

Notice of Meeting



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Western Area Planning Committee

Wednesday 17 September 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 16 September 2025 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 9 September 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.



WestBerkshire
C O U N C I L

Agenda - Western Area Planning Committee to be held on Wednesday 17 September 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, Carolyn 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 - 14
To approve as a correct record the Minutes of the meeting of this Committee held on 23 July 2025.
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) **25/00931/FUL Waitrose, Oxford Road, Newbury, RG14 1NB** 15 - 38
Proposal: Replacement of existing plant within the service yard and roof locations
Location: Waitrose, Oxford Road, Newbury, RG14 1NB
Applicant: John Lewis Partnership
Recommendation: Approval subject to conditions

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.

**Agenda - Western Area Planning Committee to be held on Wednesday 17 September
2025 (continued)**

- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

Sarah Clarke.

Sarah Clarke
Executive Director - Resources
West Berkshire District Council

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



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DRAFT

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

WESTERN AREA PLANNING COMMITTEE**MINUTES OF THE MEETING HELD ON
WEDNESDAY 23 JULY 2025**

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

Also Present: Sam Chiverton, Bob Dray, Paul Goddard, Lauren Hill, Sarah House Cheyanne Kirby, Fiohn Menpes Greenslade, Gordon Oliver, Jon Thomas

Apologies for inability to attend the meeting: Councillor Clive Hooker

PART I**1. Minutes**

The Minutes of the meeting held on 15 May 2025 were approved as a true and correct record and signed by the Chairman.

The Minutes of the meeting held on 21 May 2025 were approved as a true and correct record and signed by the Chairman subject to the inclusion of the following amendment:

- Councillor Woollaston advised he sent apologies and Councillor Benneyworth substituted for him at the meeting. However, this was not clarified in the minutes.

2. Declarations of Interest

Councillor Tony Vickers declared a personal and prejudicial interest in Agenda Item 4(2) by virtue of the fact that he was pre-determined on the item and had lobbied Members in support of it. As his interest was personal and prejudicial and a disclosable pecuniary interest, he would move to the public gallery at the start of the item and would be leaving the meeting after speaking as Ward Member and would take no part in the debate or voting on the matter. He advised he would not be returning for item 4(3).

Councillor Nigel Foot declared a personal interest in Agenda Item 4(2) by virtue of the fact that he was Portfolio Holder for Countryside and had been in communication with the Council's Senior Tree Officer as well as the Service Director for Environment on this item. 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 Tony Vickers declared a personal interest in all 3 agenda items by virtue of the fact that he was the Council's representative on the North Wessex Downs National Landscape Council of Partners. 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 item 4(1).

Councillors Adrian Abbs, Denise Gaines, Paul Dick, Antony Amirtharaj, Nigel Foot and Phil Barnett declared that they had been lobbied on Agenda Item 4(2).

3. Schedule of Planning Applications

- (1) **24/02810/FULMAJ - Hungerford Park**

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1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 24/02810/FULMAJ in respect of the installation of 4860 ground mounted photovoltaic panels, in an equine field, to provide power to the commercial buildings within the grounds and to export to the Local Grid at Hungerford Park.
2. Ms Cheyanne Kirby 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 report.
3. The Chairman asked Mr Paul Goddard if he had any observations relating to the application. He noted the following:
 - It was projected there were going to be 20 large vehicles travelling in and out on a daily basis during the course of construction.
 - He noted that there were two haul routes considered. The primary route was via Priory Road to the south with an alternative route via Park Street to the north. These haul routes had been secured by condition and a swept path analysis had been secured by condition for large vehicles using the site.
 - The traffic usage for the site after the construction phase was very low and was not going to cause traffic concerns.
4. In accordance with the Council's Constitution, Ms Helen Simpson, Town Council representative, and Mr Graham Welchman-Taylor, agent, addressed the Committee on this application.

Parish/Town Council Representation

5. Ms Helen Simpson addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Wednesday 23 July 2025](#) (21:34)

Member Questions to the Parish/Town Council

6. Members asked questions of clarification and were given the following responses:
 - Her understanding was that the North Wessex Downs team had not been asked to comment on this application.
 - A caravan at Hungerford Park had been refused planning permission in 2013.

Agent Representation

7. Mr Graham Welchman-Taylor addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Wednesday 23 July 2025](#) (27:02)

Member Questions to the Agent

8. Members asked questions of clarification and were given the following responses:
 - The system had been designed with the primary focus of providing energy to the estate during the darker months and as a result there was a significant excess during the summer months that could be sold back to the grid.
 - As part of the Construction Management Plan, reasonable delivery times were to be outlined. Discussions had been held with the applicant and the contractors with regard to this.

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- A third of the energy produced on the site was to be used by the site and two thirds were to be exported back to the grid.
- Decommissioning of a solar panel site was relatively quick and the site could be returned to its natural state within 3-4 months.
- An assessment had been carried out to determine whether roof mounted installation was viable however this was only likely to generate a small percentage of the energy required.

Ward Member Representation

9. Councillor Tony Vickers addressed the Committee. The full representation can be viewed here:

[Western Area Planning Committee - Wednesday 23 July 2025 - YouTube](#) (41:25)

Member Questions to the Ward Member

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

- The quality of the agricultural land was a material factor, but he was not qualified to comment on that fact. The North Wessex Downs tried to look holistically at that.

Member Questions to Officers

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

- Cheyanne Kirby advised that the site was classed as equestrian use and as a result was not considered agriculture. The balance would be different if the land was an arable field but officers had to base their decision on the site's usage as it was.
- Cheyanne Kirby informed Members that the DEFRA map was created in layers and did not specifically select each site. It provided a general census of the whole of the land, meaning that the broader area was seen as 3b but this specific segment of the land was not in agricultural use.
- Cheyanne Kirby advised that no objection letters had been received.
- Cheyanne Kirby noted that this was a major development as anything over 0.5 hectares was considered major in planning terms, however the development itself was not necessarily considered major development. A Landscape and Visual Appraisal had been submitted and onsite the proposal was considered to have moderate visual impact whereas the wider views were seen as being subject to low visual impact which was to be further mitigated by the planting of hedgerows and trees.
- Paul Goddard informed Members that the use of large vehicles on site for the purpose of this application was only ever expected to be temporary in nature during the construction phase and as a result would have created very little traffic impact.
- Paul Goddard advised that there were no safety mitigation measures put forward and that he did not consider that the number of vehicle movements projected were sufficient for the authority to consider any mitigation.
- Cheyanne Kirby advised that a specific construction management plan was not listed amongst the conditions, but specific requirements could be included within the conditions.

