would need replacing at a cost of £1,000,000, the applicant had offered to contribute £500,000 towards this.
 - The Market Street car park was underused on weekends.
 - There was an agreement to contribute to cycle routes.
 - Car parking had been resolved to a satisfactory level.
5. The Chairman asked Mr Sam Robins if he had any observations relating to the application. He noted the following:
 - The Kennet Centre was at risk of becoming a stranded asset that would pull the rest of the Town Centre down with it.
6. Members resolved to suspend Standing Orders to allow representatives ten minutes to speak to the Committee.
7. In accordance with the Council's Constitution, Councillor Andy Moore, Town Council representative, Mr Anthony Pick, Mr David Peacock and Mrs Ruth Hebbes objectors, and Professor Robert Adam and Mr Hugo Haig, applicant/agent, addressed the Committee on this application.

Town Council Representation

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8. Councillor Andy Moore addressed the Committee. The full representation can be viewed here:

- [Western Area Planning Committee - Thursday 3rd October 2024](#) (1:21:14)

Member Questions to the Town Council

9. Members asked a question of clarification and were given the following response:

- The anecdotal evidence referenced came from members of the public.

Objectors Representation

10. Mr Anthony Pick, Mr David Peacock and Mrs Ruth Hebbes addressed the Committee. The full representation can be viewed here:

- [Western Area Planning Committee - Thursday 3rd October 2024](#) (1:31:17)

Member Questions to the Objectors

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

- The Newbury Society was unhappy with both the frontage and the centre of the development. However, more height was acceptable in the centre than the frontage.
- A development of 275 flats was more acceptable than the 475 proposed.
- Previous tenants at the Kennet Centre were unhappy that they were not allowed to sign 10-year leases. This then led to the centre being neglected.
- The impact on the street view was likely to be very significant in certain areas.
- The proposed development was going to lead to a loss of 66 car parking spaces near the site.
- The existing car park originally serviced the shopping centre however, this practice changed along with the centre.
- The development did not need to be so high to be viable. There were alternative developments which could be pursued.
- Any proposed scheme deemed viable should have met the affordable housing threshold.

Applicant/Agent Representation

12. Professor Robert Adam and Mr Hugo Haig addressed the Committee. The full representation can be viewed here:

- [Western Area Planning Committee - Thursday 3rd October 2024](#) (1:53:46)

Member Questions to the Applicant/Agent

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

- The presentation did not show the ground level tenant facilities that were being included in the development.
- Block S of the development was 30.7m high compared to 29.85m at Sterling Gardens.
- A series of views were shown as part of the original presentation but one directly from Bear Lane was not requested.
- They were prepared to consider a soft play area being included in one of the empty retail units.
- 34 small shopping units were to be developed to a white box finish.
- The development would be visible to a different degree from different points. The viewpoints presented were chosen to provide a synoptic view in order to provide the clearest perception of the site.
- The arch was included to form a visual stop at the end of Bear Lane.
- Stepping back from the view at Bear Lane, an extra floor would be visible.

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- The proposed shopping units were completely fitted out and ready to move into.

Ward Member Representation

14. Councillors Martin Colston and Louise Sturgess addressed the Committee. The full representation can be viewed here:

LINK TO YOUTUBE RECORDING TIMESTAMP (USE MICROSOFT EDGE FORMAT)

- [Western Area Planning Committee - Thursday 3rd October 2024](#) (2:24:00)

Member Questions to the Ward Members

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

- The view of the residents that they had spoken to was that the application was not suitable.
- The existing businesses would be lost completely.
- The residents they had spoken to were not against the redevelopment of the Kennet Centre, it was the size and scale of this particular scheme they were concerned about.

Member Questions to Officers

16. Standing Orders were reinstated

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

- Sam Robins advised the information on empty units in Parkway came from Co-star and the information was correct when the report was created as far as he was aware.
- Sam Robins noted that there may have been a unit that was never let out, however the salient point was that the vacancy rate in Parkway was very low.
- Matthew Shepherd informed Members that Rapley's was the representative of the applicant and produced a viability report on their behalf. Dixon Searle was the Council's instructed consultant. The document referred to in the agenda pack was the Executive summary of both reports as the information contained in the full report could not be shared in the public realm.
- Mathew Shepherd highlighted that the Dixon Searle position was shared with the applicant as they requested it which was not unusual.
- Mathew Shepherd noted that the commercially sensitive information was from the applicant who asked for it not to be published.
- Sam Robins advised that from an economic perspective this proposal was as good as was to be expected. It provided a variety of ground floor units, the creation of a new street, residential properties, high quality small-scale office space and retail units. No more could be added that would be of economic benefit to the area.
- Matthew Shepherd informed Members that the Council had not had any information from Thames Water on the drainage of the site but the applicant had approached them. As they were a statutory undertaker they would need to supply the water to the site.
- Paul Goddard advised that there was not awareness of any dedicated parking spaces for the offices, but due to the town centre location there were plenty of public car parking spaces available.
- Sam Robins noted that he had never encountered the fact that a lack of parking would make the offices undesirable.
- Sam Robins disagreed that a lack of car parking spaces was the reason there were a number of empty offices in the town centre. He advised that whilst car-parking was a potential issue he did not feel that this was primary reason for the number of developers converting offices in to other amenities in the town centre. He believed the

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main barrier was the quality of the space due to the fact many were older buildings converted into office space.

- Sam Robins noted that 34 business units were to be available in the new development with an increase in the net number of employees.
- Sam Robins advised that whilst the report was based on estimates, these were based on the likelihood the units would not be vacant.
- Councillor Phil Barnett allowed the applicant Hugo Haig to provide clarification on the number of units that were currently occupied in the Kennet Centre and the amount that would be lost if this application was to be approved.
- Hugo Haig informed Members that there were 50 units in the Kennet Centre, 14 of which were unoccupied. It was his opinion that they were not going to lose units because of this application.
- Matthew Shepherd advised that the viability review was covered in the Update Report and discussions were ongoing as to the trigger for this which was not unusual for developments. It had been advised that a later trigger was likely beneficial as the provision of affordable housing had the potential to be more viable later in the development.
- Matthew Shepherd informed Members that the new street was not private amenity space and was for everyone to walk through and use and so had to be treated as though it was in the public realm. Access to the amenity space was securable through the management plan meaning that the entire development was accessible from all sides.
- Matthew Shepherd highlighted that the applicants could think about addressing needs of various age groups but advised that Members had to review what was in front of them.
- Matthew Shepherd advised that a figure was provided in the form of an SPG contribution for the provision of public open spaces. The countryside team had been asked to pinpoint a project but they had been unable to.
- Matthew Shepherd highlighted that the figure the NHS had asked for was the result of a calculation for the increase in population based on their consultation response. The nearest GP was based on a fluid situation that could lead to the money going into a pot and used to address the needs of the local area.
- Paul Goddard advised that he had been working with the car park team on the application and it was through them the solution regarding car parking in the town centre was devised.
- Paul Goddard advised that the Kennet Centre car park was never full and had not been for years. He advised that a survey undertaken in November 2022 found that 300 cars were using the site which had a maximum capacity of 415.
- Sam Robins noted that the BID was in support of the application, however as a membership organisation they would need to conduct a consultation in order to act as a consultee. It was advised that they had not been asked if the units were viable but his understanding was that they felt as though they were.
- Matthew Shepherd could not provide more detail on the waste management plan as this fell more into building regulations but there were conditions in the report to ensure this was managed properly.
- Paul Goddard informed Members that the car parking space standards determined that a total of 471 spaces were required for the development. There were no car parking standards for businesses in the town centre due to the availability of public parking. He advised that figures gained from Bartholomew Court demonstrated that a total of 0.7 car park spaces were used by residents with a maximum of 0.57 being used during the day which had the potential to create an overspill. It was for this reason that the recommendation contained conditions for improved signage.

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- Paul Goddard advised that they were not losing 80 car park spaces because of this scheme. He noted that there were 66 spaces available on top of the Kennet Centre accessed via the ramp on Market Street that would be going with the building. He advised that the Kennet Centre car park was being reduced from 415 to 392 spaces, but there was an additional car park access on Bartholomew Street with 83 spaces. Meaning there was a net increase of 60 spaces available.
- Matthew Shepherd advised that the reason for another viability assessment in the future was on the basis that circumstances were subject to change. Due to the nature of build to rent it was necessary to review the viability at a time when the success of the project became clearer as if it was conducted too early it may not be in the Council's interest.
- Paul Goddard highlighted that the Cheap Street access was purely a service access and not a residential one which should not cause detriment to the public highway.
- Paul Goddard informed Members that there was a condition on a framework servicing and management plan to ensure vehicle movements were dispersed throughout the day.
- Paul Goddard noted that it was correct that businesses would be expected to use other car parking facilities in the town centre, as was the case when Parkway was built.
- Paul Goddard advised that during the week the Kennet Centre car park was only half full. The measures in the Update Report were designed to counteract overflow during peak periods.
- Paul Goddard informed Members there would be a full and comprehensive construction management plan to ensure the town centre flowed as seamlessly as possible.
- Matthew Shepherd highlighted that noise levels had been assessed and mitigation had been put in place where possible. In the open space areas behind The Newbury there was expected to be a level of noise that would be audible however this would be unlikely to be used at the same time. If windows were open in amenity spaces noise would be audible but this was viewed as acceptable given the town centre location of the site.

Debate

18. Councillor Adrian Abbs opened the debate by highlighting that this application had district wide strategic implications, he also expressed his opinion that some questions had not been adequately answered by officers and they should be afforded more time to ensure they could do so appropriately.
19. Councillor Abbs proposed to refer the application up to the District Planning Committee due to the district wide strategic implications of the proposal. This was seconded by Councillor Howard Woollaston
20. Councillor Clive Hooker sought advice from planning or legal on that. He noted that this was an on-balance planning decision and as such there was no reason for it to be referred up.
21. Debra Inston advised that the item could be referred up if the Committee felt as though there were district wide strategic implications of the development.
22. Councillor Antony Amirtharaj highlighted that not all Members of the Western Area Planning Committee were Members of the District Planning Committee. He believed that it was not right that Members of this Committee should be excluded from the debate or voting on an item situated in the western area. He felt it was unfair to ask members of the public to come back for another meeting without any debate or a

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- vote, he felt that a decision should be reached, and a subsequent motion passed to refer the item up if appropriate.
23. Councillor Hooker highlighted Councillor Abbs previous point that not all questions asked by Members were answered by officers, he disputed this noting that the majority of questions had been answered.
 24. Councillor Abbs noted Councillor Amirtharaj's view that the motion should not have been proposed at this stage, however officers' advice was that they had to get to the debate in order to make the proposal.
 25. Councillor Paul Dick agreed that all relevant questions were answered well and he could not see how more time could be of benefit to them. He noted the strategic implication for the application but advised that the application was about Newbury Town Centre.
 26. Councillor Tony Vickers asked for the motion to be put to allow time for debate should it not pass.
 27. Councillor Denise Gaines felt it was prudent to have a vote at this point as the Members present from the District Planning Committee would be predisposing their thoughts prior to that meeting.
 28. The Chairman invited Members of the Committee to vote on the proposal by Councillor Abbs, seconded by Councillor Woollaston, to refer the item up to the District Planning Committee. At the vote the motion was carried.
 29. Councillor Clive Hooker expressed that he was disappointed with the outcome of the Committee. He highlighted that its purpose was to discuss difficult planning applications and that this was an admonishment of the Committee's responsibilities. It was suggested that this was a total waste of time as it was an on balance planning application.
 30. Councillor Amirtharaj supported the view raised by Councillor Hooker and was disappointed that he was unable to take part in the debate and vote on the application as a representative of Newbury. He also advised that the failure to come to a decision was unfair on the public who attended the meeting. He suggested that they were not required to give their representation again. He felt as though it should have been brought up earlier in the meeting and not at 22:00.
 31. Councillor Phil Barnett advised there was a set laid out agenda that had to be followed.
 32. Councillor Denise Gaines sought assurance that Councillor Abbs point on officers failure to answer questions not be included, rather the recommendation should only have included detail pertaining to the strategic implication for the whole district.
 33. Councillor Dick agreed with views expressed earlier by Councillors Hooker and Amirtharaj and labelled the decision a disgrace.
 34. Councillor Vickers advised that there had been precedent for this as the application to move the Vodafone offices was referred up due to the district-wide strategic implications.
 35. Councillor Hooker advised that he had listened to the debate but reiterated that there was a process to be had and that it was in the Development Manager's gift to refer it up if they so wished.

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RESOLVED that planning application 23/02094/FULMAJ be brought before the District Planning Committee on the 13th November 2024 due to the district wide strategic implications of the proposal.

(The meeting commenced at 6.00 pm and closed at 9.55 pm)

CHAIRMAN

Date of Signature

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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 23 OCTOBER 2024

Councillors Present: Phil Barnett (Chairman), Clive Hooker (Vice-Chairman), Adrian Abbs, Antony Amirtharaj, Paul Dick, Howard Woollaston and Billy Drummond (Substitute) (In place of Nigel Foot)

Also Present: Sharon Armour (Legal Services Manager), Paul Bacchus (Principal Engineer (Drainage and Flood Risk)), Michael Butler (Principal Planning Officer), Sian Cutts (Senior Planning Officer), Paul Goddard (Highways Development Control Team Leader) and Debra Inston (Team Manager),

Apologies for inability to attend the meeting: Councillor Nigel Foot, Councillor Denise Gaines and Councillor Tony Vickers

PART I

2. Minutes

The Minutes of the meeting held on 24 July 2024 were approved as a true and correct record and signed by the Chairman.

3. Declarations of Interest

Councillor Adrian Abbs declared a personal interest in Agenda Item 4(2) by virtue of the fact that both he and the applicant volunteered at Kennet Radio. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Paul Dick declared that he had been lobbied on Agenda Item 4(1).

4. Schedule of Planning Applications

(1) 1. 23-00815-FUL land South of Sandhill, Hermitage

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 23/00815/FUL Hermitage in respect of: Part retrospective. Change of use of land for the formation of 5 Gypsy/Traveller pitches comprising of 1 mobile home, 1 touring caravan, and 1 utility building per pitch.
2. Mr Michael Butler introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion the report detailed that the proposal was acceptable in planning terms and officers recommended that the Development Manager be authorised to grant planning permission subject to the conditions outlined in the main and update reports.
3. The Chairman asked Mr Paul Goddard if he had any observations relating to the application. He highlighted matters regarding access and potential traffic movements.

