

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

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

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

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

Ward Member(s): Councillor Howard Woollaston

Reason for Committee Determination: More than 10 letters of objection

Committee Site Visit: Not required

Contact Officer Details

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1. Introduction

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

2. Planning History

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

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

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

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

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

3. Procedural Matters

EIA

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

Publicity

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

Community Infrastructure Levy (CIL)

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

4. Consultation

Statutory and non-statutory consultation

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

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

Public representations

- 4.2 Representations have been received from 28 contributors, 27 of which object to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. Some of the representations referred to other applications for approval of details reserved by conditions and the reserved matters application. In summary, the following issues/points have been raised:
- Concern that foul and surface water discharge to the underlying chalk through soakaways could reach the aquifer, there is a risk that water could pollute the Kennet and Lambourn, aviation fuel has not been considered

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

5. Planning Policy

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

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

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

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

6. Appraisal

Principle of development

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

Zero Carbon

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

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

CEMP

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

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

LEMP

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

Levels

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

Travel Plan

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

7. Conclusion

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

8. Full Recommendation

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

Decision notice schedule

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

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