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- Bob Dray advised that the North Wessex Downs team had been consulted on the application on the 24th February but had not responded to the consultation.
- Bob Dray advised there was no preclusion for Solar Farms within the AONB which meant each site was considered on its merits. The National Planning Policy Framework (NPPF) did determine that major development within an AONB was to be avoided unless under exceptional circumstances, however, officers had determined that this proposal did not constitute a major development.
- Cheyanne Kirby advised that the NPPF historically resisted solar arrays in an AONB and encouraged councils to build these in areas outside of the national landscape. She advised that this had changed in more recent versions of the NPPF with more concern paid to listed buildings and conservation areas. The national policy was to prioritise solar arrays. She highlighted that the West Berkshire local plan contained a climate change policy that stated net zero.
- Paul Goddard advised that highways officers had looked into concerns about the impact of large vehicles in Park Street. The authority was keen to avoid large vehicles travelling to the site through Kintbury and recommended that it was better that they entered the site through the A338. He noted that they would ideally have liked to have had the swept path analysis in front of them but this had not happened as of yet.

Debate

12. Councillor Adrian Abbs opened the debate by noting that there had been a change to the NPPF which altered the weight afforded to sites such as the one proposed. Ultimately, he felt that officers had weighted things correctly on this application highlighting that the usage was reversible. He could see no policy reason to go against officers' recommendations.
13. Councillor Tony Vickers highlighted that so few comments on planning applications were received from the North Wessex Downs as they only had one planner who covered 7 local planning authorities which received 600 planning applications every week. He felt it was important for Members to contact them directly if they had concerns about specific applications affecting the North Wessex Downs Natural Landscape.
14. Councillor Paul Dick echoed Councillor Abbs' comments.
15. Councillor Antony Amirtharaj felt that it was important to look beyond the net zero gain bought about by the proposal, he was concerned about the loss of agricultural land. His view was that the access route was dangerous and felt that there were not satisfactory mitigation plans in place to ensure that the entry point was safe. He felt it was important that additional conditions were put in place to ensure the safety aspect, or at least to monitor the safety of the entry point. Bob Dray advised the additional condition related to the Construction Management Plan which could include details of safety requirements.
16. Councillor Howard Woollaston shared Councillor Amirtharaj's concerns but noted that there were only to be 20 HGV movements over the course of the construction which allayed his concerns. He found no reason to refuse this proposal as it met all of the Council's priorities.
17. Councillor Denise Gaines congratulated the Hungerford Town Council representative on an excellent presentation. She was torn on the application as she was not keen on the development from a personal perspective, but from both a local and national

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policy perspective could see no reason to reject it. As a result she felt there was little choice but to go with officer's recommendations.

18. Councillor Paul Dick proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report with an additional condition that a Construction Management Statement be submitted including safety measures. This was seconded by Councillor Howard Woollaston.
19. The Chairman invited Members of the Committee to vote on the proposal by Councillor Dick, seconded by Councillor Woollaston 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 listed in the main report with an additional condition that a Construction Management Statement be submitted including safety measures.

(2) 25/00827/FULMAJ - Welford Park, Welford

20. As Councillor Tony Vickers had declared a pecuniary interest on item 4(2), in that he was pre-determined to support the application, he excused himself from the Committee and moved to the public gallery where he would offer his support as Ward Member. He made clear he would leave the room before questions to officers were asked to ensure that he did not influence the proceedings of the debate.
21. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 25/00827/FULMAJ in respect of use of land for wedding ceremonies and receptions for 6 months a year (April - September), including the temporary erection of tipis, catering tent, ceremony tent, toilet block and associated car parking (for a temporary period of 5 years) at Welford Park, Welford.
22. Ms Lauren Hill 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 unsatisfactory in planning terms and officers recommended that the Development Manager be authorised to refuse planning permission for the reasons listed in the main report.
23. Fiohn Menpes Greenslade highlighted the ecological concerns that had led to the Ecology team objecting to the application. It was noted that direct effects of development could cause loss of ancient woodland, ancient and veteran trees. He noted that he had concerns about the proposed mitigations as they were in very close proximity to human activity which would be unsuitable for a number of affected species due to the likelihood of human disturbance.
24. Jon Thomas raised the concerns of the Tree Team that had caused them to object to the application. He noted that the clearing had been used for permitted development and it was evident a number of trees had been removed since 2016. He felt it was important for the Council to consider whether it was appropriate to enforce a Tree Preservation Order (TPO). Overall it was noted that the proposal was likely to have a significant effect on trees in the woodland.
25. The Chairman asked Mr Paul Goddard if he any observations relating to the application. He noted the following:
 - Access to the proposal would be obtained from Welford Road. There were two access points proposed, the southern access adjacent to the M4 was proposed as the access with the northern access proposed as the exit. There were no concerns on this.
 - A concern for Highways officers was sustainability as there were limited means to access the site through any means other than motor vehicle.

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- He noted that the proposal was likely to generate a significant increase in traffic generation to the site which was itself unsustainable, this was contrary to the NPPF.
 - He felt that it failed to comply with local and national policy on climate and sustainability.
26. In accordance with the Council's Constitution, Mr Will Puxley, supporter, and Ms Kerry Pflieger, agent, addressed the Committee on this application.

Supporter Representation

27. Mr Will Puxley addressed the Committee. The full representation can be viewed here:
[Western Area Planning Committee - Wednesday 23 July 2025 - YouTube](#) (1:58:24)

Member Questions to the Supporter

28. Members asked questions of clarification and were given the following responses:
- This area of the site was selected as there was a natural clearing which had been well used by other agricultural activities. Anywhere else on the site would have required tree felling. They tried to ensure every area of the site was used.
 - It was noted that there was a church nearby which had seen a massive uplift as a result of the use of the site.
 - In order to scale the business they needed to be able to do more than the 8 weddings that could be done over the 28 days allowed under permitted development rights. Woodland grants received did not cover the cost of managing the woodlands and scaling the business was key to making the business sustainable.
 - An operator was bought in to reduce the overall cost of running the site, this provided additional resource for site management.