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- The current access was unauthorised, and a condition was proposed requiring details to be submitted. Highways Officers were satisfied that there was adequate width for the expected vehicles to manoeuvre in and out of the site.
 - The applicants had commissioned speed surveys which had been used to calculate the required sight lines for the access. While the required sightlines were not achieved at this stage, they were achievable because they were within land that was controlled either by the Local Authority or by the applicant. A condition was proposed to ensure the provision of the sightlines.
 - There was a provision of a 1.5 metre wide footway coming from the site and connecting to existing footways to the south. This would be secured by condition, as well as provided by appropriate legal agreements.
 - Highways Officers noted that caravans would stay for long periods, and they considered caravan movements to be infrequent. Expected traffic movements would be three vehicles in and out per pitch per day, equating to 15 additional vehicle movements, and should not cause any traffic issues.
 - Highways Officers had no objection to the proposal.
4. In accordance with the Council's Constitution, Ms Ruth Cottingham, Parish Council representative, Mr Martin Powers, Objector, and Councillor Heather Codling, Ward Member, addressed the Committee on this application.

Parish/Town Council Representation

5. Ms Cottingham addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee 23 October 2024](#)

Member Questions to the Parish/Town Council

6. Members asked questions of clarification and were given the following responses:
- It was confirmed that dialogue had taken place with the applicants - 18 months ago, the Parish Council had hired the local school hall, and many local residents, the owner of the site, and residents of the site were in attendance.
 - It was believed that another Councillor had been in contact with the residents of the site.

Objector Representation

7. The Committee suspended standing orders to allow Mr Martin Powers to address the Committee, as he had missed the 16:00 deadline to register to speak.
8. Mr Powers addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee 23 October 2024](#)

Member Questions to the Objector

9. Members did not have any questions of clarification.
10. The Committee voted to return to standing orders.

Ward Member Representation

11. Councillor Codling addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee 23 October 2024](#)

Member Questions to the Ward Member

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

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- The Ward Member had not been on the site, but she had walked along the side of the road, she had spoken to local residents who had approached her with complaints, and she had attended the meeting at the local school.
- Regarding the amount of latitude given to the application, she noted the amount of time it had taken for the application to reach the Western Area Planning Committee.
- She noted that in other applications, if requests for reports were not brought forward, they would have been refused because the applicant had not provided sufficient information.

Member Questions to Officers

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

- There was an existing footpath in front of Tall Cove, which was the dwelling immediately to the south, but there was no footway for 10–15m to the access point. If the application was approved, through a Section 278 agreement with the Highway Authority, and at the cost of the applicant, a new 1.5m footway would be constructed linking into the current footpath.
- Regarding the footpath to the east of the site, it was explained that the land would be outside of the red line and outside of the control of the applicant. It would involve third party land, and the applicant would need an agreement with the Parish Council. There would also be potential harm to the TPO trees. There were considerable gradient differences, therefore the construction and access would be difficult and costly. While it would be possible to use that access, Officers regarded access via the highway to be a more logical and straightforward approach.
- It was confirmed that the process and administration of a planning application had no bearing on the Committee's determination of the land use planning merits of the application. Due to workload allocations, there had been a change of case officer, and the change had caused procedural delays. The applicant's agent had been slow in providing necessary information and it could have been refused at an earlier stage, however, the applicant was agreeable to extensions of time. There was a recognised shortfall of Gypsy and Traveler pitches across the district and there was an onus on case officers to see if the shortfall of pitches could be addressed.
- It was confirmed that the shortfall of Gypsy and Traveler pitches for the next five years was one, and the shortfall to 2038 was 18.
- Paragraph 7.36 of the report stated that the application site had a visual impact on the NDL and the Committee would need to take it into account in balancing their decision.
- Officers accepted that the impact of the site was not neutral, and that there would be visual harm. However, Officers had taken a balanced view, and given the weight attached to the need for additional Gypsy and Traveler pitches and the relatively sustainable location with a range of local facilities in Hermitage, Officers were recommending approval.
- The Government was keen that public confidence in the planning system was not undermined by unauthorised developments and retrospective applications. This was a material fact that the Committee could consider, but it did not change the recommendation to approve the application.

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- It was explained that Gypsy and Traveler accommodation had specific permissive policies for development in the countryside. If the application had been for a normal market housing scheme, Officers would have automatically rejected the application unless it had been a brownfield site, or an allocated site, or a rural exemption site for 100% affordable housing.
- It was confirmed that an injunction had been placed on the site in early 2023. If planning permission was granted, the injunction would be removed. If the planning permission was refused and no appeal was made by the applicants, it would be likely that enforcement action would be taken. However, no enforcement action would be taken if an appeal was made, since the appeal may permit the development.
- Clarification was provided that Four Houses Corner had already been taken into account in calculating the shortfall of pitches, because it had an extant permission. The application was for operational development on an existing site, which created one additional pitch.
- Officers highlighted Table 7.3, which stated that a net increase of 18 pitches was needed by 2038. If planning permission was granted for this application, it would reduce the requirement to 13 pitches.
- It was explained that drainage had been partially addressed with the suggested use of permeable paving. Previous ground investigation tests had flaws, and the calculation were not correct. Officers had requested further testing information and verification of results of tests carried out previously.
- Members noted that the foul water was dealt with by a cess pit. There was a plan to connect all of the plots to a drainage system discharging into the cess pit. While this was the least desirable solution for a foul water system, the applicant had followed the correct processes in the building regulations to determine that it was the only way in which they could dispose of foul effluent from the site.
- It was confirmed that there was no provision in the local plan for additional Gypsy and Traveler sites. As a precursor to the Local Plan Review, there had been a call for additional pitches, and one had been promoted. The Council as the planning authority could have allocated designated sites across the district, but this wasn't done. Officers were required to take account of the shortfall when assessing applications.
- It was explained that because the public Thames Water foul sewage system was beyond 30 metres from the site, there was no requirement for the applicant to connect to it. The applicants were unable to use a septic tank drainage flowing into a drainage field because of the extensive use of permeable paving throughout the site.
- Members were told that the application was for the change of use of the land and not for operational development, so the block plan was indicative only. The pitches shown would allow the use of the land for the stationing of one day room, one touring caravan, and one mobile home. The units could move around as necessary with parking throughout the lifetime of the permission within the plot. The siting of a mobile home was the use of the land, it was not operational development.
- It was noted that if Members had concerns about the proximity to the eastern boundary, then the buffer could be increased to 10m.

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- It was confirmed that a stopping sight distance of 100m would be required, starting from a point 2.4m back from the edge of the carriageway at the site access.
- It was stated that from the point that the injunction was served, anything already on site could remain. If additional caravans were brought on site after the injunction was served, that would be in breach of the injunction. Monitoring of the site was a Planning function.
- Members were reminded that they needed to consider the planning application rather than the unauthorised development that had taken place on the site. However, it was acknowledged that the unauthorised development was a material consideration that Members could take it into account.
- It was confirmed that the owner of the land could have brought the land forward for consideration during the Local Plan.
- Members were advised that the proposed sightlines were based on the actual speed of vehicles along the road of 38 mph, rather than the 30 mph speed limit.

Debate

14. Councillor Adrian Abbs opened the debate by noting that there was no way to make sure that the people occupying the site were actually from the Gypsy and Traveler community. He suggested a condition requiring a register to be kept, available to the Parish and District Council, where those occupying the pitches could be asked to provide evidence that they were a member of the Gypsy or Traveler community. However, Officers advised that such a condition would be inappropriate and unenforceable, as the Gypsy and Traveler community were self-determining, and there would be no way that the planning authority could determine that someone was a member of the that community. Also, if permission was granted, it was not a personal permission, but a change of use of the land. It was felt that Condition 4 would be sufficient to address Members' concerns.
15. Councillor Abbs noted the special area where the site was located and the significant loss of hedgerows to create the sight line. He also expressed concerns about the safety of the narrow footway. Given the significant harm to the ecology and the relevance of maintaining confidence in the planning system, he indicated that he was minded to support rejection of the Officers recommendations.
16. Councillor Paul Dick indicated that he had received a significant number of complaints about the application, but the complainants were unwilling to attend the meeting for due to concerns about reprisals. He noted that numerous requests for information had not been forthcoming from the applicant and highlighted the potential for public confidence in the planning system to be undermined. He acknowledged that there was a shortfall in Gypsy and Traveler pitches, but it was a shortfall of one, and the Council had five years to address it. He noted that the Landscape and Visual Impact Assessment had been rubbished by Council own expert. He highlighted that the original arrival of residents on the site was under the cover of darkness, and noted the high court injunction, as well as the lack of engagement by the applicant. He also expressed concerns about the onerous conditions.
17. Councillor Antony Amirtharaj agreed with Councillors Abbs and Dick and noted the flawed drainage plan and the unauthorised development. He indicated that another residential application on this site would be refused because it was on a greenfield site. He noted that if the application was refused and appealed, there would be no changes on the site and residents' concerns would not be addressed. However, he

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felt that there were other, non-technical aspects that the Committee should consider, including those set out in the Part II papers.

RESOLVED that: members of the press and public be excluded from the meeting on the grounds that discussions would involve the likely disclosure of exempt information as contained in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006. Rule 10 of Part 10 of the Constitution refers.

Upon conclusion of discussions under Part II, the Committee reconvened under Part I.

18. Councillor Clive Hooker noted that the site had not been kept in good order. At the site visit, Members had found that there were seven vans instead of five, the water supply for one plot was via a broken hosepipe, there was a dangerous power supply, sewage tanks were unsealed, and there were skips full of rubbish. One caravan was parked very close to the boundary with no consideration for the neighbouring property. He noted that it was a retrospective application that was in the National Landscape, and that it would have a visual impact. He noted that it was being recommended for approval on the basis of having a shortfall of one Gypsy and Traveler pitch in the district, but he did not think it would be right for the Committee to approve the application, particularly given the number of objections.
19. Councillor Phil Barnett agreed with Councillor Hooker's observations from the site visit.
20. Councillor Howard Woollaston also agreed with Councillor Hooker and suggested that the issue revolved around the need for additional Gypsy and Traveler pitches. He questioned the need to consent to five additional pitches in the National Landscape when there was only a shortfall of one across the district. He noted the opposition from the Parish Council and local residents and proposed that the Committee vote to reject Officers' recommendations and refuse planning permission.
21. Officers clarified the reasons for refusal with Members.
22. Councillor Woollaston proposed to reject Officer's recommendation and refuse planning permission. This was seconded by Councillor Dick.
23. The Chairman invited Members of the Committee to vote on the proposal by Councillor Woollaston, seconded by Councillor Dick to refuse planning permission. At the vote the motion was carried.

RESOLVED that the Development Manager be authorised to refuse planning permission for the following reasons:

Reasons

- Visual impact on the National Designated Landscape
- Concerns about drainage within the site
- Concerns about site access

(2) 2. 24-00582-FUL The White Hart inn, Hampstead Marshall

1. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 24-00582-FUL The White Hart inn, Hampstead Marshall in respect of change of use of the Public House to residential use, together with external alterations, landscaping, car parking and any other associated works and infrastructure, White Hart Inn, Hamstead Marshall, Newbury, RG20 0HW.

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2. Ms Sian Cutts 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.
3. Highways Officers had no further comments.
4. In accordance with the Council's Constitution, Ms Anne Budd, Parish Council representative, Mr Matt Maggs, objector, Mr Chris Moss, supporter, and Ms Stella Coulthurst/Mr Gareth Johns, applicant/agent, addressed the Committee on this application.

Parish/Town Council Representation

5. Ms Budd addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee 23 October 2024](#)

Member Questions to the Parish/Town Council

6. Members asked questions of clarification and were given the following responses:
 - The first Asset of Community Value (ACV) nomination had been accepted. When the time was running out on the ACV, another Parish Councillor had submitted a nomination, however it was rejected on the grounds that there was no justification that an ACV would be appropriate.
 - Ms Budd stated that to her knowledge, no brewing had taken place on the site.

Objector Representation

7. Mr Maggs addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee 23 October 2024](#)

Member Questions to the Objector

8. Members asked questions of clarification and were given the following responses:
 - Mr Maggs was concerned about being able to see through the obscured windows and the impact this might have on the value of his property. He noted that the previous application from 2017 did not have a skylight.

Supporter Representation

9. Mr Moss addressed the Committee. The full representation can be viewed here: [Western Area Planning Committee 23 October 2024](#)

Member Questions to the Supporter

10. Members did not have any questions of clarification.

Applicant/Agent Representation

11. Ms Coulthurst and Mr Jones addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee 23 October 2024](#)

Member Questions to the Applicant/Agent

12. Members asked questions of clarification and were given the following responses:
 - It was confirmed that there had been no interest in running the property as a pub while it had been on the market for six months.

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- It was acknowledged that some potential buyers thought they could see an inexpensive development opportunity and were interested in that capacity. Two restaurant groups had considered the property, but they did not want to pursue it because of the location challenges.
- It was confirmed that although a brewery had been installed, no beer had been brewed at the pub since the month before the pub closed.

Member Questions to Officers

13. Members asked questions of clarification and were given the following responses:
- Officers stated sufficient parking could be provided for the residential development. Overall, there was a need for 8.5 spaces, and nine were proposed. The proposal complied with Policy P1 and car parking standards.
 - It was confirmed that permitted development rights would be limited. No condition was proposed restricting extensions and alterations to the buildings, other than to restrict the rights for any additional window openings along the north elevation of H4. The proposed skylight would be 1.7 metres above the internal floor level. As such, even with an opening window, there would be no overlooking impact. The room had originally been proposed as a bedroom, so building regulations would have required an opening window. However, internal alterations could be made to have the room as a bathroom, so only mechanical ventilation would be required, and the offer had been made for a condition requiring it be a shut window.
 - Officers stated there would be five skylights on the front of elevation H4.
 - It was confirmed that the proposed development was in keeping with parking standards, with one visitor space per five units.

Debate

14. Councillor Antony Amirtharaj opened the debate by proposing to approve the development. He highlighted the lack of support for pubs in the community which meant that the business was not viable, and highlighted the lack of technical reasons for refusal.
15. Councillor Clive Hooker agreed with Councillor Amirtharaj. He recalled when the Committee had previously considered an application for the site, and the reasons for refusal at that meeting had been the same as those subsequently given by the Planning Inspector at appeal. Many local residents had turned up to the meeting to make the case for saving the pub, however that support had not been enough.
16. Councillor Billy Drummond indicated that he supported the application.
17. Councillor Adrian Abbs supported the inclusion of a condition to heavily obscure the view from the skylight. However, officers indicated that this would be unreasonable, since obscured glazing should prevent visibility. Officers were not aware of any technical standards that could be imposed.
18. Councillor Howard Woollaston supported a condition to required obscure glazing to prevent any overlooking of the adjoining property. Officers confirmed they would ensure that the condition was such that the obscure glazing was sufficient to prevent any overlooking of any neighbouring properties.
19. Councillor Amirtharaj proposed to accept Officers' recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Hooker.

