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EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 5 JULY 2023

Councillors Present: Jeremy Cottam, Paul Kander, Justin Pemberton, Vicky Poole and Clive Taylor

Also Present: Sharon Armour (Principal Lawyer - Planning & Governance), Michael Butler (Principal Planning Officer), Patrick Haran (Senior Planner), Lydia Mather (Principal Planning Officer) and Benjamin Ryan (Clerk)

Apologies for inability to attend the meeting: Councillor Alan Macro, Councillor Richard Somner, Councillor Ross Mackinnon and Councillor Geoff Mayes

33. Minutes

As the Chairman (Councillor Alan Macro) and the Vice-Chairman Councillor Richard Somner had given their apologies for this meeting, Councillor Justin Pemberton proposed that Councillor Clive Taylor act as Chairman for the duration of the meeting and this was seconded by Councillor Paul Kander. This was put to vote and the motion was carried.

Councillor Clive Taylor in the Chair for the duration of the meeting.

The Minutes of the meetings held on 26 April 2023 and 25 May 2023 were approved as a true and correct record and signed by the Chairman.

34. Declarations of Interest

Councillor Vicky Poole declared an interest in Agenda Items 4(1) and 4(2) by virtue of the fact that she knew the applicant, Nigel Hopes, as a work colleague and from a network group, but reported that, as her interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

All Councillors declared that they had received a letter from the objectors lobbying the Committee on Agenda Items 4(1) and 4(2).

35. Schedule of Planning Applications

(1) Application No. and Parish 23/00376/FULMAJ, Awberry Farm Beenham

Item starts at 6 minutes and 27 seconds into the recording.

1. The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 23/00376/FULMAJ, in respect of a full application for the change of use of the site to a flexible events venue, [120 guests maximum] including the provision of overnight accommodation. The barn/site was to be used for no more than 28 weddings/major events per annum, on Saturdays only at Awberry Farm Beenham.
2. Mr Michael Butler introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion, the report detailed that the proposal was acceptable in planning terms

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and officers recommended that the Service Director of Development and Regulation be authorised to grant planning permission subject to the conditions outlined in the main and update reports.

3. Mr Paul Goddard explained to the Committee the process of estimating potential traffic movements to and from the site. Mr Goddard expressed that through the use of the Trics database, this would evaluate similar sites and provide the potential traffic flow for Awberry Farm. The Highways Department noted that this site would generate less traffic than the other potential uses within the use class (Class E). The estimate for the site was around 140 vehicle movements a day for 28 days within the year. Mr Goddard added that it would be difficult to reject the proposal on the grounds of poor sightlines due to the small number of vehicle movements.
4. In accordance with the Council's Constitution, Mr Dieter Hinke, Beenham Parish Council representative, Mr Sarah Leijten, objector, Mr Nigel Toon, supporter, Mr Nigel Hopes, applicant and Councillor Dominic Boeck, Ward Member, addressed the Committee on this application.

Parish Council Representation

5. Mr Hinke in addressing the Committee raised the following points:
 - Although there was a need to encourage the growth of the rural economy, this should not come at the cost of local harmony. The increased noise, traffic and environmental impact of the venue would affect this.
 - The increased traffic could be dangerous for horse riders that used the local roads.
 - There were cottages as little as 150 metres from the venue, which would be affected by the noise and residents might have to give up sitting in the garden.
 - The report stated that the site would not be sustainable.
 - There was an objection from the Area of Outstanding Natural Beauty (AONB) Officer, which had been ignored by the Planning Officer.

Member Questions to the Parish Council

6. The Committee heard that the local school held between two and three events a year.

Objector Representation

7. Ms Leijten in addressing the Committee raised the following points:
 - The Council had made promises to work together with residents to deliver what was best for the community and to approve this application would oppose this.
 - The economic benefits of the venue were speculative and exaggerated. The economic development statement on the increase in marriages neglected the fact that this was due to COVID-19.
 - The application failed to comply with the AONB plan as it would fail to preserve or enhance the natural beauty of the area.
 - The application also ran contrary to the West Berkshire Local Plan, which aimed to protect the quiet areas of West Berkshire.
 - 61% of representations were objections and this application did not promote social cohesion.
 - The Trics system report was not accurate as this was a unique site.

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- The transport and planning statements were full of inaccuracies.

Member Questions to the Objector

8. Members did not have any questions of clarification.

Supporter Representation

9. Mr Toon in addressing the Committee raised the following points:

- Residents' initial fears were over the potential for the site to be used for more than just weddings.
- The applicant had tried to meet the demands of residents by reducing the number of events by 75%, he reduced the number of attendees and introduced several forms of noise mitigation.
- The venue would provide much-needed jobs to the local economy.
- It was unfair to suggest that the entire village was against this application with 60 supporters and 62 objectors.
- Drivers in the area would be patient and the reaction to the potential traffic was overblown.
- Similar opposition was received to the application for the public house within Beenham, which was a valued asset and the same could be said of this site.