Applicant/Agent Representation

29. Ms Kerry Pflieger addressed the Committee. The full representation can be viewed here:
[Western Area Planning Committee - Wednesday 23 July 2025 - YouTube](#) (2:10:48)

Member Questions to the Applicant/Agent

30. Members asked questions of clarification and were given the following responses:
- An ecological proposal had been submitted alongside the planning application which was informed by surveys of the site. As this was a natural clearing there were grasses present on the site which did not themselves contain any ancient woodland ground flora.
 - The woodland management plan had not been submitted when the application was originally submitted but it had some reference to events at Welford Park. This plan was for the whole of Welford Park, not the site specifically, it had been accepted by the Forestry Commission but was sat with the admin team awaiting formal sign off. A separate woodland management plan for the tipi site could be submitted as part of this application.

Ward Member Representation

31. Councillor Tony Vickers addressed the Committee. The full representation can be viewed here:
[Western Area Planning Committee - Wednesday 23 July 2025 - YouTube](#) (2:19:25)

Member Questions to the Ward Member

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32. Members did not have any questions for clarification.

33. Councillor Tony Vickers left the meeting at 20:25

Member Questions to Officers

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

- Paul Goddard felt that it was very unlikely anyone would travel to the site by any other means than motor vehicle with very limited public transport available to transport people to the site.
- Jon Thomas advised that they were informed on site that there was a felling licence. As part of the application they had checked the Forestry Commission website but had been unable to find one. This had since been sent through by the applicant. For the compartment relevant to the application there was permission to thin, which granted specific permission to fell the poorer quality trees. He highlighted that there was a difference between thinning and removing for safety. He felt that his concerns would not be successfully ameliorated by a woodland management plan due to the site's status as ancient woodland.
- Jon Thomas noted photos taken above the site illustrated that a number of trees had been removed since 2016. He felt that this was done for the purpose of supporting the existing wedding business.
- Jon Thomas was very certain that the usage as a wedding venue was causing damage to the site due to the trampling and the vehicle movements.
- Fiohn Menpes Greenslade was confident that there was ongoing degradation caused by the permitted development that was likely to be exacerbated by approving this application.
- Paul Goddard reiterated that the site was unsustainable from a highways and planning perspective.
- Jon Thomas advised that they were unaware of the permitted development prior to the application, as a result there was no trigger for a TPO. He noted that it was their responsibility to implement TPOs in the interest of amenity, this development was likely to increase harm to the woodland and as a result required protection.
- Bob Dray advised that permitted development rights were set nationally which the applicant was exercising. The Council could not do anything to trigger a review of that. He noted that the proposal was likely to lead to severe intensification of the problems witnessed through the permitted development.
- Bob Dray noted that if planning permission was granted the authority were required to inform the Secretary of State and give them an opportunity to call in the application and consider whether it needed to be redetermined.
- Bob Dray highlighted that this case was not a carbon copy of the Lilas Wood appeal. He advised that this was included as there were strong similarities between the two. He was unaware of what had specifically changed in policy terms since that decision but the high bar as to what constituted 'wholly exceptional' was still present.
- Bob Dray accepted that degradation of the site could be caused by uses that did not require planning permission, however, he highlighted that the purpose of this Committee was to consider the planning application before them.

Debate

35. Councillor Adrian Abbs opened the debate by highlighting he came into this with an open mind, but felt that this was an important venture for the local economy. However, the course of the meeting made it clear that this was an application that was contrary to a number of policies. He highlighted that 3 different officers had raised objections. He felt that this had to sway the outcome of the meeting. He also highlighted the importance of protecting ancient woodland and noted that the

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permitted development had already caused degradation of the site. He noted that he was surprised on the site visit to see that the tent was actually a semi-permanent building with concrete footings, he felt this was further damaging the ancient woodland. He noted that over the course of the meeting he had gone from being generally supportive of the application to being inclined to support officers recommendations to reject.

36. Councillor Antony Amirtharaj highlighted that the site was likely to create significant economic benefit. He noted that approving this application would allow for support of the wider economy. He noted officers recommendations and respected their knowledge, but highlighted that the site had permitted development rights regardless and this application was simply seeking to extend that usage. He felt that it was appropriate to approve this application with a woodland management plan and with officers working closely with the landowner to ensure that further damage was not caused to the ancient woodland and mitigate the harm that was being caused. He felt that it was important to empower landowners to enable economic development within their communities. He felt that restricting legacy landowners from ensuring their sites were economically viable ran the risk of corporate entities buying land and creating more harm moving forward.
37. Councillor Denise Gaines highlighted that ancient woodland was over 400 years old and it was their duty as Councillors to ensure that that woodland continued to thrive and not be cleared. She understood the economic argument but stressed that the woodland and its unique ecology could not be replaced if damaged. She noted that they had just adopted a local plan and approving this application would contravene a number of policies within it.
38. Councillor Howard Woollaston supported Councillor Amirtharaj's comments noting that there was significant economic benefit to the proposal. He noted that there was not a single objector and highlighted that it would generate employment within the local community. He noted the landowner was very considerate of the countryside and invested in preserving the land. He felt that the traffic concerns were irrelevant as no one travelled to a wedding via public transport nor did they walk to them. He advised he was inclined to go against officers' recommendations.
39. Councillor Paul Dick noted that the community and economic aspects of this application were strong, but noted that an Ancient Woodland could not be replanted.
40. Councillor Nigel Foot complimented the quality of the report and felt that it was balanced and informative. He felt that this was an extremely difficult situation noting the difficult circumstances faced by farmers all across the country. He stressed the grave concerns raised by the ecology and tree officers over the welfare of the ancient woodland and noted the importance of preserving this. He urged the applicant to review ways to truly mitigate this. He highlighted that rejecting this application would mean that this was referred up to the Secretary of State so felt that there was little recourse to go against officer's recommendations due to national and local policy.
41. Councillor Nigel Foot proposed to accept Officer's recommendation and reject planning permission for the reasons listed in the main report. This was seconded by Councillor Adrian Abbs.
42. The Chairman invited Members of the Committee to vote on the proposal by Councillor Foot, seconded by Councillor Abbs, to refuse planning permission. At the vote the motion was carried.