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20. The Chairman invited Members of the Committee to vote on the proposal by Councillor Amirtharaj, seconded by Councillor Hooker 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 conditions in the main report and update reports subject to the following amendments:

Conditions

18. Obscure glazing of windows

The roof light window at first floor level in the north elevation of dwelling H4 shall be fitted with level 4 or 5 obscure glass and shall be non-opening. The obscure glazing shall be permanently retained in that condition thereafter.

Reason: To prevent overlooking of adjacent properties/land, in the interests of safeguarding the privacy of the neighbouring occupants. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Quality Design SPD (2006) and House Extensions SPG (July 2004).

(The meeting commenced at 6.30 pm and closed at 9.58 pm)

CHAIRMAN

Date of Signature

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Agenda Item 4.(1)

| Item No. | Application No. and Parish | Statutory Target Date | Proposal, Location, Applicant |
|----------|--|-------------------------|---|
| (1) | 24/00037/FULMAJ Newbury Town Council | 21.08.2024 ¹ | Erection of Primary Care Centre with associated works. Land South Of Newbury College and North Of Highwood Copse School, Highwood Copse Way, Newbury Greenham Trust Limited |

¹ Extension of time agreed with applicant until 28.01.2025

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=S70JPCRD09N00>

Recommendation Summary:

To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed in section 8 of this report (or minor and inconsequential amendments to those conditions authorised by the Development Manager, in consultation with the Chairman or Vice Chairman of the Western Area Planning Committee).

Ward Member(s):

Councillor Adrian Abbs, Councillor Patrick Clark and Councillor David Marsh

Reason for Committee Determination:

Called-in by Ward Member regardless of recommendation.

Committee Site Visit:

16th January 2025

Contact Officer Details

Name: Jake Brown
Job Title: Principal Planning Officer
Tel No: 01635 519111
Email: Jake.Brown@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 the erection of a Primary Care Centre and associated works. The proposal would provide a new facility to replace the existing Eastfield House Surgery, which is currently located at 6 St. John's Road, Newbury.
- 1.3 The site comprises 0.50 hectares of greenfield land at Newbury College, north of Highwood Copse Primary School and south of the existing College buildings.
- 1.4 The existing ground levels in the area rise gently from south of the application site to north of the application site. To the north of the application site is an area of open land beyond which is the built form up to approximately 10.5 metres in height of Newbury College located on higher ground than the application site. To the northeast of the application site is the existing Castle School, a single storey building.
- 1.5 To the east of the application site is open land which has recently been granted planning permission for a food store, up to 75 dwellings and residential care accommodation containing up to 70 beds, together with open space, play space, drainage, parking and associated access, infrastructure, landscape, and bund on its eastern boundary with the A339. The proposed residential care accommodation to be provided across two buildings up to 10 metres and 12 metres in height would be located directly to the east of this application site, on the opposite side of the road that leads to the College and Castle School. To the west of the application site is existing open land. South of the application site is the road, Highwood Copse Way, serving Highwood Copse Primary School and the future Sandford Park development. Highwood Copse Primary School is set on lower ground than the application site and is a single storey building, approximately 7.5 metres tall at the highest point.
- 1.6 The application site is located outside of but adjacent to the designated settlement boundary of Newbury, which runs along the northern boundary of the application site. The application site is located in Flood Zone 1 and is identified as being in an area at high risk of Great Crested Newt (GCN). A designated wildlife site (Highwood Copse) is located some 140 metres to the southwest of the application site. The Grade II listed Registered Park and Garden of Sandford Priory is located approximately 230 metres to the southeast of the application site beyond the existing household waste recycling centre.
- 1.7 The proposed development comprises a part two storey and part single storey building providing approximately 1451sqm of floorspace for the Eastfield House practice and 120sqm for a pharmacy. The building would be located to the northwestern corner of the site with the two-storey flat roofed element to the rear and single storey pharmacy flat roofed element to the front of the building, adjacent to the main canopied entrance to the surgery. Solar panels are to be located on the flat roof of the two-storey part of the building. The main building is arranged as two wings of clinical space around a central courtyard. The material to be used in the development would comprise brick and timber cladding to reflect the development at Highwood Copse Primary School.
- 1.8 Car parking is proposed to front and side of the building, with 58 parking spaces providing for visitors and 14 dedicated parking spaces for staff. Cycle parking for staff and bin storage is to be provided to the west of the building. Cycle parking for visitors is to be provided in front of the building, east of and adjacent to the main entrance.

- 1.9 Two vehicular accesses onto Highwood Copse Way would be provided, one to serve the staff and refuse/ambulance parking area with the other dedicated to visitor parking. Pedestrian accesses from the road to the south and the road to the east are also proposed.
- 1.10 In respect of landscaping, an existing hedgerow to the rear of the site would remain and new trees and shrubs are proposed throughout the car park and along the western and eastern boundaries of the site. Hedgerows are also proposed along the western, eastern and southern boundaries.

2. Planning History

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

| Application | Proposal | Decision / Date |
|-----------------|--|------------------------|
| 95/46286/OUT | New college. | Approved 08.04.1988 |
| 99/55227/ADD | The provision of an Educational College including a Nursery/Creche and Residential Conference Training Centre. | Approved 30.11.2000 |
| 02/00731/RELAX | Relaxation of Condition No.11. of Application No.155227 relating to working hours during construction. | Approved 11.06.2002 |
| 22/02754/OUTMAJ | Hybrid Planning Application: 1) Full planning permission for a food store with a floor area of 1800 square metres (Use Class E(a)) together with drainage, parking and associated access, infrastructure, and landscaping. 2) Outline planning permission (matters to be considered: access) for up to 75 residential units (Use Class C3) high-capacity Electric Vehicle (EV) charging area, and residential care accommodation, containing up to 70 beds (Use Class C2), together with open space, play space, drainage, parking and associated access, infrastructure, landscape, bund on the eastern boundary with the A339, ancillary and site preparation works. | Approved 08.11.2024 |

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 notices were displayed on 3 June 2024 at the front of the site facing Highwood Copse Way, with a deadline for representations of 27 June 2024. A public notice was displayed in the Newbury Weekly News on 30 May 2024; with a deadline for representations of 13 June 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):** 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. 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 All new buildings within the development will be required to comply with Building Regulations which have their own criteria to apply for the design of buildings which also has due regard to the Act.
- 3.11 **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.
- 3.12 It is acknowledged that there are certain properties where they may be some impact. 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 primary care services.
- 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.

4. Consultation

Statutory and non-statutory consultation

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

| | |
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| Greenham Parish Council: | Access to the proposal is a concern as it would be difficult to reach by foot and public transport would need to be more accessible. It was considered that moving a surgery away from the Newbury town centre will create more vehicles on roads to reach this proposed new site. This is not in accordance with WBC Climate Emergency Plan. |
| WBC Highways: | I would consider that traffic may decrease in the current location and will increase in the proposed location. It could therefore be considered that overall, on the Newbury network, there will not be an increase in traffic, however the site is located further from the town centre, which may overall provide some increase in journey time and distance overall. Comments from colleagues in Transport Policy have considered the location of the site and its |

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| | <p>accessibility to all modes of travel. Comments which I support, including that the site is near much residential development including the future Sandford Park development.</p> <p>The site is located along Highwood Copse Road, which allows the site to be approached and left in more than one direction. Either to and from the A339 or through what will be the Sandford Park development. This would enable traffic to be more spread to and from the site, and on that basis, no objections are raised on traffic grounds.</p> <p>Secure cycle parking for staff and covered Sheffield stands cycle parking for visitors are proposed and acceptable. Electric vehicle charging points should be provided in line with English Building Regulations Approved Document S.</p> <p>Further information and amendments required:</p> <ul style="list-style-type: none"> - visibility plays will need to be shown for the accesses of 2.4 x 43.0 metres onto Highwood Copse Way; - justification for provision of 14 car parking spaces only for staff; - a Transport Statement is required; - a pedestrian route should be provided going out from the site eastwards towards the Newbury College and connecting with existing footways; - dropped kerbs and tactile paving should be provided to enable pedestrians to cross the road. |
| <p>WBC Transport Policy:</p> | <p>The existing surgery site, though well-placed for surrounding residential areas, is of insufficient size to cater for increased demand for health care related services. The proposed new site to the south of Newbury College would be less accessible for most of the current residential areas in central Newbury, but would be within walking distance of parts of south Newbury, including the proposed Sandford development.</p> <p>There are some bus services calling at stops that are within walking distance of the site, which would provide approximately 3 services per hour to/from Newbury town centre. Consideration could be given to looking to provide additional bus calls at the College Hub bus stop.</p> <p>No information has been provided regarding how sustainable travel options to the site will be promoted. This should be provided to assist patients accessing the site, particularly those without access to a car.</p> |
| <p>Natural England:</p> | <p>No objections.</p> |
| <p>Active Travel:</p> | <p>No comment</p> |
| <p>NHS Buckinghamshire, Oxfordshire and Berkshire West</p> | <p>Current premise is already at capacity and their clinical rooms are not in line with current NHS guidance.</p> <p>No objections raised but have concerns regarding the viability of the proposal and whether it is affordable to the BOB-ICB. However, the deliverability of a new facility is not a material</p> |

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| Integrated Care Board (BOB-ICB): | consideration of a planning application. Recommend informative is attached to advise the applicant of the need to submit a business case to BOB-ICB and the grant of planning permission does not imply that the BOB-ICB will support the business case. |
| WBC Ecologist: | Additional information regarding the potential for ecological impacts to arise as a result of the proposed development impact on the Lime tree subject to a TPO. |
| WBC Tree Officer: | Object. No tree information submitted and there is a significant veteran Lime Tree subject of a TPO in the northwestern corner of the site which appears to be removed as part of the development proposed. Veteran trees are “irreplaceable habitat” and their removal should be refused unless “there are wholly exceptional reasons [and] there’s a suitable compensation strategy in place”. As the Lime tree is a veteran, there may be other effects on biodiversity beyond simply its removal - particularly in terms of protected and saproxylic species. |
| Newt Officer: | Recommend that a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) strategy documents to be completed by a suitably qualified ecologist is produced, to show that the works will be carried out following best practice procedures. This practice has been suggested for reptiles and hedgehogs in the ecological report and it is recommended to also include great crested newts. |
| WBC Archaeologist: | No objections. |
| WBC Environmental Health: | No objections. |
| WBC Lead Local Flood Authority (LLFA): | Object. Significant lack of information submitted with application. A comprehensive drainage strategy is required. |
| Thames Water: | No objections subject to conditions to ensure details of sufficient capacity for foul and surface water is secured prior to development commencing and an informative advising of minimum water pressure. |
| WBC Economic Development: | Support. |
| Newbury Society: | Aware that that the current Eastfield House in St. John’s Road is working at capacity and welcome the improvement in facilities offered by this proposed new primary care centre/ Eastfield House surgery. However, we have concerns about the long-term reduction in the number of doctors’ surgeries available in Newbury town centre. Bearing in mind that many of the current patients are within easy walking distance of the existing surgery, we are concerned about how accessible this new surgery would be. Although we appreciate that there are cost constraints, we |

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| | find the exterior design of the planned building unimaginative. Given that the plans include solar panels on the roofs, we would prefer roofs with a gradient which would render these more effective: something which could also improve the appearance of the centre. Welcome the parking spaces included in the plans. |
| WBC Waste Services: | No response received |
| WBC Environment Team: | No response received. |
| SPOKES: | No response received. |
| Royal Berkshire Fire and Rescue Service: | No response received. |
| Thames Valley Police: | No response received. |

- 4.2 The table below summarises the consultation responses received during the consideration of the application to the amended plans and additional information submitted. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

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|---------------------------------|--|
| Greenham Parish Council: | No response received. |
| WBC Highways: | <p>Query whether the 14 car parking spaces are sufficient for the now projected 40 staff, even allowing for some to travel by sustainable modes.</p> <p>No objections raised on traffic grounds.</p> <p>Dropped kerbs and tactile paving required for the pedestrian routes.</p> <p>Visibility splays will need to be shown to the carriageway edge in both directions for the accesses of 2.4 x 43.0 metres onto Highwood Copse Way, although for 2.4 x 25.0 for 32 kph (20 mph) should be acceptable.</p> <p>It would seem that we still require amended details and plans to cover some issues.</p> |
| WBC Transport Policy: | No response received. |
| WBC Ecologist: | No objections subject to conditions to secure works in accordance with ecology report, a landscape and ecological management plan (LEMP), and proposed biodiversity measures. |
| WBC Tree Officer: | The submitted tree information does not conform to British Standard BS 5837:2012 Trees in relation to design, demolition |

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| | <p>and construction recommendations. The RPA plotted is incorrect. Scaling of the amended site layout plan suggests the E-W extent of the site is ~5-7m from the tree. This places the building within the RPA of the tree. The only way in which this can be achieved therefore is by using specialist methods under Arboriculturist supervision.</p> <p>If approved, request conditions to secure Arboricultural Method Statement, Arboricultural Supervision, and landscaping.</p> |
| WBC Lead Local Flood Authority (LLFA): | <p>Whilst we are largely satisfied with the amendments made to the drainage strategy in line with our previous comments, there are a couple of items that require clarification prior to recommending conditions.</p> <ul style="list-style-type: none"> - The drainage plan does not show the outfall location of the surface water drainage network. Please can the applicant amend? - It is a WBC requirement that flows are restricted to the 1 year Greenfield rate as opposed to QBar. Please can the applicant amend? - We request that all drainage designs utilise the latest rainfall data in the form of FEH rather than FSR. |
| Newbury Society: | No response received. |
| WBC Environment Team: | No response received. |

Public representations

4.3 Representations have been received to the original proposals from 8 contributors, 5 of which support, and 3 of which object to the proposal.

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

Support:

- Bigger GP practice is much needed for patients.
- Larger, modern premises will accommodate more patients, improve access and expand the services GPs can offer the local people.
- This will be an investment in the future healthcare and wellbeing of our community.
- The new GP practice will also complement the approved residential development and hospice on Sandford and Mayfield Point developments.
- Will enable access to better facilities in the catchment.
- Important that vehicle access is permitted from Monks Lane through College.
- Without this re-development the available health services to the town will diminish considerably.

- With the proposed increased housing numbers south of Newbury, the current restricted practice facilities will be unable to accommodate any additional patients without relocation & building expansion.

Objections:

- Proposed location outside of town centre already served by a nearby GP practice.
- Loss of town centre primary car provision for patients south of the Kennet.
- Would potentially be merged with Falkland Practice at the expense of town centre provision.
- Existing surgery should continue to operate for existing patients with the new surgery used for new patients.
- Primary Care facility is required within the Town Centre.
- Impact on accessibility for patients, particularly the elderly.
- Should be used in addition to existing surgery.
- Application submissions do not accurately assess the site.
- Provision of primary care services should be planned for a longer period of time to ensure adequate provision for population growth.
- Does not make sense to move primary care facility away from the heaviest concentration of present and anticipated patients to a remote and 'semi-rural' site.
- Cannot insist on retention of existing surgery.
- Will result in only one GP practice left in town centre serving the population on northern side of the town.
- Will not be within walking distance of a sizeable proportion of existing patients.
- Impact on traffic and increase in congestion.
- Cycle access is unrealistic.
- Lack of bus service to site and adequate bus shelters.
- An unwelcoming location for users of the site.
- Pharmacy would compete with pharmacy at nearby Tesco.
- More active forward planning for town's primary healthcare provision is required between NHS and Council planning.

