

Pegasus Group
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Applicant:
Walker Logistics Limited

PART I - DETAILS OF APPLICATION

Date of Application

18th November 2019

Application No.

19/02979/OUTMAJ

THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

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

Land South Of Tower Works, Lambourn Woodlands, Hungerford,

PART II - DECISION

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

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

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

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

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

3. Indicative plans

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

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

4. Permitted Development restriction

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

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

5. Maximum floor areas

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

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

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

6. Construction Method Statement

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12. Lighting strategy

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

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

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

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

13. SuDS

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

These details shall:

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

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

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

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

14. Hours of external operation

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

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

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

No external operations on Sundays and Bank holidays.

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

15. Personal permission

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

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

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

16. Levels

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

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

17. Public access (Museum)

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

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

18. Travel plan

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

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

19. Use restriction

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

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

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

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

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

INFORMATIVE:

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

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

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

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

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

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

Decision Date :- 5th May 2021



Gary Lugg
Head of Development and Planning

TOWN AND COUNTRY PLANNING ACT 1990

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

Appeals to the Secretary of State

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

Purchase Notices

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