RESOLVED that the Development Manager be authorised to refuse planning permission for the reasons listed in the main report.

4. 24/01651/FUL - 2 Burfords, East Garston, Hungerford

43. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 24/01651/FUL in respect of a replacement dwelling at 2 Burfords, East Garston, Hungerford,
44. Mr Bob Dray 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.
45. The Chairman asked Mr Paul Goddard if he had any observations relating to the application. He advised that he had no objections.
46. In accordance with the Council's Constitution, Mr Stephen Reschwamm, Parish/Town Council representative, addressed the Committee on this application.

Parish/Town Council Representation

47. Mr Stephen Reschwamm addressed the Committee. The full representation can be viewed here:

<https://www.youtube.com/live/JKsPhAB-IXU> (3:10:48)

Member Questions to the Parish/Town Council

48. Members asked questions of clarification and were given the following responses:
- There were a couple of plots in the village that were of a similar size. Work had been done on other bungalows but they were still going to retain their bungalow status.
 - He was unsure whether the Parish Council had objected to the half storey extension application in 2012.

Member Questions to Officers

49. Members asked questions of clarification and were given the following responses:
- Bob Dray advised that Natural England took the view that replacement dwellings could be excluded from nutrient neutrality.
 - Bob Dray advised that the Parish Council did object to the previous application on the site.

Debate

50. Councillor Gaines opened the debate by advising she saw no reason to object given the approval of an extension on the site in 2012.
51. Councillor Paul Dick supported Councillor Gaines comments.
52. Councillor Adrian Abbs sought clarity on whether anything could be done to condition returning the gate to its original condition. Bob Dray advised it was possible to put a condition related to the hard landscaping of the site but officers had not recommended it as they did not feel it was related to this application.
53. Councillor Amirtharaj reassured objectors that each application was judged on its own merits and no precedent was set when granting approval.
54. Councillor Denise Gaines proposed to accept Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report with an additional condition that the details of hard landscaping for the site be submitted before occupying the property. This was seconded by Councillor Dick

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55. The Chairman invited Members of the Committee to vote on the proposal by Councillor Gaines, seconded by Councillor Dick, 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 outlined in the main report and update report with an additional condition that details of hard landscaping for the site be submitted before occupying the property.

(The meeting commenced at 18:30 and closed at 21:50)

CHAIRMAN

Date of Signature

Agenda Item 4.(1)

| Item No. | Application No. and Parish | Statutory Date | Target | Proposal, Location, Applicant |
|---|---|-------------------------|--------|--|
| (1) | 25/00931/FUL Newbury Town Council | 12.06.2025 ¹ | | Replacement of existing plant within the service yard and roof locations Waitrose, Oxford Road, Newbury, RG14 1NB John Lewis Partnership |
| ¹ Extension of time agreed with applicant until 19.09.2025 | | | | |

The application can be viewed on the Council's website at the following link:
<https://publicaccess.westberks.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Recommendation Summary: Approval subject to conditions

Ward Member(s): Councillor Antony Amirtharaj
Councillor Martha Vickers

Reason for Committee Determination: 10 or more objections

Committee Site Visit: 11/09/2025

Contact Officer Details

Name: Harriet Allen
Job Title: Planning Officer
Tel No: 01635 519111
Email: Harriet.Allen1@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 replacement of an existing plant for a superstore within a service yard and flat-roof area.
- 1.3 The application site is in the town centre commercial area, and adjacent the Newbury Town Centre Conservation Area. It is some 100m from grade II and grade II* listed buildings, resulting in an urban sense of place with some historic interest to the wider setting.
- 1.4 The existing plant, stated to be at the end of its life, comprises rooftop DAC (Dry Air Cooler) units, and a separate Biomass Boiler in the service yard. These are proposed to be removed and replaced with two roof mounted DACs, two Air Source Heat Pumps (ASHPs) and a single Water Source Heat Pump. An existing container and satellite dish would be relocated, chain-link fencing erected around the ASHPs, and acoustic panelling fixed to the rear wall of the store.
- 1.5 The recommendation is based on amended plans received by the Local Planning Authority on 12.06.2025. These were received and accepted due to the need for a small increase in heat pump size and type, to accommodate for the store's internal refrigeration modifications.

2. Planning History

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

| Application | Proposal | Decision Date / |
|-----------------|--|------------------------|
| 02/01012/COMIND | Construction of retail food store (Class A1) with ancillary Class A3 use, automated banking facilities, associated car parking, landscaping and highway works. | APPROVED 31.03.2003 |
| 06/01095/COMIND | Section 73 application to vary Condition No. 9 of previous permission 02/01012/COMIND to allow an increase in delivery times. | APPROVED 24.07.2006 |
| 09/02247/FUL | Proposed enclosure to access ladder to sprinkler tank room | APPROVED 07.01.2010 |
| 13/00255/FUL | Installation of external horticultural units to the front of the store and associated works | APPROVED |
| 13/01714/FUL | To install a glazed entrance lobby with canopy to the front of the store and associated works. | APPROVED 02.10.2013 |
| 13/02047/ADV | A combination of new signage proposals, replacement signage and signage removal. | APPROVED 04.10.2013 |

| | | |
|-----------------|--|------------------------|
| 13/02335/FUL | The proposal is to install a new Biomass boiler within the service yard of the existing food store. | APPROVED 20.11.2013 |
| 13/02737/FUL | Section 73A: Application to relax Conditions 4: SUDS and 6: Construction Method Statement of planning permission 13/01714/FUL. | APPROVED 10.02.2014 |
| 18/00370/FUL | Installation of a new automatic number plate recognition camera and a galvanised steel camera column to the Waitrose car park. | APPROVED 09.04.2018 |
| 18/01393/ADV | Various signage | APPROVED 12.07.2018 |
| 21/02172/COMIND | Section 73 application to vary condition 1 (delivery times) of approved 06/01095/COMIND to allow an increase in delivery times. - To help enhance and diversify the operational management of the store by ensuring it remains fully stocked throughout the day and able to meet the needs of visiting shoppers. | APPROVED 19.11.2021 |