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, ADPP2, CS5, CS9, CS11, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS.5, OVS.6, and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- WBC Quality Design SPD (2006)
- Sustainable Drainage Systems SPD (2018)
- WBC Cycle and Motorcycle Advice and Standards for New Development

- 5.3 The policies of the emerging Local Plan Review have been recently considered at an Examination in Public (EiP) and are subject to amendments directed by the Planning Inspector which are currently being consulted on. As such, they carry only limited weight at this stage, but the policies show the direction of travel of the Council's Planning Policies.

6. Appraisal

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

- Principle of Development
- Design, Character and Appearance
- Impact on Neighbouring Amenity
- Highway Matters
- Biodiversity and Trees
- Flooding and Drainage
- Sustainable Construction

Principle of Development

- 6.2 Policy ADPP1 of the West Berkshire Core Strategy 2006-2026 considers that most development will be within or adjacent to the settlements and related to the transport accessibility of the settlements (especially by public transport, cycling and walking), their level of services and the availability of suitable sites for development.
- 6.3 Policy CS9 of the Core Strategy seeks to manage the scale, type and intensification of business development. A range of types and sizes of employment sites and premises will be encouraged throughout the district to meet the needs of the local economy. Policy CS9 indicates that proposals for business development should be in keeping with the surrounding environment, not conflict with existing uses, and promote sustainable transport. Policy CS9 also seeks that development should respond to modern business requirements and should ideally be located in sustainable locations.
- 6.4 Policy CS11 states that the vitality and viability of the District's town, district and local centres will be protected and enhanced. The Policy concludes that main town centre uses identified by the NPPF will be directed to the town and district centres defined in this policy.
- 6.5 A GP Surgery is not considered to fall within the definition of a main town centre use under the NPPF. As such, there is no requirement to undertake a sequential test to establish whether the proposal could be located closer to the town centre. Nonetheless, the NPPF states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. However, the NPPF recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 6.6 The existing Eastfield House Surgery is not located within the designated Town Centre Commercial Area, but is within 300m of that designated area, i.e. on the edge of the town centre area. The proposed new site in this application is also not situated within the designated Newbury town centre commercial area, nor is it within a designated protected employment area, but would be approximately 1.6km (as the crow flies) or approximately 2.1 kilometres along roads from the existing site, i.e. an out of town site.

- 6.7 The applicants have submitted a Needs Justification Statement which adequately demonstrates the need for a replacement to the existing premises, including why the existing surgery site is not suitable for continued use as a surgery, or as a satellite facility to the proposed new surgery due to costs and administrative issues. The Needs Justification Statement advises that the current site has temporary accommodation for which planning permission expires on 1st July 2025 when that accommodation will have to be removed. In addition, the Statement assesses 17 alternative sites to the proposal that have been considered over the past five years, including the local centre within the Sandford site, demonstrating there are no alternative suitable sites within the town centre or the edge of the centre.
- 6.8 The current Eastfield Surgery is located within the main Newbury urban area and is within easy walking distance of nearby residential areas, including Eastfields, Westfields and the many residential developments in Newbury town centre. These areas have some of the lowest car ownership levels in West Berkshire, with many residents being reliant on having nearby services and facilities and/or access to good public transport services. However, it is recognised that there is pressure on the existing surgery arising from increased patient lists and a demand for a greater range of services. The potential for growth at the current site is severely constrained, and there is a lack of car parking for patients at the existing site.
- 6.9 Whilst the proposed new surgery would be located directly adjacent to the settlement boundary of Newbury, geographically it would be located more centrally to the catchment area for the GP Practice than the existing site. However, it is acknowledged that the proposed site would be located further from the built-up area of Newbury and therefore would require patients living in that area to walk further or take alternative means of transport.
- 6.10 The main vehicle access would be the new Sandford access road from the A339, Highwood Copse Way. Pedestrian and cycle access would also be possible via the Newbury College access road from the Monks Lane roundabout. Pedestrian/cycle access to the site from the Greenham/Burys Bank Road area is also possible either via a crossing of the A339 by the Pinchington Lane roundabout or via the pedestrian crossing built into the recently constructed Sandford access from the A339.
- 6.11 The IHT “Guidelines for Providing Journeys on Foot” (2000) indicates that for non-town centre, work or school trips, the suggested acceptable walking distances may be up to 1200m (for people without mobility impairment). Using this distance as a basis, there would be parts of the Greenham and Burys Bank Road areas within 1200m, along with residential areas in southern parts of Newtown Road and adjacent to Monks Lane. In addition, parts of the proposed Sandford Park development and future College residential development would also be within walking distance. The central area of Newbury would be around 2-2.5km walking distance from the site.
- 6.12 The proposed site would be within cycling distance of the practice catchment area and other parts of Newbury outside of this. However, there is a significant gradient on Newtown Road between the town centre area and the site, which may act as a deterrent to some cyclists.
- 6.13 At present, there are no bus services running directly to the site. The nearest bus stops are in the College car park (350m), on the A339 at Pinchington Lane (450m) and Monks Lane (550m). A summary of daily bus services that would provide a link between the site and the town centre (plus intermediate stops on the routes) are as follows:

| Bus stop | Service | Daytime Frequency | First bus from Newbury | Last bus to Newbury |
|----------------------------|-----------------------------------|-------------------|------------------------|---------------------|
| Monks Lane | 2 (Newbury TC – Pigeons Farm) | Hourly | 08:25 | 17:57 |
| A339 s of Pinchington Lane | 32 (Newbury TC – Basingstoke) | Hourly | 07:15 | 22:14 |
| A339 s of Pinchington Lane | 103 (Newbury TC – Greenham BP) | Hourly | 06:33 | |
| College Hub bus stop | 103A/B (Newbury TC – Greenham BP) | Hourly | 10:36 | 18:20 |

- 6.14 The combination of services 2, 32 and 103A/B would offer around 3 buses per hour between central Newbury and the area in the vicinity of the surgery. This would provide a reasonable public transport connection between the practice area in central Newbury and the proposed primary healthcare facility. The 103A/B services from the College Hub bus stop would not involve people accessing the site having to cross busy roads (e.g. A339 and Monks Lane).
- 6.15 Therefore, whilst the proposed location of the new surgery and pharmacy would detrimentally impact on the ability of some patients within the Newbury urban area to easily access the facility by foot or bicycle, patients from other parts of Newbury and Greenham as well as future planned residential development nearby would benefit from the new location. In addition, there are existing public transport connections close to the site. Furthermore, the provision of suitable healthcare facilities for the population weighs significantly in favour of the proposal and the NPPF advises that significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development. As such, the principle of the proposed new site is, on balance, considered acceptable as the benefits would outweigh any negative impacts in the planning balance.

Design, Character and Appearance

- 6.16 Policy CS14 requires new developments to 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. This Policy advises that considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality.
- 6.17 Policy CS14 also sets out that development proposals will be expected to, amongst others: create safe environments; make good provision for access; are accessible; make efficient use of land whilst respecting the density, character, landscape and biodiversity of the surrounding area.
- 6.18 Policy CS19 of the Core Strategy outlines that in order to ensure that the 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. In adopting this holistic approach, particular regard has been given to the sensitivity of the area to change and ensuring that the new development is appropriate in terms of location, scale and design in the context of the existing settlement history, form, pattern and character.
- 6.19 Whilst the site is open land with a semi-rural character and appears visually separated from the College due to an existing hedgerow forming the northern boundary between the College and the site, there is the existing single storey Highwood Copse Primary School to the south on the opposite side of Highwood Copse Way. In addition, consideration must be given to the previous consent for a conference centre on land to

the south of the College and immediately to the north of Highwood Copse Way. The footprint of the conference centre would have included part of the application site and at present could still be implemented. Furthermore, planning permission has recently been granted on land directly to the east of the site for a care home and hospice for up to 70 beds across two buildings up to 10 metres and 12 metres in height (2-3 storeys).

- 6.20 Therefore, the proposed development of a two-storey flat roof structure approximately 8.1 metres in height with a single storey flat roofed element to the front, providing the pharmacy, would not be viewed as an isolated form of development in the countryside. A section plan has been submitted demonstrating that the scale of the proposed building whilst taller (~1.9 metres) than the Highwood Copse Primary School, it would be lower than the tallest part of the existing Newbury College building.
- 6.21 As the proposed development would be seen within the context of the existing buildings within the College site, Highwood Copse Primary School and the recently approved residential and care home development, it is not considered to appear as an isolated form of development harmful to the character and appearance of the area.
- 6.22 The appearance of the proposed building, comprising brick and timber cladding to reflect the development at Highwood Copse Primary School would be contemporary, but not detrimental to the character and appearance of the area.
- 6.23 The site has been designed to provide a clearly identifiable entrance to the building, and an active frontage for visitors and adequate room for the provision of landscaping to soften the development is proposed.
- 6.24 Therefore, the proposed scheme in respect of design and impact on the character and appearance of the area is considered to be acceptable and accords with Policies CS14 and CS19 of the Core Strategy, as well as the Quality Design SPD.

Impact on Neighbouring Amenity

- 6.25 According to paragraph 135 of the NPPF, planning decisions should ensure that developments create places with a high standard of amenity for existing and future occupiers.
- 6.26 According to Core Strategy Policy CS14, new development must make a positive contribution to the quality of life in West Berkshire. As such, the impacts on neighbouring living conditions in terms of any loss of light, loss of privacy, loss of outlook, any overbearing impacts, or any significant noise and disturbance, are material considerations.
- 6.27 The Environmental Health Officer has reviewed the application and raises no objections.
- 6.28 The proposed development would not result in any detrimental impact on residential properties due to the distance between the site and existing (and future) residential dwellings.
- 6.29 The provision of a GP Surgery and pharmacy in this location is also not considered to result in a detrimental impact on the amenities of the College, Castle School or Highwood Copse Primary School.

Highway Matters

- 6.30 The application originally submitted did not contain a Transport Statement to establish the likely impacts of the development on the highway network as required by the NPPF, or a Travel Plan to demonstrate how the development would promote sustainable travel

options for both staff and patients. As a result, the Highways Officer and Transport Policy in their initial responses to the application requested the submission of that information. Furthermore, the Highways Officer requested plans to demonstrate adequate visibility splays of 2.4 x 43.0 metres can be achieved for the proposed vehicular accesses onto Highwood Copse Way as well as justification for the provision of 14 staff parking space only and the provision of a pedestrian/cycle access onto the road running through the College site.

- 6.31 The Highways Officer advises that traffic may decrease in the location of the existing surgery but will increase in the proposed location such that overall, there would not be an increase in traffic on the Newbury network. However, as the site is located further from the town centre, there may be some increase in journey time and distance travelled. The Highways Officer considers access to the site would eventually be provided in more than one direction, either to and from the A339 or through what will be the Sandford Park development, which would enable traffic to be more spread to and from the site. On that basis, the Highways Officer raised no objection in respect of the impact on the highway network as a result of traffic.
- 6.32 A Transport Statement, Travel Plan and amended plans providing a pedestrian/cycle access onto the road running through the College site and some visibility splay information were submitted and reconsulted on.
- 6.33 The Highways Officer has reviewed the additional information and amended plans submitted and notes that visibility splays are not fully detailed on the plans. Whilst the applicant has not provided sufficient evidence to demonstrate visibility splays of at least 2.4 x 25.0 metres are achievable, it is considered reasonably likely that such visibility splays could be achieved and secured by condition subject to appropriate landscaping (also secured by condition). The Highways Officer has also requested details of dropped kerbs and tactile paving to connect the proposed pedestrian routes with existing footways and indicate suitable crossing points. Those details can be secured by condition as well, should the application be approved.
- 6.34 In respect of car parking, the submitted Transport Statement identifies that 24 staff and 48 patients will travel by car, requiring a total of 72 car parking spaces. The proposed development would provide a total of 72 car parking spaces, comprising 14 dedicated staff spaces and 58 visitor spaces. Therefore, whilst the proposed development appears to provide an insufficient number of dedicated staff car parking spaces, should the expected number of staff travel to the site by car there would be a sufficient car parking spaces within the visitor and staff parking areas to accommodate them.
- 6.35 A Travel Plan has been submitted which seeks to reduce single occupancy vehicle travel and achieve a greater use of sustainable transport modes. The Travel Plan aims to achieve a 10% reduction in the number of single occupancy vehicle trips to and from the site. The Transport Policy Officer was reconsulted on the Travel Plan submitted but no response has been received. In the absence of any comments or objections from them, it is considered that the Travel Plan is sufficient and can be adequately secured by planning condition.
- 6.36 Overall, the application is considered to accord with Policy CS13 and CS14 of the Core Strategy and Policy TRANS.1 of the West Berkshire District Saved Policies, as well as the NPPF in respect of highway matters.

Biodiversity and Trees

- 6.37 The application was submitted prior to the recent changes in legislation requiring developments to achieve at least 10% net gain in biodiversity. However, Policy CS17 of the Core Strategy states that, in order to conserve and enhance the environmental

capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity.

- 6.38 The application submissions include an Ecological Report which concludes that the development proposed would not have impacts on any designated site and there are no key habitats or populations of key species on the application site. The Ecological Report considers that mitigation measures to prevent adverse impacts on reptiles and hedgehogs, which may occur on the site, would be required.
- 6.39 No Biodiversity Net Gain metric calculation has been submitted to demonstrate that the development proposed would achieve a net gain, despite one previously being requested. The applicant considers that a biodiversity net gain can be adequately secured by planning condition.
- 6.40 In their initial responses to the application, both the Tree Officer and Ecologist raised objections to the development proposed due to the impact on a veteran Lime Tree in the northwestern corner of the site which is the subject of a Tree Preservation Order (TPO), and lack of any arboricultural information submitted to demonstrate the preservation of that tree. This tree is listed on the Ancient Tree Inventory as a notable tree.
- 6.41 Subsequently, a document title 'Tree Protection Plan Requirements' was submitted advising that the tree is located outside of, but adjacent to the boundary of the application site and that it would not be removed but protected during the development.
- 6.42 The Ecologist and Tree Officer have been consulted on the additional information submitted. The Tree Officer advises that the additional information submitted does not conform to British Standard BS 5837:2012 'Trees in relation to design, demolition and construction recommendations' and the root protection area (RPA) plotted is incorrect. The Tree Officer considers that the proposed building would be within the RPA of the tree and the only way in which this can be achieved without harming the veteran tree is by using specialist methods under Arboriculturist supervision. As such, the Tree Officer has not raised objections but requested conditions to secure Arboricultural Method Statement, Arboricultural Supervision, and landscaping.
- 6.43 The Ecologist considers that sufficient information has been provided and raises no objections, subject to conditions to secure works in accordance with ecology report, a landscape and ecological management plan (LEMP), and proposed biodiversity measures. The Newt Officer advises that despite the development being located in the Red Impact Risk Zone and near to an existing pond, because of isolation of the pond and low suitability of on-site habitat, it is considered that impacts to great crested newts are unlikely. As such, they have recommended that a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) strategy documents to be completed by a suitably qualified ecologist is produced, to show that the works will be carried out following best practice procedures. This can reasonably be secured by planning condition.
- 6.44 Therefore, the development proposed is considered to accord with Policy CS17 of the Core Strategy and the NPPF in respect of biodiversity.