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 13.05.2025 to a post adjacent the store's access off of Oxford Road, with a deadline for representations of 04.06.2025. Notification letters were sent to residents of Benedict Court.
- 3.3 **Local Financial Considerations:** Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body. No local financial considerations are material to this application.
- 3.4 **Community Infrastructure Levy (CIL):** Community Infrastructure Levy (CIL) is a levy charged on most new development 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 used to fund roads and other transport facilities, schools and other educational facilities, flood defences, medical facilities, open spaces, and sports and recreational areas. Subject to the application of any applicable exemptions, CIL will be charged on residential (Use

Classes C3 and C4) and retail (former Use Classes A1 – A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of gross internal area (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). CIL liability, and the application of any exemptions, will be formally confirmed by the CIL Charging Authority under separate cover following any grant of planning permission. More information is available at <https://www.westberks.gov.uk/community-infrastructure-levy>

- 3.5 **Public Sector Equality Duty (PSED):** In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The Council must have due regard to the need to achieve the following objectives:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.6 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—
- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3.7 The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have regard to and remove or minimise disadvantage. In considering the merits of this planning application, due regard has been given to these objectives.
- 3.8 There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.
- 3.9 **Human Rights Act:** The development has been assessed against the provisions of the Human Rights Act, including Article 1 of the First Protocol (Protection of property), Article 6 (Right to a fair trial) and Article 8 (Right to respect for private and family life and home) of the Act itself. The consideration of the application in accordance with the Council procedures will ensure that views of all those interested are taken into account. All comments from interested parties have been considered and reported in summary in this report, with full text available via the Council's website.
- 3.10 It is acknowledged that there are certain properties where they may be some noise impact. As detailed in this report, it is considered that harm from this noise can be sufficiently mitigated. 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 an updated community facility.

- 3.11 Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.
- 3.12 **Listed building setting:** Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 16(2) has the same requirement for proposals for listed building consent. The application site is some 100m from the grade II* listed Wessex House, and grade II listed Speen Court. The applicant has provided an assessment of the impact on the setting of these buildings within the submitted Design and Access Statement.
- 3.13 **Conservation areas:** Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The superstore is adjacent the Newbury Town Centre Conservation Area. The application site itself is over 50m from this area. The applicant has provided an assessment of the impact on the area within the submitted Design and Access Statement.

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.

| | |
|------------------------------------|--|
| Newbury Town Council: | No objection to the original plans. Upon re-consultation on amended plans, comment that the noise plant should be kept within legal limits and note the need for noise mitigation measures. |
| Local Highways Authority: | No objection. |
| Lead Local Flood Authority: | No objection. |
| Environmental Health: | No objections to both original and amended plans subject to conditions. |

Public representations

- 4.2 Representations have been received from 12 contributors, all of which object to the proposal.

- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.
- 4.4 The following issues/points have been raised in relation to both original and amended plans:
- There is existing noise disturbance for neighbouring residents from A4 traffic, and day and night deliveries to the store due to engines left running, loading trolleys, and raised stones at the entrance
 - Previous planning permission ref: 21/02172/COMIND for nighttime deliveries has been disruptive to residents
 - Double glazed windows at Benedict Court do not prevent existing noise disturbance
 - There would be a new noise impact on the neighbouring garden amenity as the biomass boiler was silent
 - There is no acoustic screen proposed between the service yard and boundary fence, resulting in concern of a constant hum.
 - The alterations may have an additional water usage affecting local water pressure
 - The additional noise could impact the sale of neighbouring dwellings
 - The noise impact assessment has not considered the demographic of neighbouring residents
 - It looks like 80 decibels was recorded 23rd/24th October 2024 according to the NIA. The noise generated by individual fans and in combination with traffic and deliveries is not clear.
 - The NIA assesses the impact on Bath Road properties more so than on Benedict Court specifically
 - Detailed information and product specification has only been provided for the DACs and not for ASHPs

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.

| Development Plan Document | Relevant Policies |
|--|---|
| West Berkshire Local Plan Review 2023-2041 | <ul style="list-style-type: none"> - SP1 Spatial Strategy - SP3 Settlement Hierarchy - SP5 Responding to Climate Change - SP7 Design Quality - SP8 Landscape Character - SP9 Historic Environment - SP11 Biodiversity & Geodiversity - SP18 Town & District Centres |

| | |
|--|---|
| | <ul style="list-style-type: none"> - DM5 Environmental Nuisance & Pollution Control - DM6 Water Quality - DM9 Conservation Areas |
|--|---|

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

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

6. Appraisal

Principle of development

- 6.1 Policy SP1 sets out the Spatial Strategy for the district which includes the optimisation of previously developed land and support of development and redevelopment within settlement boundaries as defined in Policy SP3. Policy SP3 states that the focus of development will follow the settlement hierarchy set out within the policy. It defines Newbury as an Urban Area which will be the prime focus for housing and economic development.
- 6.2 Policy SP18 defines Newbury as a major town centre and supports development proposals in this location where they are appropriate in scale, character, function and highway and amenity impact.
- 6.3 The proposed development therefore generally accords with the development plan. Acceptability is subject to the design and specific impacts, as assessed below.

Character and appearance

- 6.4 The replacement rooftop DAC units would be longer than the existing, but 0.5m lower in height, and enable the removal of a tall chimney.
- 6.5 An existing container within the service yard would be relocated circa 5m to the north, behind which the Water Source Heat Pump would be sited on the existing boiler plinth. The two Air Sourced pumps would be on new concrete plinths and enclosed by chain-link fencing extending above the pumps. The enclosure would be lower than the existing Biomass Boiler. Acoustic panels fixed to the store rear wall would have a light-grey finish to match existing cladding.
- 6.6 Views of the areas affected are limited due to the store being at a significantly higher ground level to the road, screened by trees and a tall retaining brick wall.
- 6.7 Where visible, the replacement plant and associated works would have a functional appearance, dominated by grey tones which would be in-keeping with the urban character and consistent with the main building's design. The new plant would achieve a similar overall character and appearance to the existing. It is therefore considered that the proposed replacement plant and associated works would not harm the local sense of place, nor have any impact on the historic interest and significance of the nearby Conservation Area and setting of listed buildings.

Residential amenity

- 6.8 In relation to the living conditions of residential dwellings, Policy DM30 supports proposals with no unacceptable harm resulting from loss of daylight/sunlight, overlooking, a sense of overbearing, enclosure or loss of outlook, and noise, dust and fumes. Policy DM5 supports proposals that do not lead to adverse effects on pollution, including from noise and vibration.
- 6.9 The overall height and bulk of the replacement plant is similar, if not smaller than, the existing. Therefore, in this instance, only noise impact is considered to be a material concern to be addressed.
- 6.10 Paragraph 198 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions. It further states that decisions should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 6.11 The nearest residential amenity is Benedict Court which adjoins the store's boundary to the west and comprises 56 flats. Habitable rooms would be approximately 40m from the proposed heat pump area, and a small garden amenity area approximately 30m west. South of Benedict Court is a playing field and row of properties along Old Bath Road. These would be over 60m from the heat pump area. The Noise Impact Assessment submitted with the application assesses the impact of noise on these amenities.
- 6.12 An Environmental Health Officer initially stated that the NIA demonstrates that the new plant would not result in any adverse impact.
- 6.13 Following amended plans, the size of the Air Source Heat Pumps has increased, and a Water Source Heat Pump has been added. The fenced area has also been widened, and the container moved. The NIA was updated to reflect these changes.
- 6.14 Concerns with the document and plans raised by objectors are acknowledged. In particular, with the lack of consideration of the cumulative impact of traffic and the proposed plant, and the fact that the acoustic panels are only on one side. Regarding the acoustic panels, your officer notes that Section 7.01 of the NIA states that the panels will be fixed to the rear walls of the store closest to the air source heat pump plant to control acoustic reflections off the immediate walls.
- 6.15 The same Environmental Health Officer reviewed the amended documents and commented that the NIA assessment demonstrates the noise generated by the proposed plant will not exceed existing typical background noise levels for neighbouring residents. They deem the NIA to accord with the relevant British Standard methodology (BS4142) and presents an acceptable evidence-based conclusion.
- 6.16 To mitigate noise generated, the acoustic panels must be implemented and retained, and overnight air source heat pump operation prohibited. These requirements can be secured via conditions.
- 6.17 An assessment of noise from traffic and store deliveries lies outside the scope of this application which is for a replacement plant only. In compliance with the NPPF, noise mitigation measures have been incorporated into the proposal, and evidence provided to demonstrate that the proposal would not result in significant adverse impacts on health and quality of life.

Highway matters

- 6.18 It is acknowledged that concerns have been raised regarding idle delivery vehicles however the application in question relates only to a replacement plant and would see no change to the store's existing function, access and parking arrangements. Furthermore, access to the new plant would be the same as is required for the existing Biomass Boiler and rooftop DACs.

Sustainability and responding to climate change

- 6.19 According to Policy SP5, the principles of climate change mitigation and adaptation will be required to be embedded in to new development. All development should contribute to West Berkshire becoming and staying carbon neutral by 2030.
- 6.20 The Design and Access Statement provides a sustainability statement demonstrating compliance with this policy. In particular, it is noted that the proposal would enable the store to rely less on gas boilers, likely reducing local CO2 emissions.

Water resources

- 6.21 Concerns regarding the impact of the plant on local water use and pressure have been raised.
- 6.22 Policy DM7 expects development to minimise water use by incorporating appropriate water efficiency and water recycling measures. Development which would overload available facilities and create or exacerbate problems of flooding or pollution will not be permitted. This policy requirement was introduced by the Local Plan Review 2023-2041 adopted 12.06.2025.
- 6.23 This application was validated 17.04.2025 and as such, at the time, there was no policy requirement for details of water use to be provided.
- 6.24 This application relates to a replacement plant covering a small area, similar in scale to an existing plant. No water resource concerns have been raised by the Council's engineer.
- 6.25 Accordingly, it is not considered that a refusal based on unacceptable water resource impact would be reasonable.

Other matters

- 6.26 The proposal would not result in any material change to site's existing use and function and does not propose any significant changes to built form overall. No species, habitats or trees at risk have been identified. As such there are no concerns that the proposed replacement plant would have any harmful impact on biodiversity, green infrastructure nor flooding and drainage.

7. Planning Balance and Conclusion

- 7.1 The proposed replacement plant and associated works represents an opportunity to update and improve the sustainability of an existing community facility.
- 7.2 Concerns that the new heat pumps and dry air coolers would generate unacceptable noise levels for neighbouring residents have been acknowledged. Information has been

provided which is considered to demonstrate that noise generated would be mitigated and would not result in an increase in existing background noise levels.

- 7.3 For the reasons given in this report it is considered that the proposal is in accordance with current development plan policies and material considerations do not indicate that planning permission should otherwise be refused.

8. Full Recommendation

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

Conditions

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| 1. | <p>Commencement of development</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p> |
| 2. | <p>Approved plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <ul style="list-style-type: none"> - Location Plan received 17.04.2025 - Drawing 676-10337-FCA-CR-00-DR-A-101-04 Rev: ARP1-P.02 Proposed Block Plan received 12.06.2025 - Drawing 676-10337-FCA-CR-R-DR-A-47-04 Rev: ARP1-P.02 Proposed Roof Plan received 12.06.2025 - Drawing 676-10337-FCA-CR-ZZ-DR-A-04-04 Rev: ARP1-P.02 Proposed External Elevations received 12.06.2025 - Drawing 676-10337-FCA-CR-ZZ-DR-A-05-04 Rev: ARP1-P.02 Proposed Building Sections received 12.06.2025 - Drawing 676-10337-FCA-CR-000-DR-A-03-04 Rev: ARP1-P.03 Proposed Service Yard Plan received 12.06.2025 - Design & Access Statement by Farrell & Clark Architects received 12.06.2025 - Plant Noise Impact Assessment Ref: EEC/EC20839-3, Version 1 by Environmental Equipment Corporation Ltd received 12.06.2025 - Ecological Impact Assessment, November 2024 by Ground Control received 17.04.2025. <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p> |
| 3. | <p>Materials</p> <p>The materials to be used in the development hereby permitted shall be as specified on the approved plans, Design and Access Statement and application form. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size, and texture.</p> <p>Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies SP7 and SP8 of the West Berkshire Local Plan Review 2023-2041.</p> |