Flooding and Drainage

- 6.45 Policy CS16 of the Core Strategy requires surface water to be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS).
- 6.46 The application site is located in Flood Zone 1 (low risk of fluvial flooding) and there are no areas identified as being at risk of surface water flooding within the site or nearby.

- 6.47 The original application submissions included a very high-level Water Management Strategy document that identified the need for sustainable drainage systems to be employed at the site to ensure the surface water discharge rate of the site is not increased due to the new development. However, that document failed to establish the form of sustainable drainage system to be used in the development proposed. Consequently, the Lead Local Flood Authority (LLFA) raised objections to the application advising that details of the sustainable drainage system to be employed at the site are required to ensure they are feasible and can be adequately implemented within the scheme proposed.
- 6.48 Subsequently, the applicant provided a Drainage Strategy Report which proposes permeable paving in the car parking spaces, swales and a raingarden, and an attenuation tank. The LLFA have reviewed the Drainage Strategy Report and advise that they are largely satisfied but have requested some clarification.
- 6.49 Your officer considers that the principle of the sustainable drainage systems proposed to be employed at the site are acceptable and the details requested for clarification by the LLFA can be reasonably and adequately covered by planning condition, should the application be approved.
- 6.50 In respect of foul water, foul drainage is proposed to connect to a new package pump station to transfer foul water to an offsite private foul drainage system. Thames Water have raised no objections subject to a condition to ensure details of sufficient capacity for foul water is secured prior to development commencing.
- 6.51 Therefore, the development proposed is considered to accord with Policy CS16 of the Core Strategy and the NPPF in respect of flooding and drainage.

Sustainable Construction

- 6.52 Policy CS15 of the Core Strategy requires major developments to achieve zero carbon in total CO₂ emissions (regulated and unregulated energy use) from renewable energy or low/zero carbon energy generation on site or in the locality of the development as long as a direct physical connection is used, unless it can be demonstrated that such provision is not technically or economically viable. This policy also requires major non-residential developments to achieve BREEAM Excellent standard of construction.
- 6.53 Policy CS14 Design Principles states that all developments will be expected to minimise carbon dioxide emissions through sustainable design and construction, energy efficiency, and the incorporation of renewable energy technology as appropriate and in accordance with Policy CS15.
- 6.54 The Environment Delivery Team were consulted on the original application submissions and again following the submission of further information. However, no response has been received.
- 6.55 A BREEAM pre-assessment has been submitted which states a targeted BREEAM of Very Good but notes that there is potential to achieve BREEAM Excellent. Therefore, a condition can reasonably be imposed requiring the development to achieve BREEAM Excellent in accordance with Policy CS15 of the Core Strategy.
- 6.56 In respect of the proposed development achieving zero carbon in total CO₂ emissions (regulated and unregulated energy use) from renewable energy or low/zero carbon energy generation on site, the applicant has advised that the development would not be able to achieve zero carbon in total CO₂ emissions as it would not be technically or economically viable to do so. The applicant states that NHS funding restrictions (NHS (General Medical Services Premises Costs) Directions 2024) would prevent the

development from being able to deliver zero carbon in total CO₂ emissions. However, having reviewed the information submitted by the applicant to demonstrate that delivering zero carbon in total CO₂ emissions would be economically unviable, there appears to be the possibility that funding could be provided if the applicant is able to demonstrate the improvements would provide a net financial benefit to the health service.

- 6.57 In addition, the applicant considers that it would not be technically viable to achieve zero carbon in total CO₂ emissions as a primary healthcare building has various technical and building services that are specialist to its use, in relation to function and infection control, which inevitably require more energy and a larger amount of on-site generation to cover this energy demand. As such, the applicant considers the development proposed would not be able to accommodate sufficient photovoltaics required for the building to achieve net zero carbon. However, the applicant has not submitted an Energy Statement assessing other forms of renewable/low carbon energy generation such as air or ground source heat pumps that could also be employed at the site. Whilst the claims by the applicant regarding the economic and technical viability of achieving zero carbon in total CO₂ emissions are noted, it is considered that insufficient evidence to support those claims has been submitted.
- 6.58 Therefore, the development proposed would not accord with the requirement of Policy CS15 in respect of achieving zero carbon in total CO₂ emissions (regulated and unregulated energy use) from renewable energy or low/zero carbon energy generation on site. This harms the delivery of carbon reduction and the Council's ability to meet national targets in relation to CO₂ emissions reduction. This conflict with policy and harm weighs against the proposal and is considered in the planning balance.

Other Matters

Greenham Parish Council Representations

- 6.59 Greenham Parish Council raise concern regarding the location of the proposed surgery and increase in traffic, contrary to the West Berkshire Council Climate Emergency Plan.
- 6.60 As assessed in this report, whilst the proposed location for the surgery would require patients living in the town centre area to walk further or take alternative means of transport, patients from other parts of Newbury and Greenham as well as future planned residential development nearby would benefit from the new location. In addition, as noted by the Highways Officer the proposal would result in a negligible overall impact on the highway network in respect of traffic.
- 6.61 Furthermore, the provision of suitable healthcare facilities for the population weighs significantly in favour of the proposal and the NPPF advises that significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development. As such, the proposed new site is, on balance, considered acceptable.

Impact on Heritage Assets

- 6.62 The Grade II listed Registered Park and Garden of Sandleford Priory is located approximately 230 metres to the southeast of the application site beyond the household waste recycling centre (HWRC). Due to distance between the site and the heritage asset and the intervening presence of Highwood Copse School and the HWRC. The development proposed is not considered to impact on the setting of that heritage asset.

6.63 Based on previous archaeological investigations in this area, the Archaeologist considers there is low potential for below ground heritage assets of archaeological importance.

7. Planning Balance and Conclusion

- 7.1 As set out in this report, the applicant has adequately demonstrated a need for the new development and that there are no reasonable, alternative suitable (available) sites within town centre or the edge of the centre locations. Whilst the proposed location of the new surgery and pharmacy would detrimentally impact on the ability of some patients within the Newbury urban area to easily access the facility by foot or bicycle, patients from other parts of Newbury and Greenham as well as future planned residential development nearby would benefit from the new location. Furthermore, the provision of suitable healthcare facilities for the population weighs significantly in favour of the proposal and the NPPF advises that significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development. As such, the principle of the proposed new site is, on balance, considered acceptable as the benefits would outweigh any negative impacts in the planning balance.
- 7.2 The proposed built form in the context of existing buildings to the south, north and northeast, the extant permission within the site and planned future development to the east, would not detrimentally impact on the character and appearance of the area. No significant impacts on the amenities of neighbouring properties have been identified and overall, there would not be an increase in traffic on the Newbury highway network. Sufficient visibility splays at the accesses proposed are reasonably likely to be achieved and the overall parking provision proposed is considered sufficient.
- 7.3 A biodiversity net gain can be achieved as part of the development proposed and biodiversity and trees can be adequately protected by way of conditions. It has been adequately demonstrated that surface and foul water can be sufficiently managed, and the development would be required to achieve BREEAM Excellent. However, the development proposed would not accord with the requirement of Policy CS15 in respect of achieving zero carbon in total CO₂ emissions (regulated and unregulated energy use) from renewable energy or low/zero carbon energy generation on site. That would harm the Council's ability to meet national targets in relation to CO₂ emissions reduction

Benefits of the proposal

- 7.4 The proposed development would give rise to a number of public benefits which carry positive weight in the planning balance.
- 7.5 The proposal would provide much needed suitable healthcare facilities for the current and future population. This is an important social benefit attracting significant weight.
- 7.6 The development, when operational, would also increase employment opportunities and enhance local educational opportunities, representing economic and social benefits of moderate weight.
- 7.7 The application proposal would provide temporary employment opportunities during its construction phase providing an economic benefit of limited weight.

Disbenefits of the proposal

- 7.8 The proposed development would result in reduced accessibility for patients living within the urban area of Newbury to the north. This is considered to represent a disbenefit of moderate weight.
- 7.9 In addition, the proposed development fails to accord with Development Plan Policy CS15 in respect of achieving zero carbon in total CO₂ emissions (regulated and unregulated energy use) from renewable energy or low/zero carbon energy generation on site. This is considered to represent a disbenefit of moderate weight.

The Planning Balance

- 7.10 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the application should be determined in accordance with the development plan, unless there are material considerations that indicate otherwise.
- 7.11 As demonstrated above, it is considered that planning benefits of the proposal outweigh the disbenefits and there are no other material considerations of sufficient weight against the proposal to conclude otherwise.

Conclusion

- 7.12 In view of the above this planning application, as amended, is acceptable and satisfactory and should be granted planning permission subject to conditions.

8. Full Recommendation

- 8.1 To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed below (or minor and inconsequential amendments to those conditions authorised by the Development Manager, in consultation with the Chairman or Vice Chairman of the Western Area Planning Committee).

Conditions

| | |
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| 1. | <p>Commencement of development</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p> |
| 2. | <p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <p>Received 8 February 2024:</p> <ul style="list-style-type: none">- Site Location Plan, drawing number 2117 A001 Rev A.- Site Sections Plan, drawing number 2117 A300.- Proposed Roof Plan, drawing number 2117 A102 Rev A.- Proposed First Floor Plan, drawing number 2117 A101 Rev C. |

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| | <p>Received on 21 November 2024:</p> <ul style="list-style-type: none"> - Proposed Elevations Plan, drawing number 2117 A110 Rev D. - Proposed Ground Floor Plan, drawing number 2117 A100 Rev D. - Proposed Site Plan, drawing number 2117 A010 Rev G. <p>Received 2 December 2024:</p> <ul style="list-style-type: none"> - Proposed Site Plan and Cross Section indicating relative Building Heights, drawing number 2117 Z002. <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p> |
| 3. | <p>Construction Method Statement</p> <p>No development (including demolition, ground works, vegetation clearance) shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved CMS. The CMS shall include measures for:</p> <ul style="list-style-type: none"> (a) A site set-up plan during the works showing the layout, surfacing arrangements, visibility splays, and any adjoining gates and means of enclosure; (b) Parking of vehicles of site operatives and visitors; (c) Loading and unloading of plant and materials; (d) Details of any banksman arrangements; (e) Storage of plant and materials used in constructing the development; (f) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing; (g) Temporary access arrangements to the site, and any temporary hard-standing; (h) Wheel washing facilities; (i) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction; (j) A scheme for recycling/disposing of waste resulting from demolition and construction works; (k) Hours of construction and demolition work; (l) Hours of deliveries and preferred haulage routes. <p>Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CMS must be adhered to during all demolition and construction operations.</p> |
| 4. | <p>Landscape and Ecological Management Plan (LEMP)</p> <p>No development shall take place until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:</p> <ul style="list-style-type: none"> (a) Description and evaluation of features to be managed. (b) Ecological trends and constraints on site that might influence management. (c) Aims and objectives of management. (d) Appropriate management options for achieving aims and objectives for 30 years post development. (e) Prescriptions for management actions. |

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| | <p>(f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).</p> <p>(g) Details of the body or organization responsible for implementation of the plan.</p> <p>(h) Ongoing monitoring and remedial measures.</p> <p>The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.</p> <p>The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.</p> <p>The approved plan will be implemented in accordance with the approved details</p> <p>Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because the LEMP may need to be implemented during construction.</p> |
| 5. | <p>Sustainable Drainage</p> <p>No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority.</p> <p>These details shall:</p> <ul style="list-style-type: none"> a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the approved details and Non-Statutory Technical Standards for SuDS (2015), the SuDS Manual C753 (2015) and the WBC SuDS Supplementary Planning Document (2018) with particular emphasis on Green SuDS and water re-use; b) Include flood water exceedance routes (low flow, overflow and exceedance routes), both on and off site reflecting final design levels; c) Include cut off features where there is a residual risk of exceedance flows leaving the site and impacting adjacent land; d) Include a drainage strategy for surface water run-off within the site reflecting the final detailed design; e) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse or piped system at no greater than 1 in 1 year Greenfield run-off rates or a maximum of 2l/s up to the 1 in 100 year +40% climate change design event; f) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site; g) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil, groundwater, watercourse or drain; h) Ensure permeable paved areas are designed and constructed in accordance with manufacturers guidelines if using a proprietary porous paved block system; otherwise ensure any permeable areas are constructed on a permeable sub-base material, such as MoT/DoT Type 3; |

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| | <p>i) Include written confirmation from Thames Water of their acceptance of the discharge from the site into the surface water sewer and confirmation that the downstream sewer network has the capacity to take this flow;</p> <p>j) Include a management and maintenance plan showing how the SuDS measures will be maintained and managed after completion for the lifetime of the development. This plan shall incorporate arrangements for adoption by the Council, Water and Sewage Undertaker, Maintenance or Management Company (private company or Trust) or individual property owners, or any other arrangements, including maintenance responsibilities resting with individual property owners, to secure the operation of the sustainable drainage scheme throughout its lifetime. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;</p> <p>k) Include details of how surface water will be managed and contained within the site during construction works to prevent silt migration and pollution of watercourses, highway drainage and land either on or adjacent to the site;</p> <p>The above sustainable drainage measures shall be implemented in accordance with the approved details before the dwellings hereby permitted are occupied or in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition.</p> <p>The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p> |
| 6. | <p>Arboricultural Method Statement</p> <p>No development (including site clearance and any other preparatory works) shall take place until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. The arboricultural method statement shall include details of the implementation, supervision and monitoring of all temporary tree protection (including ground protection) and any special construction works within any defined tree protection area.</p> <p>Reason: To ensure the protection of trees identified for retention at the site in accordance with the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation, other measures and works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p> |
| 7. | <p>Arboricultural supervision condition</p> |