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| 4. | <p>Noise impact mitigation</p> <p>The replacement plant hereby approved shall not be first brought into use until the noise mitigation measures as detailed in the Plant Noise Impact Assessment Ref: EEC/EC20839-3, Version 1 by Environmental Equipment Corporation Ltd received 12.06.2025 have been implemented in full.</p> <p>Reason: To safeguard occupiers of neighbouring amenity in accordance with the National Planning Policy Framework, Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041.</p> |
| 5. | <p>Operating hours</p> <p>The air source heat pumps hereby approved are restricted to operate an hour either side of the store trading hours (07:00-2200).</p> <p>Reason: To prevent overnight operation and safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041.</p> |

Informatives

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| 1. | <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>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> <p>1. The application for planning permission was made before 12 February 2024.</p> |

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| <p>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.</p> <p>3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and</p> <p>(i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or</p> <p>(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.</p> <p>4. The permission which has been granted is for development which is exempt being:</p> <p>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:</p> <p>i) the application for planning permission was made before 2 April 2024;</p> <p>ii) planning permission is granted which has effect before 2 April 2024; or</p> <p>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).</p> <p>4.2 Development below the de minimis threshold, meaning development which:</p> <p>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</p> <p>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).</p> <p>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.</p> <p>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).</p> <p>4.5 Self and Custom Build Development, meaning development which:</p> <p>i) consists of no more than 9 dwellings;</p> <p>ii) is carried out on a site which has an area no larger than 0.5 hectares; and</p> <p>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).</p> <p>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.</p> <p>* "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</p> |
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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: 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).**

IRREPLACEABLE HABITAT

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

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

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

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

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

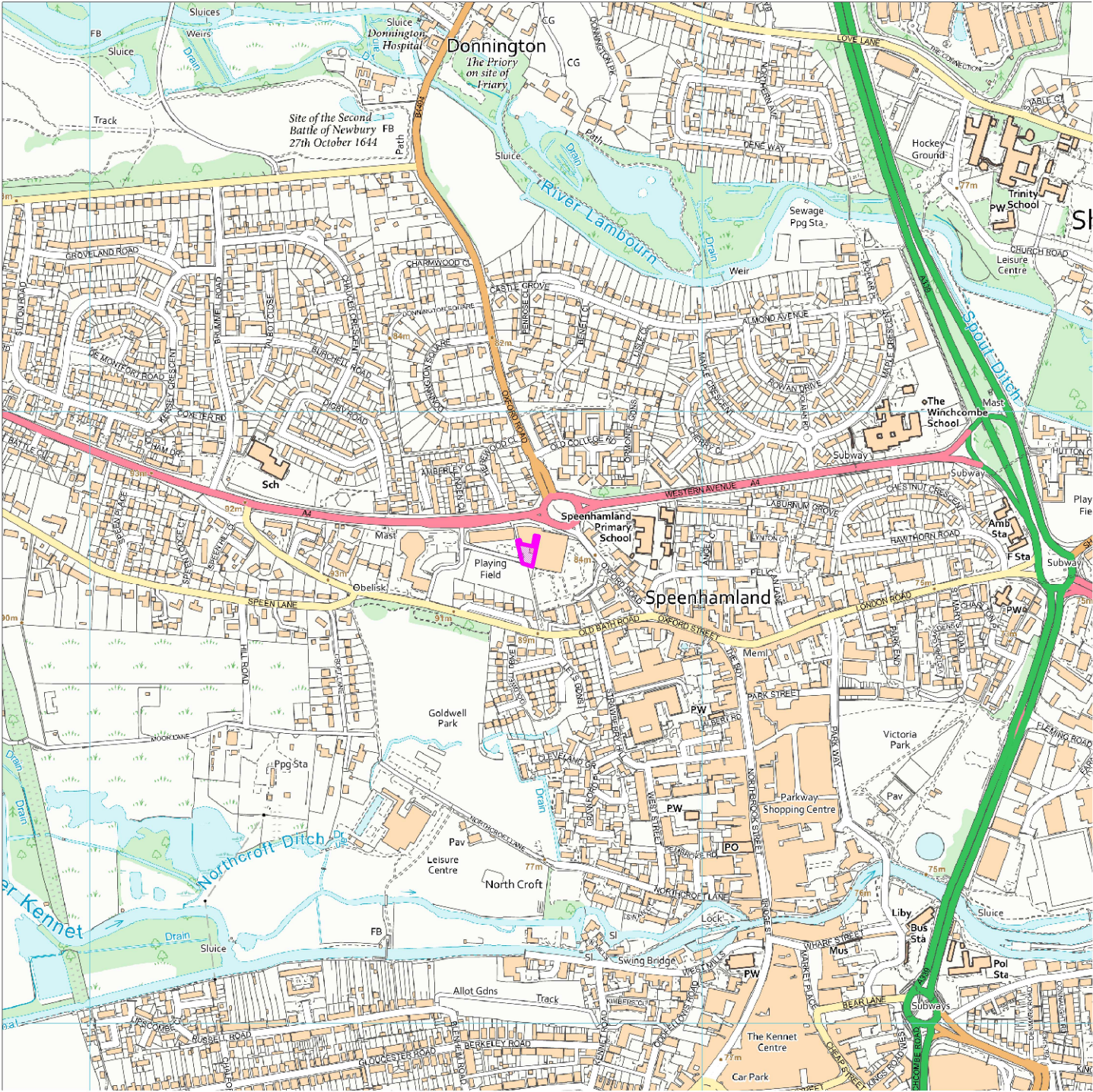
Those circumstances are that the conditions subject to which the section 73 permission is granted:

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

PHASED DEVELOPMENT

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country

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| | <p>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> |
|--|---|

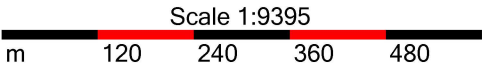


Map Centre Coordinates :

Scale : 1:9395

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|--------------|------------------------|
| Organisation | West Berkshire Council |
| Department | |
| Comments | Not Set |
| Date | 04 September 2025 |
| SLA Number | 0100024151 |

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Plans and drawings relevant to reports submitted to Western Area Planning Committee

Wednesday 17th September 2025 at 6.30pm

**At Council Chamber, Council Offices, Market Street,
Newbury, RG14 5LD**

&

And via Zoom

[to be read in conjunction with the main agenda]

Please note:

- *All drawings are copied at A4 and consequently are not scalable*
- *Most relevant plans have been included – however, in some cases, it may be necessary for the case officer to make a selection*
- *All drawings are available to view at www.westberks.gov.uk*

25/00931/FUL
Waitrose
Oxford Road
Newbury
RG14 1NB

Location Plan

Site Address: Waitrose, Waitrose, Oxford Road, Newbury, RG14 1NB



Date Produced: 16-Apr-2025

Scale: 1:1250 @A4




Planning Portal Reference: PP-13386298v1



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Farrell & Clark
Architects

LEED
Leadership in Energy and Environmental Design
Certification of Green Building

Specialty of Green Building: **GS-001**

GS-001 Planning

Client: John Lewis Partnership

Project: 675 Whitecross Walkway
1033 - LA 2025

Title: Proposed Service Yard Plan

| Drawn by: | GA | Date: | August 2024 |
|-----------|----|--------|-------------|
| Checked: | GA | Scale: | 1 : 100 |

Drawn by: **GA** **Date:** **August 2024**

Checked: **GA** **Scale:** **1 : 100**

Project: 675 Whitecross Walkway
1033 - LA 2025

Title: Proposed Service Yard Plan

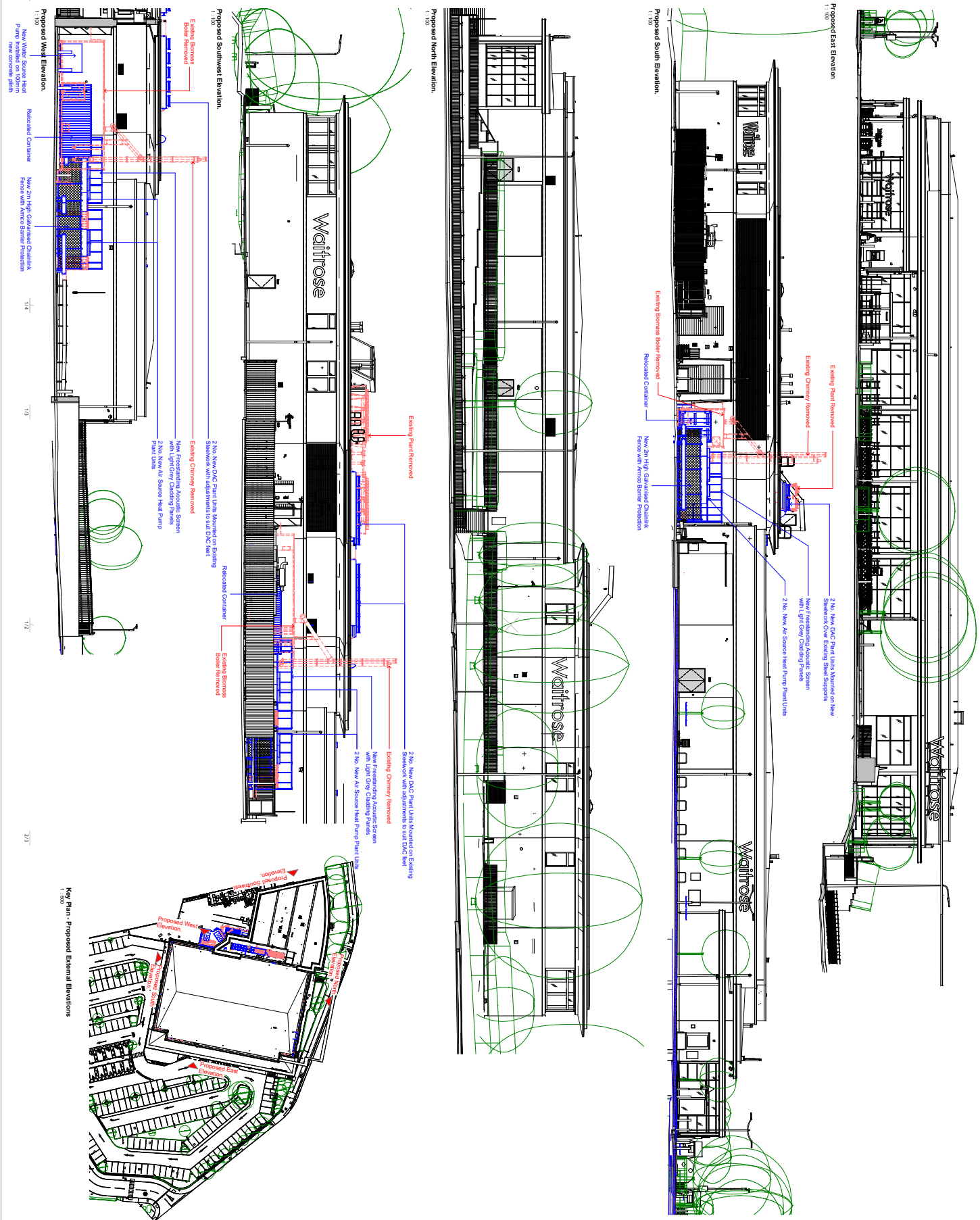
Drawn by: **GA** **Date:** **August 2024**

Checked: **GA** **Scale:** **1 : 100**

Project: 675 Whitecross Walkway
1033 - LA 2025

Title: Proposed Service Yard Plan

| Rev. | Description | Date | By |
|-------|---|----------|-----|
| P. 13 | Issued for Planning | 11/14/08 | G/A |
| P. 14 | At 15:00 hrs, Plant 2 was updated and revised. At 16:00 hrs, Plant 2 was updated to use "Water" for the Plant. Added Data and increasing speed. | 21/08/08 | G/A |



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