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| | <p>No development shall take place (including site clearance and any other preparatory works) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the protection of trees identified for retention at the site in accordance with the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation, other measures and works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p> |
| 8. | <p>GCN Strategy</p> <p>No development shall commence until a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) strategy documents to be completed by a suitably qualified ecologist has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be undertaken in accordance with the approved documents.</p> <p>Reason: To ensure the protection of Great Crested Newt species, which are subject to statutory protection under European Legislation. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy (2006-2026).</p> |
| 9. | <p>Foul Water Network</p> <p>The development hereby approved shall not be brought into first use until confirmation has been submitted to and approved in writing by the Local Planning Authority that either:</p> <ul style="list-style-type: none"> a) foul water capacity exists off site to serve the development, or, b) a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied, or, c) all foul water network upgrades required to accommodate the additional flows from the development have been completed. <p>Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.</p> <p>Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. This condition is imposed in accordance with the National Planning Policy Framework, and Policy CS5 of the West Berkshire Core Strategy 2006-2026.</p> |
| 10. | <p>Building Materials</p> <p>No above ground development shall take place until a schedule of all materials and finishes visible external to the buildings, including bin stores and cycles stores, have been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available to be viewed at the site or by arrangement with the Planning</p> |

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| | <p>Officer upon request. All materials incorporated in the work shall match the approved schedule and samples.</p> <p>Reason: To ensure that the materials are appropriate to the character of the building, and the Conservation Area. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p> |
| 11. | <p>Hard Surface Materials</p> <p>No above ground development shall take place until details and a schedule of all hard surfacing materials have been submitted to and approved in writing by the Local Planning Authority. The details shall include boundary treatments or other means of enclosure, dropped kerbs and tactile paving.</p> <p>The hard surfacing, boundary treatment, means of enclosure, dropped kerbs and tactile paving shall be implemented in full in accordance with the approved details prior to the development being brought into first use.</p> <p>Reason: To ensure that the materials are appropriate to the area and adequate provision of pedestrian and cycle access. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS13, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).</p> |
| 12. | <p>Soft Landscaping</p> <p>The development hereby approved shall not be brought into first use until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first use of the new building (whichever occurs first).</p> <p>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> |
| 13. | <p>Electric Vehicle Charging details</p> <p>The development hereby approved shall not be brought into first use until electric vehicle charging points have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the charging points shall be maintained, and kept available and operational for electric vehicles at all times.</p> <p>Reason: To secure the provision of charging points to encourage the use of electric vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026.</p> |

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| 14. | <p>Cycle parking/storage</p> <p>The development hereby approved shall not be brought into first use until cycle parking/storage facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Thereafter the facilities shall be maintained and kept available for that purpose at all times.</p> <p>Reason: To ensure the provision of cycle parking/storage facilities in order to encourage the use of cycles and reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Quality Design SPD, and the Council's Cycle and Motorcycle Advice and Standards for New Development (November 2014).</p> |
| 15. | <p>Photovoltaic Panels</p> <p>The development hereby approved shall not be brought into first use until the photovoltaic panels have been installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the delivery of adequate renewables and low/zero carbon on-site energy generation, reduce the impact on climate change, contribute to the reduction of CO2 and other emissions. This condition is imposed pursuant to the National Planning Policy Framework, Policy CS14 and CS15 of the West Berkshire Core Strategy 2006-2026, and the West Berkshire Environment Strategy 2020-2030.</p> |
| 16. | <p>Travel Plan</p> <p>The owner/occupier shall implement the submitted Travel Plan dated December 2024 (ref: J327193 v1.1, Osmond Tricks) commencing no later than first occupation of the development hereby approved and take reasonable practicable steps thereafter to deliver the key measures as outlined in the plan to encourage sustainable travel and to discourage car journeys to the site. The owner/occupier shall also maintain the agreed targets and undertake monitoring and reporting within the timescales set out in the plan.</p> <p>Reason: To ensure the development reduces reliance on private motor vehicles. This condition is imposed in accordance with National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire Local Plan 1991-2006 (saved Policies 2007) and Policy LTP SC1 of the Local Transport Plan for West Berkshire 2011-2026.</p> |
| 17. | <p>Parking</p> <p>The development hereby approved shall not be brought into first use until vehicle parking and turning spaces have been completed in accordance with the approved plans (including any surfacing arrangements and marking out). Thereafter the parking and turning spaces shall be kept available for parking and manoeuvring at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is applied in accordance with the</p> |

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| | National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026. |
| 18. | <p>Refuse Storage prior to occupation</p> <p>The development hereby approved shall not be brought into first use until a storage area for refuse and recycling receptacles have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that there is adequate refuse and recycling storage facilities within the site. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026).</p> |
| 19. | <p>Visibility Splays</p> <p>The development hereby approved shall not be brought into first use until visibility splays have been provided in both directions at the new accesses onto Highwood Copse Way in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Thereafter the visibility splays shall be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level at all times.</p> <p>Reason: To ensure there is adequate visibility at the access, in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy 2006-2026.</p> |
| 20. | <p>BREEAM</p> <p>The development hereby permitted shall achieve a rating of “Excellent” under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). No later than 3 months after the building is operational, a final Certificate must be issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating of Excellent has been achieved for the development, and a copy provided to the Local Planning Authority.</p> <p>Reason: To ensure the development contributes to sustainable construction. This condition is applied in accordance with the National Planning Policy Framework, Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p> |
| 21. | <p>Compliance with Biodiversity Method Statements</p> <p>All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecological report (Wessex Ecological consultancy, August 2023), Proposed site plan revision G (Osmond Tricks, November 2024), and Tree protection plan requirements (Osmond Tricks, August 2024).</p> <p>Reason: To ensure the adequate safeguarding of protected species in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.</p> |
| 22. | Use Restriction |

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| | <p>The development hereby permitted shall be used as a primary healthcare facility with ancillary pharmacy 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> <p>Reason: The premises are located outside of the town centre commercial area and settlement boundary where other uses within Class E may not be appropriate. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP2, CS9, CS11 and 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).</p> |
| 23. | <p>Biodiversity measures</p> <p>The development hereby permitted shall not be brought into first use until Bat and Bird boxes have been installed/constructed in accordance with the Ecological Report (Wessex Ecological consultancy, August 2023).</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> |

Informatives

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| 1. | <p>Proactive</p> <p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.</p> |
| 2. | <p>CIL Liability</p> <p>The development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and thus a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details, and including the amount of CIL payable, if applicable, will be sent out separately from this Decision Notice. It is your responsibility to contact the CIL Team as soon as possible to confirm whether the development is CIL liable. If subsequently confirmed as CIL liable, you are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit a Commencement Notice will affect any exemptions claimed, including the loss of any right to pay by instalments, and</p> |

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| | additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil |
| 3. | <p>Compliance with conditions</p> <p>Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.</p> |
| 4. | <p>Pre-conditions</p> <p>Conditions nos. 3-8 impose requirements which must be met prior to commencement of the development. Failure to observe these requirements could result in the Council taking enforcement action, or may invalidate the planning permission and render the whole of the development unlawful.</p> |
| 5. | <p>Compliance with approved drawings</p> <p>Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.</p> |
| 6. | <p>Building Regulations</p> <p>Separate approval for the works hereby granted permission/consent may be required by the Building Act 1984 and the Building Regulations 2000 (as amended), and the grant of planning permission does not imply that such approval will be given. You are advised to consult with Building Control Solutions (the Local Authority Building Control service for West Berkshire provided in partnership by Wokingham Borough Council) before works commence. Call: 0118 974 6239, email: building.control@wokingham.gov.uk, or visit: www.wokingham.gov.uk/building-control</p> |
| 7. | <p>Access Construction</p> <p>The Highways (Planning) Manager, West Berkshire District Council, Highways and Transport, Council Offices, Market Street, Newbury RG14 5LD, telephone 01635 519169, should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks notice, to obtain details of underground services on the applicants behalf.</p> |
| 8. | <p>Incidental Works</p> <p>Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer, Highways and Transport, West Berkshire Council, Market Street, Newbury, RG14 5LD, telephone 01635 519169, before development is commenced.</p> |

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| 9. | <p>Damage to Footways, Cycleways and Verges</p> <p>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.</p> |
| 10. | <p>Damage to the Carriageway</p> <p>The attention of the applicant is drawn to the Highways Act 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.</p> |
| 11. | <p>Biodiversity Net Gain</p> <p>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:</p> <p>(a) a Biodiversity Gain Plan has been submitted to the planning authority, and</p> <p>(b) the planning authority has approved the plan.</p> <p>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.</p> <p>There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.</p> <p>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.</p> <p>EXEMPTIONS AND TRANSITIONAL ARRANGEMENTS</p> <p>The following are the statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.</p> <ol style="list-style-type: none"> 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 <ol style="list-style-type: none"> (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: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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 application for planning permission was made before 12 February 2024.

IRREPLACEABLE HABITAT

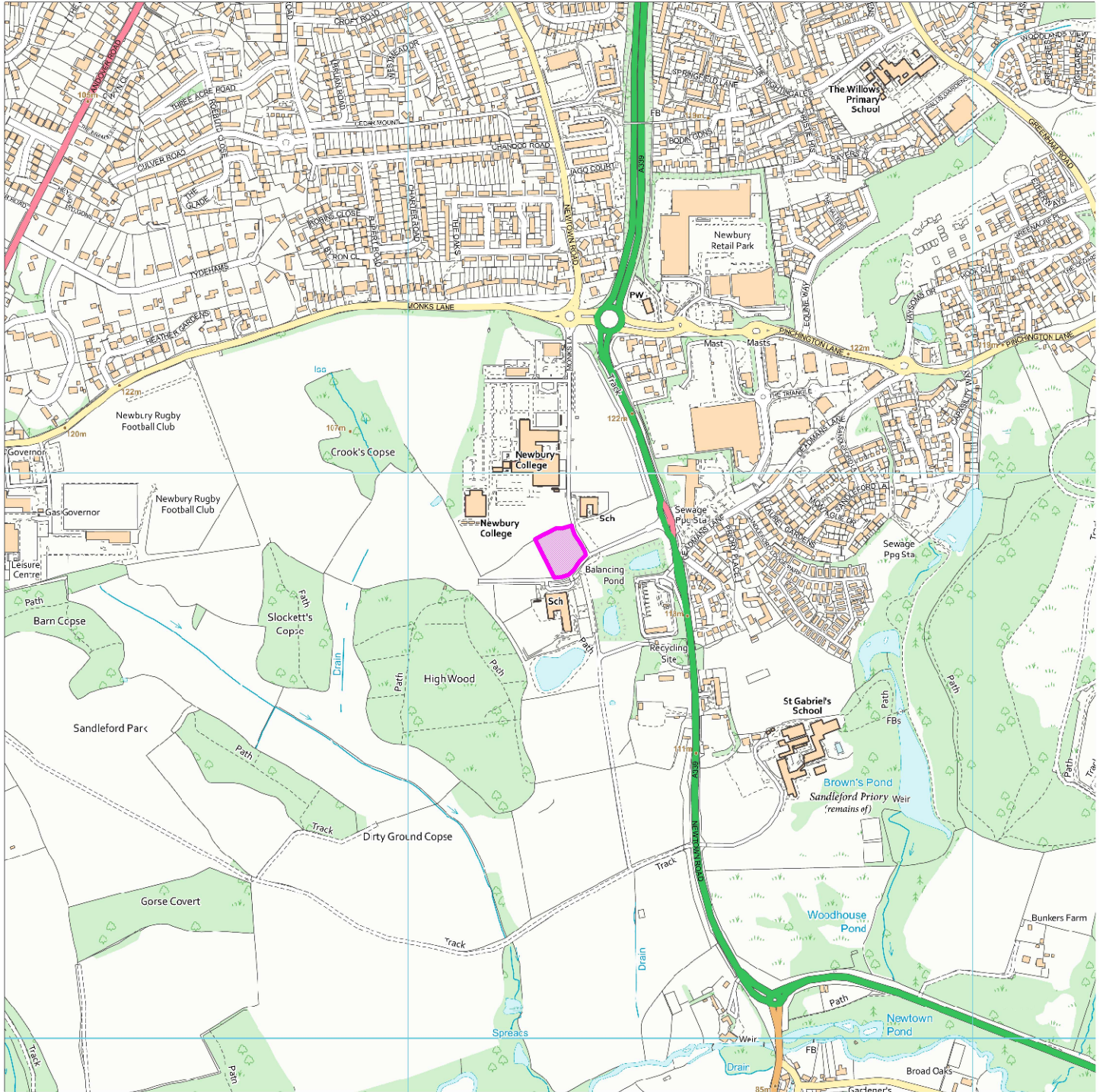
If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

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,

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| | <p>information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.</p> <p>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.</p> <p>THE EFFECT OF SECTION 73D OF THE TOWN AND COUNTRY PLANNING ACT 1990</p> <p>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.</p> <p>Those circumstances are that the conditions subject to which the section 73 permission is granted:</p> <ul style="list-style-type: none"> 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. <p>PHASED DEVELOPMENT</p> <p>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.</p> <p>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).</p> |
| 11. | <p>NHS BOB-ICB</p> <p>The applicant is advised to submit a formal business case to the BOB-ICB as soon as possible so that this case can be formally assessed by the BOB-ICB, including the cost implications of the rental valuation of a new build. The grant of any planning permission of the new build does not imply that the BOB-ICB will support the case.</p> |
| 12. | <p>GCN</p> <p>The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably</p> |

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| qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence. |
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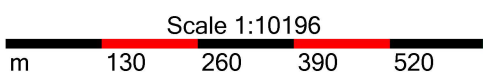


Map Centre Coordinates :

Scale : 1:10195

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| Organisation | West Berkshire Council |
| Department | |
| Comments | Not Set |
| Date | 09 January 2025 |
| SLA Number | 0100024151 |

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Agenda Item 4.(2)

| Item No. | Application No. and Parish | Statutory Target Date | Proposal, Location, Applicant |
|----------|--|-----------------------|---|
| (2) | 24/02029/FULMAJ Newbury Town Council | 20.12.2024 | <p>Section 73: Variation of Condition (10) Travel Plan and (20) Vehicle Parking and Turning of previously approved application 20/02779/COMIND: Section 73 variation of conditions 2 (plans), 3 (boundary treatments), 4 (hardscaping), 6 (BREEAM), 7 (external lighting), 9 (noise from services), 11 (sport England), 12 (travel plan), 13 (cycle and scooter parking), 17 (landscaping) and 24 (E V charging points) of approved 17/03434/COMIND - Construction of a new 1 FE single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school. Construction of bunds adjacent to the temporary and permanent access roads to prevent access from the roads to private land.</p> <p>Newbury College Monks Lane Newbury RG14 7TD</p> <p>West Berkshire District Council</p> |

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

<https://publicaccess.westberks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SKOEVHRD0S100>

<https://publicaccess.westberks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SKOEVHRD0S100>

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

Ward Member(s): Cllr David Marsh
Cllr Patrick Clark
Cllr Adrian Abbs

Address

Reason for Committee Determination:

West Berkshire District Council major application recommended for approval.

Committee Site Visit:

16th January 2025

Contact Officer Details

Name:

Matthew Shepherd

Job Title:

Principal Planning Officer

Tel No:

01635 519111

Email:

Matthew.Shepherd@westberks.gov.uk

1. Introduction

- 1.1 This application seeks planning permission for Section 73: Variation of Condition (10) Travel Plan and (20) Vehicle Parking and Turning of previously approved application 20/02779/COMIND.
- 1.2 The previous application 20/02779/COMIND was a Section 73 variation of conditions 2 (plans), 3 (boundary treatments), 4 (hardscaping), 6 (BREEAM), 7 (external lighting), 9 (noise from services), 11 (sport England), 12 (travel plan), 13 (cycle and scooter parking), 17 (landscaping) and 24 (E V charging points) of approved 17/03434/COMIND - Construction of a new 1 FE single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school. Construction of bunds adjacent to the temporary and permanent access roads to prevent access from the roads to private land.
- 1.3 The changes proposed within this application are summarised as follows

Condition 20 Vehicle Parking and Turning

- 1.4 The approved application currently includes the provision of 13 “kiss and drop” spaces. As of submission of this application, 7 spaces are currently built and in operation and 6 are yet to be constructed. The current condition wording requires the construction and implementation of these 6 additional “kiss and drop” spaces by 20th August 2024, prior to the school term commencing in September 2024. This has passed and they have not been constructed. The reasoning for this is set out in the below report.
- 1.5 The proposed new wording of the condition is to construct the remaining “kiss and drop spaces” prior to the new school term commencing in 2025. The changes are underlined in the below table.

Existing Condition 20

The use of the school hereby approved shall not commence until the vehicle parking and turning spaces/areas have been provided in accordance with drawing number 1967-TF-00-00-DR-L-1001. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times. Prior to the school term commencing in September 2024, the additional kiss and drop arrangement on the northern side of the access road through the school site as shown on drawing number 1967-TF-XX-00-SK-L-20210723-05 received on 26th June 2021 shall be implemented in full. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Proposed Condition 20

The use of the school hereby approved shall not commence until the vehicle parking and turning spaces/areas have been provided in accordance with drawing number 1967-TF-00-00-DR-L-1001. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times. Prior to the school term commencing in September 2025, the additional kiss and drop arrangement on the northern side of the access road through the school site as shown on drawing number 1967-TF-XX-00-SK-L-20210723-05 received on 26th June 2021 shall be implemented in full. The parking and/or turning space shall

thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Condition 10 Travel Plan

- 1.6 Condition 10 currently requires a review of the original Travel Plan (submitted May 2021) to be undertaken and submitted for approval prior to 20th August 2024 and any changes implemented prior to the school term commencing in September 2024.
- 1.7 However, it is considered by the applicants that there is limited benefit in updating the Travel Plan prior to the completion of the 6 additional “kiss and drop” parking places as per the changes suggested to condition 20. Therefore, the application proposes the condition be updated/changed so that the review of the travel plan occurs in September 2025. The changes are underlined in the below table.

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| <p>Existing Condition 10</p> <p>The Travel Plan received on 26th May 2021 shall be implemented as approved on commencement of the use as a school and its provisions shall continue to be implemented until 20th August 2024. <u>Prior to 20th August 2024 a review of that Travel Plan shall be undertaken</u> to assess whether the parking levels for the school are sufficient and shall include an investigation as to whether additional measures are required to be implemented to assist with the movement of traffic such as the provision of a "park and stride" facility. <u>That investigation is to be submitted to and approved in writing by the Local Planning Authority prior to 20th August 2024</u> and any additional measures identified shall be implemented prior to commencement of the school term in September 2024 and maintained thereafter.</p> |
| <p>Proposed Condition 10</p> <p>The Travel Plan received on 26th May 2021 shall be implemented as approved on commencement of the use as a school and its provisions shall continue to be implemented until 20th August 2025. <u>Prior to 20th August 2025 a review of that Travel Plan shall be undertaken</u> to assess whether the parking levels for the school are sufficient and shall include an investigation as to whether additional measures are required to be implemented to assist with the movement of traffic such as the provision of a "park and stride" facility. <u>That investigation is to be submitted to and approved in writing by the Local Planning Authority prior to 20th August 2025</u> and any additional measures identified shall be implemented prior to commencement of the school term in September 2025 and maintained thereafter.”</p> |

2. Planning History

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

| Application | Proposal | Decision / Date |
|--------------------|--|------------------------------------|
| 17/00158/COMIND | Construction of a new 1 F E single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury | Application approved 30.06.2017 |

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| | College site and a new permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school. | |
| 17/01990/COND1 | Application for approval of details reserved by conditions 3 finish floor levels, 4 spoil, 17 arboricultural watching brief, 20 construction method statement, 27 parking and turning, 28 electric charging points, 29 route for construction vehicles, and 32 drainage of approved application 17/00158/COMIND - Construction of a new 1 F E single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a new permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school. | Split decision – part approved and part refused 27/09/2017 |
| 17/03434/COMIND | Construction of a new 1 FE single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school. Construction of bunds adjacent to the temporary and permanent access roads to prevent access from the roads to private land. | Application Approved 16/3/2018 |
| 18/01341/COND1 | Application for approval of details reserved by Conditions 23 - Parking and Turning Areas, 25 - Construction Traffic Access, 30 - Fire Hydrants and 31 - Drainage Strategy of planning permission 17/03434/COMIND. | Application approved 18/7/2018 |
| 20/02779/COMIND | Section 73 variation of conditions 2 (plans), 3 (boundary treatments), 4 (hardscaping), 6 (BREEAM), 7 (external lighting), 9 (noise from services), 11 (sport England), 12 (travel plan), 13 (cycle and scooter parking), 17 (landscaping) and 24 (E V charging points) of approved 17/03434/COMIND - Construction of a new 1 FE single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a permanent access from the A339 to serve the allocated strategic housing site and form the permanent access | Application Approved 25/08/2024 |

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| | to the school. Construction of bunds adjacent to the temporary and permanent access roads to prevent access from the roads to private land. | |
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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 displayed on 17/10/2024 at the junction to the main road and the school; the deadline for representations expired on 07/11/2024.
- 3.3 A public notice was displayed in the Newbury Weekly News on 17/10/2024.
- 3.4 **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.
- 3.5 **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).
- 3.6 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.
- 3.7 **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.

- 3.8 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.
- 3.9 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.
- 3.10 There is no indication or evidence 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.
- 3.11 **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.
- 3.12 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.

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| Greenham Parish Council | No objections |
| Newbury Town Council | No response within the 21 day consultation period. |
| WBC Highways Authority | Regarding the car parking, six out of 13 car parking spaces have been provided for parents. All 13 were meant to be in place by September 2024, but it is understood that currently |

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| | only 50% of the school is in use, and therefore it is requested that the full 13 car parking spaces be provided by September 2025. Highways officers have no objection to this |
| WBC Transport Policy | No objections |
| WBC Archaeology officer | No objections |
| WBC Environmental Health Officer | No objections |
| WBC Ecology Officer | No response within the 21 day consultation period. |
| Forestry Commission | No comment |
| Ministry of Defence (MOD) | No objections |
| Sport England | No objections |
| WBC Tree Officer | No objections |
| WBC Lead Local Flood Authority | No objections |
| Active Travel England | No comment |

- 4.2 No responses were received from Newbury Town Council, Berkshire Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) ,Berkshire Gardens Trust, WBC Housing Officer, WBC Education Officer ,Natural England ,Fire Service Consultation No response within the 21 day consultation period , WBC Conservation Officer, WBC Planning Policy, The Woodland Trust, Exolum Oil Pipeline, Thames Water Utilities, Disable Access Officer ,Thames Valley Police ,Royal Berkshire Fire And Rescue Service ,WBC Environment Team ,WBC Economic Development Team, Berkshire Newt Officer, WBC Waste Management, SPOKES.

Public representations

- 4.3 No letters of representation have been received to the application.

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, ADPP2, CS5, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS)
- Policies OVS6 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)
- North Wessex Downs AONB Management Plan 2019-24
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Newbury Town Design Statement (2018)

Principle of development

- 5.3 The principle of the proposal has been established through the granting of planning permission 20/02779/COMIND, and this is an extant permission.
- 5.4 The application is seeking to adjust the details of the Highways consideration of the application. The principle of the application is accepted, and the proposal is also considered in accordance with the following material considerations.

Highways Matters

- 5.5 The application is seeking to adjust the details of the Highways consideration of the application. The section 73 application seeks to vary Condition (10) Travel Plan and (20) Vehicle Parking and Turning of the previously approved application 20/02779/COMIND
- 5.6 The approved application currently includes the provision of 13 “kiss and drop” spaces. As of submission of this application, 7 spaces are currently built and in operation and 6 are yet to be constructed. The condition wording currently requires the construction and implementation of these 6 additional “kiss and drop” spaces by 20th August 2024, prior to the school term commencing in September 2024.
- 5.7 However, it has been established that the 13 “kiss and drop spaces” approved will only be necessary in practice once the school is running at its full capacity of pupils. The new intake of pupils in September 2024 has brought the total number of pupils in the school to just over 50% according to the applicant. The 7 “kiss and drop” spaces currently built are therefore seen as sufficient in meeting the current need according to the applicant. In addition to the above, the applicant outlines it has not been possible to resource the works required under condition 20 due to budget constraints. It is considered feasible that the works can be undertaken prior to the new school term commencing in September 2025.
- 5.8 Therefore, as a result of the above and in discussion with WBC Officers, it is necessary to vary condition 20 under Section 73 of the Town and Country Planning Act (1990) to allow for the implementation of the additional “kiss and drop” spaces prior to the school term commencing in September 2025.
- 5.9 Highways Development Control Officers raise no objections to the variation of timings to the delivery of the 13 “kiss and drop” spaces. The development will receive the correct number of spaces, they have been spaced out in time to reflect the intake of students.
- 5.10 The Councils Transport Policy Team have commented that given Highways Development Control officers are happy with the proposed variation to condition 20, the proposed changes to condition 10 (Travel Plan) are acceptable. Currently condition 10 requires a review of the approved (2021) Travel Plan to be undertaken and submitted for approval prior to August 2024, with any changes implemented prior to the commencement of the September 2024 school term.

- 5.11 However, the applicant considers that there would be little benefit in undertaking the Travel Plan assessment until the six additional drop off spaces are completed, to which Transport Policy Officers agree. Suggested revised wording for condition 10 would extend the coverage of the existing Travel Plan to August 2025, which would fit within the proposed timescales for the provision of the additional drop off spaces. The proposed changes to the condition would require a review to be undertaken prior to 20th August 2025, with any additional measures implemented ahead of the commencement of the September 2025 school term.
- 5.12 Providing the additional drop off spaces are implemented as per the proposed amendment; Transport Policy Officers would agree with the revised approach for the Travel Plan and have no objection to the proposed revised wording for condition 10.
- 5.13 Therefore, the changes proposed in this application receive no objections from both Highways and Transport Policy Officers. They are considered acceptable and in accordance with TRANS.1, CS13 and P1. of the development plan.

6. Planning Balance and Conclusion

- 6.1 The changes to the condition vary the timings of the requirements of the conditions. These are related to the Highway considerations of the application and no other material considerations are implicated. Both Highways and Transport Policy officers raise no objections with the application. It is therefore considered the variations accord with the local development plan policies TRANS.1, CS13 and P1.
- 6.2 The application is recommended for APPROVAL.

7. Full Recommendation

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

Conditions

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| 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> <ul style="list-style-type: none"> • Site Location and Existing Site Plan drawing number PL 002 rev. C; • Landscape Proposals General Arrangement drawing number 1967-TF-00-00-DR-L-1001 Rev 13; • Proposed Ground Floor drawing number PL004 rev. 1; • Roof Plan drawing number 18026-RFT-00-01-DR-A-0202 Rev CR2; • Sections drawing number PL007 rev. 1; • Elevations drawing number 18026-RFT-00-ZZ-DR-A-0300 Rev CR2; • Elevations drawing number 18026-RFT-00-ZZ-DR-A-0301 Rev CR2; • Proposed Road Layout Signals drawing number PL011-27599-010 rev. B; • Site Sections Plan drawing number 1967-TF-00-00-DR-L-5001 Rev 6; • Site Sections Plan drawing number 1967-TF-00-00-DR-L-5002 Rev C02; • Tree Retention & Protection Plan drawing number LLD919/04 rev. 04; • Boundary Plan drawing number 1967-TF-00-00-DR-L-1003 Rev 04; • External Lighting Plan drawing number 180730/001/E08; • Hard Landscape and Fencing Plan drawing number 1967-TF-00-00-DR-L-2001 Rev 10; |
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| | <ul style="list-style-type: none"> • Hard Landscape and Fencing Plan drawing number 1967-TF-00-00-DR-L-2002 Rev 04; • Hard Landscape and Fencing Plan drawing number 1967-TF-00-00-DR-L-2003 Rev 02 • Foul and Surface water Drainage (Sheet 1 of 3) drawing number 101:1 rev. P3; • Foul and Surface water Drainage (Sheet 2 of 3) drawing number 101:2 rev. P1; • Foul and Surface water Drainage (Sheet 3 of 3) drawing number 101:3 rev. P1. Reason: For the avoidance of doubt and in the interest of proper planning. <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p> |
| 2. | <p>Boundary Treatments</p> <p>The school hereby approved shall not be bought into use until the boundary treatments, to include external boundaries around the site and internal boundaries within the site, have been erected in accordance with the details shown on drawing numbers 1967-TF-00-00-DR-L-1003 Rev 04, 1967 TF-00-00-DR-L-2001 Rev 10, 1967-TF-00-00-DR-L-2002 Rev 04 and 1967-TF-00-00-DR-L-2003 Rev 02. The boundary treatments shall thereafter be retained in accordance with the approved details.</p> <p>Reason: The boundary treatments are an important element in the design of the scheme. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p> |
| 3. | <p>Hardstanding</p> <p>The school hereby approved shall not be bought into use until the areas of hard standing have been constructed in accordance with the details shown on drawing numbers 1967-TF-00-00-DR-L-2001 Rev 10, 1967-TF-00-00-DR-L-2002 Rev 04 and 1967-TF-00-00-DR-L-2003 Rev 02. The areas of hard surfacing shall thereafter be retained in accordance with the approved details.</p> <p>Reason: The areas of hardstanding are an important element of the design of the scheme. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p> |
| 4. | <p>External Lighting</p> <p>The school hereby approved shall not be bought into use until the external lighting to be used around the school and on the access road has been installed in accordance with drawing number 180730/001/E08 and either, drawing number D41196(003)/PMU/A (bollard lighting) and datasheet Deco 2.0, or, drawing number D41196(003)/PMU/A/RF (column lighting) and datasheet Viva-City Pro. No external lighting shall be installed on the building or across the site except for that expressly authorised by the approval of details as part of this condition. The approved external lighting shall thereafter be retained.</p> <p>Reason: To have regard to the setting of the development and to protect the amenity of neighbouring occupiers and wildlife. This condition is imposed in accordance with</p> |

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| | <p>the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p> |
| 5. | <p>Mechanical Plant</p> <p>The school hereby approved shall not be brought into use until the mechanical air handling plant and chillers have been installed in accordance with the following details:</p> <ul style="list-style-type: none"> • Attenuator Drawings dated 3/6/2020; • Hall AHU Summary Fan Data Sheet; • i-Max Chiller Heat Pumps; • Kitchen Extract Summary Fan Data Sheet; • Kitchen Supply AHU Summary Fan Data Sheet; • Maxa i-HP Data Sheet; • Maxa i-HP Performance Tables; • MSY-TP35V Comms Room System data sheet; • MTS001-ASHP-AC data sheet; • Noise Assessment dated 12th June 2020; • PLA-ZM50 Cassette IT Suite System; • Roof Plant Layout Plan drawing number LO-Y34-R1-50-01 Rev C1. <p>Noise resulting from any other plant, machinery or equipment to be installed shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142, at a point one metre external to the nearest noise sensitive premises.</p> <p>Reason : In the interests of the amenities of neighbouring occupiers in accordance with Policy OVS5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.</p> |
| 6. | <p>Construction Hours of Work</p> <p>No construction works shall take place outside the following hours: 7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and no work shall be carried out on Sundays or Bank Holidays</p> <p>Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.</p> |
| 7. | <p>Playing Field Construction</p> <p>The school hereby approved shall not be bought into use until the playing field and MUGA within the school site have been provided in accordance with drawing numbers HWC-MAC-DR-L(90)100 Rev C01, HWC-MAC-DR-L(90)101 Rev C01, HWC-MAC-DR-L(90)102 Rev C02, HWC-MAC-DR L(90)103 Rev C02, HWC-MACXX- XX-RP-L1000 and 1967-TF-00-00-DR-L-4001.</p> <p>The playing field and MUGA shall thereafter be provided and maintained in accordance with the approved details.</p> <p>Reason: To ensure the quality of the pitches is satisfactory, in accordance with Policy CS18 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.</p> |

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| <p>8.</p> | <p>Travel Plan</p> <p>The Travel Plan received on 26th May 2021 shall be implemented as approved on commencement of the use as a school and its provisions shall continue to be implemented until 20th August 2025. Prior to 20th August 2025 a review of that Travel Plan shall be undertaken to assess whether the parking levels for the school are sufficient and shall include an investigation as to whether additional measures are required to be implemented to assist with the movement of traffic such as the provision of a "park and stride" facility. That investigation is to be submitted to and approved in writing by the Local Planning Authority prior to 20th August 2025 and any additional measures identified shall be implemented prior to commencement of the school term in September 2025 and maintained thereafter.</p> <p>Reason: To ensure the efficient function of the site and to promote sustainable forms of transport. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| <p>9.</p> | <p>Cycle and Scooter Parking</p> <p>The school shall not be brought into use until the cycle and scooter parking and storage spaces have been provided in the location shown on drawing number 1967-TF-00-00-DR-L-1003 in accordance with drawing numbers SK00714 Rev A and BXMW-SJ-1.02[A] and the spaces shall be retained for this purpose at all times.</p> <p>Reason: To ensure that there is adequate and safe cycle and scooter storage spaces within the site. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| <p>10.</p> | <p>Tree Protection</p> <p>Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing number LLD919/04 rev. 04. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p> |
| <p>11.</p> | <p>Arboricultural Watching Brief</p> <p>The development (including site clearance and any other preparatory works) shall be carried out in accordance with the Arboricultural Supervision 'Watching Brief', dated 12th July 2017 produced by Lizard Landscape Design and Ecology and Supplementary letter reference - LLD1220/KM/14.08.2017.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p> |

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| 12. | <p>Tree Retention</p> <p>No trees, shrubs or hedges shown as being retained on the Tree Retention & Protection Plan (drawing number LLD919/04 rev. 04) shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that die, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.</p> |
| 13. | <p>Landscaping</p> <p>The Landscaping Scheme shall be implemented in full in accordance with drawing numbers 1967-TF-00-00-DR-L-3002 Rev 05, 1967-TF-00-00-DR-L-1005 Rev 01 and 1967-TF-00 00-DR-L-3001 Rev 04 including the planting of a wildflower mix on the proposed bunds and will be managed and maintained in accordance with the Landscape Management Plan (ref: 1967-TF-00-ZZ RE-L-8001).</p> <p>Reason: To ensure an acceptable landscaping scheme is implemented and managed and maintained in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.</p> |
| 14. | <p>Construction Management Plan</p> <p>The demolition and construction works shall incorporate and be undertaken in accordance with the approved Construction Management Plan and addendum dated February 2018.</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026 and Supplementary Planning Document Quality Design (June 2006).</p> |
| 15. | <p>Access Contribution</p> <p>Prior to the new access from the A339 being brought into use, the applicant shall enter into a Legal Agreement to secure a contribution of £142,872 towards highways mitigation works.</p> <p>Reason: To ensure adequate mitigation to accommodate additional traffic on the A339. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.</p> |
| 16. | <p>Stopping Up of Temporary Access Road to Vehicles</p> <p>Upon completion of the access onto the A339, the existing vehicular access serving the school via Newbury College shall be stopped up to all vehicles at a location south of Newbury College.</p> |

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| | <p>Reason: In the interest of avoiding excessive traffic congestion upon the Monks Lane / Newtown Road Roundabout. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026.</p> |
| 17. | <p>A339 Link Road</p> <p>Within two years of the school opening, the vehicular, pedestrian and cycle access via the A339 and associated engineering operations shall be constructed in accordance with the approved drawings.</p> <p>Reason: To ensure that the A339 access into the site is constructed before the school intake increases beyond an acceptable level capable of being served via the Newbury College access in the interest of highway safety and in the interest of avoiding excessive traffic congestion upon the Monks Lane Newtown Road Roundabout. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026.</p> |
| 18. | <p>Vehicle Parking and Turning</p> <p>The use of the school hereby approved shall not commence until the vehicle parking and turning spaces/areas have been provided in accordance with drawing number 1967-TF-00-00-DR-L-1001. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times. Prior to the school term commencing in September 2025, the additional kiss and drop arrangement 5 on the northern side of the access road through the school site as shown on drawing number 1967-TF-XX-00-SK-L-20210723-05 received on 26th June 2021 shall be implemented in full. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p> |
| 19. | <p>Electric Vehicle Charging Points</p> <p>The school hereby approved shall not be brought into use until the electric vehicle charging points have been delivered in accordance with the EV Charging points datasheets received 13th February 2018 or equivalent and shall remain available for the purpose of charging electric vehicles in association with the school at all times.</p> <p>Reason: To ensure the development provides for the use of ultra-low emission vehicles by users of the development. This condition is imposed in accordance with Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy P1 of the Housing Site Allocations DPD and policies LTP SC3, LTP P3 and LTP K5 all of the Local Transport Plan for West Berkshire (2011-2026).</p> |
| 20. | <p>Construction Traffic Access</p> <p>The development hereby approved shall be undertaken in accordance with the Construction Management Plan Rev G and Addendum, together with the email from Michael Thurlow dated 13th July 2018.</p> |

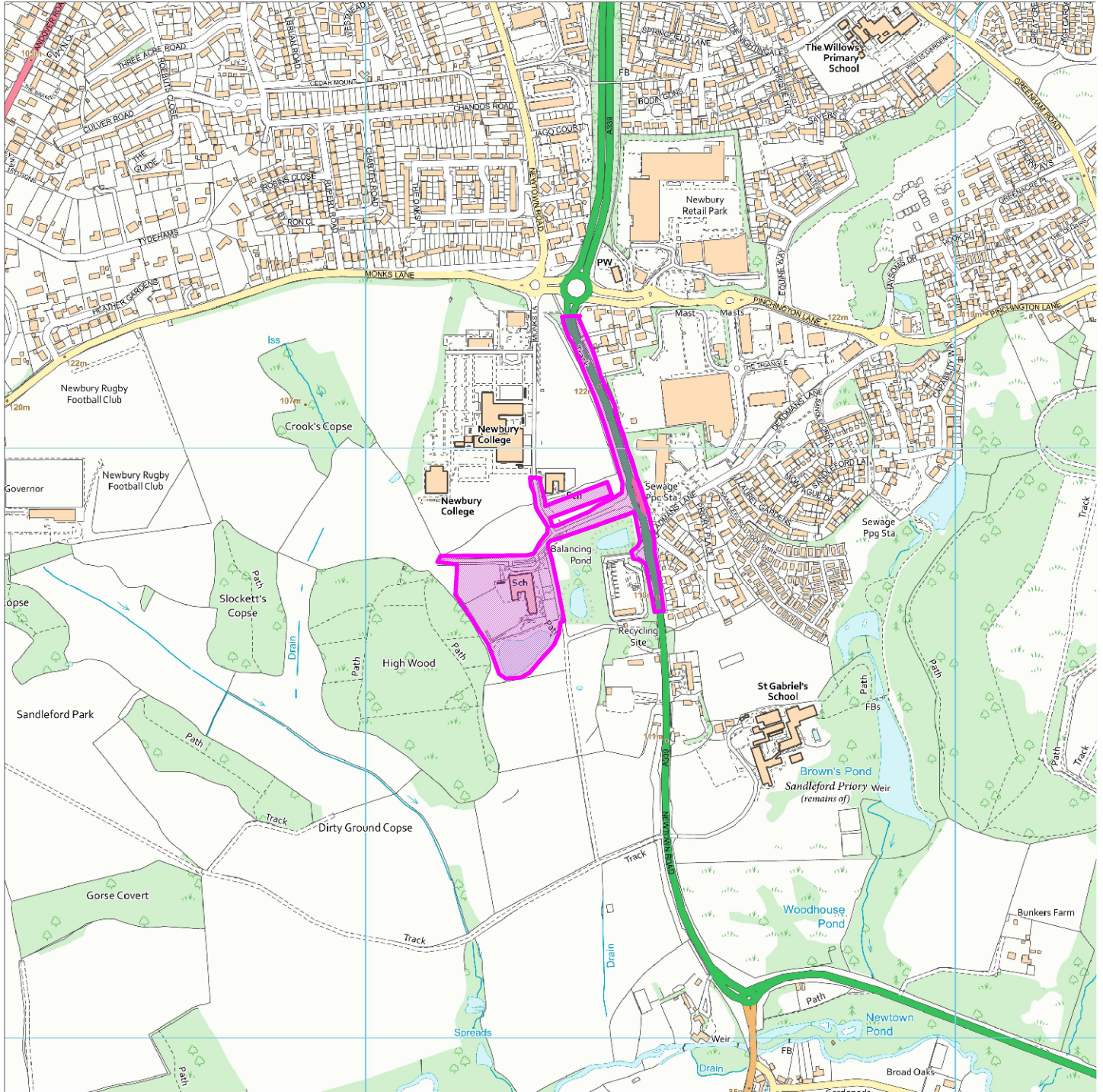
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| | <p>Reason: To ensure that the access for construction traffic is provided in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy 2006-2026.</p> |
| 21. | <p>Drainage Strategy</p> <p>The school hereby approved shall not be brought into use until the drainage measures set out in drawing numbers 101:1 Rev P3, 101:2 rev P1 and 101:3 Rev P1 and the 'Impact Study on Existing Attenuation Basin' produced by Archibald Shaw as well as the Sewage Impact Study produced by Thames Water have been implemented in full.</p> <p>The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.</p> <p>Reason: To ensure that surface water and waste water will be managed in a sustainable manner; to prevent the increased risk of flooding and to improve and protect water quality 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, Policies CS5 and CS16 of the West Berkshire Core Strategy 2006 2026, and Part 4 of Supplementary Planning Document Quality Design (June 2006).</p> |
| 22. | <p>Access Road SuDS</p> <p>Prior to the school term commencing in September 2025, a surface water drainage scheme for the proposed access into the site from the A339 to the western boundary shall be submitted to the Local Planning Authority. The scheme shall incorporate 'sustainable urban drainage' (SUDS) methods and attenuation measures, to restrict run-off from the site to no more than the equivalent greenfield rate, based on a 1 in 100 year storm plus 40% for possible climate change. The scheme shall also include measures to prevent any contamination from entering the soil or groundwater and an associated maintenance plan.</p> <p>When approved the drainage scheme shall be implemented in accordance with a timetable for implementation that has been agreed in writing with the Local Planning Authority as part of the details submitted for this condition.</p> <p>The drainage scheme shall be maintained and managed in accordance with the approved details thereafter.</p> <p>Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding and to improve and protect water quality 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, and Part 4 of Supplementary Planning Document Quality Design (June 2006).</p> |
| 23. | <p>Ecology</p> <p>The development hereby approved shall be carried out in accordance with the recommendations contained within the Preliminary Ecological Appraisal by RSK dated October 2016 and the Bat Emergence Survey by Lizard Landscape Architecture dated 26th May 2016.</p> |

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| | Reason: To ensure the works do not impact on any protected species in the event they are found during construction works in accordance with Policy CS17 of the West Berkshire Core Strategy 2006-2026. |
| 24. | <p>Fire Hydrants</p> <p>The school hereby approved shall not be brought into use until the fire hydrants, or other suitable emergency water supplies have been implemented in accordance with drawing number P15228-ELE-XX-XX-DR-ME-96001 Rev P1 and shall be retained thereafter.</p> <p>Reason: There are no available public mains in the area to provide a suitable water supply in order to effectively fight a fire. The fire hydrants are required to protect the amenities of future occupants of the application site and adjacent land in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.</p> |

Informatives

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| 1. | This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. 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. | The decision to grant planning permission has been taken because the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area, amenities of neighbouring properties, ecology, trees, flooding and drainage. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website. |
| 3. | All bats are protected by The Wildlife and Countryside Act 1981 (WCA) (as amended) & The Conservation of Habitats and Species Regulations 2010. Should you find bats during development, all work must stop until advice has been sought from Natural England. Their local contact number is 0300 060 3886. |
| 4. | The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health and Licensing Manager. |
| 5. | In relation to Tree T02, the applicant is asked to give consideration to retaining the trunk of the tree on site in as large a section as possible to allow it to decay naturally for the local wildlife. |

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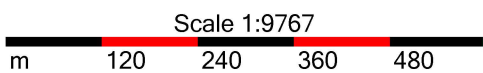
Map Centre Coordinates :

Scale : 1:9767

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| Organisation | West Berkshire Council |
| Department | |
| Comments | Not Set |
| Date | 09 January 2025 |
| SLA Number | 0100024151 |



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