Member Questions to the Supporter

10. The Committee heard that Mr Toon was unsure of how many extra traffic movements the pub generated.

11. It was said to the Committee that the applicant would be attending all events.

Applicant Representation

12. Mr Hopes in addressing the Committee raised the following points:

- That the applicant had worked closely with key parties to make the application acceptable.
- The application aimed to keep the site in line with the local aesthetic.
- The only new additions would be the car park and porch, the rest was the conversion of existing buildings.
- That the application has since added considerable noise mitigation with the addition of the walls.
- Music would be stopped at 11:45 pm.
- 300 new trees were to be planted to encourage biodiversity, which would screen the cars.
- That the site could provide considerable benefits for the residents.
- That Mr Hopes would be at all events and lived close by, so he would be able to manage the noise. The applicant would also have control over all bookings.
- That there was significant local support.

Member Questions to the Applicant

13. The applicant informed the Committee that the application included air conditioning in the barn, but not all the buildings.

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14. Mr Hopes explained that the noise would be regulated by performers being required to follow the terms and conditions and that if these were broken, they would not be allowed back. The music would also be wired through the venue's sound system that warned the performers if they were being too loud and would shut off if they did not adjust the volume levels.
15. The Committee heard that the site had a detailed noise management plan and that the hirers of the site would be regulated, firstly by the terms and conditions and secondly by security on the site. Mr Hopes explained that there would be a restricted smoking area.
16. Mr Hopes emphasised that he did not intend to sell the property anytime soon and expected it to remain within the family.
17. The applicant expressed that the venue was for wedding events and that they would be present at every event.
18. Mr Hopes explained that he had not thought of having more than one event a day.
19. The Committee were told that the car parking space could be used for other events within the village if required.
20. Mr Hopes confirmed that the 28 days of events could be anytime throughout the year.

Ward Member Representation

21. Councillor Dominic Boeck in addressing the Committee raised the following points:
 - That he called-in the application to Committee as he wanted to make sure the village had a voice.
 - That if the application was to be approved, then it needed to be with conditions.

Member Questions to the Ward Member

22. Members did not have any questions of clarification.

Member Questions to Officers

23. Mr Butler explained that this was not a personal permission, and the planning permission was applied to the property, not the individual. Any new owner would need to comply with the conditions.
24. The Committee heard that there was no financial connection with the pub within the village.
25. Mr Butler emphasised that, if approved, there would be a financial benefit for the village.
26. Mr Butler added that to apply a Section 106 agreement would be ultra vires.
27. Mr Butler expressed that he had not ignored the AONB Officer and that recommendations were made on balance.
28. The Committee heard that once the application was granted, further applications could be applied for.
29. Mr Butler explained that three enforcement officers dealt with policing applications.
30. The Committee was informed that in 1995 the property was granted a personal permission for Class B1[c] use that would eventually become a Class E use class type and that Class E had no time limits on it.

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31. The Committee was told that the 28 days of events did not include small personal gatherings and that this included commercial uses only.
32. Mr Butler expressed that the 'quiet enjoyments of one's property' had been considered, however, there would be some impact.
33. Mr Butler argued that the application could be refused. However, there were no good grounds for refusal that could be successfully defended at appeal as the impact due to highways and noise would not cause significant harm.
34. The Committee were informed that the acoustic fencing around the property would only be effective against traffic.
35. Mr Butler listed the following uses that were included within Class E: the retail of goods, and the retail of food and drink including consumption on the premises; financial and professional services; commercial or business uses; medical or health services; and crèche, day nursery or day centre uses plus Class B or C.

Debate

36. Councillor Jeremy Cottam opened the debate by expressing that the Committee was restricted by planning law and that the application site already had significant planning permission on the site. The Councillor stated that officers had worked hard to make the application more agreeable to residents and that his main concern over the doors being opened in the summer had been put to rest in regard to the air conditioning. Finally, Councillor Cottam emphasised that there was a condition that would deal with the noise volumes and that the traffic would be spread over the course of several days.
37. Councillor Paul Kander suggested that there could be a condition to alarm the doors that were not entry or exit doors, as this would stop them from being propped open. The Councillor stated that this was a difficult application and he could see both sides of the argument.
38. Councillor Jane Langford expressed that there would be some impact on the residents that lived close to the site. The Councillor disregarded the employment issue as all the uses under Class E would provide employment and that the other options in Class E would not be activities that went on into the night. Councillor Langford believed that the initiative would improve the area of Awberry Farm, however, she was saddened by the divisive nature of the application.
39. Councillor Vicky Poole noted that the other Class E uses would also see a significant impact on the area, however, the work generated by the venue would only be seasonal. The Councillor explained that as the venue would only be open on weekends the traffic would be limited to one day a week, however, other businesses would generate traffic five days a week. Councillor Poole finished by stating that the application needed to be looked at as a whole and not just on one issue.
40. Councillor Pemberton was pleased with the regeneration of the empty buildings and emphasised the need to take the application on planning considerations only.
41. Councillor Cottam proposed to accept the Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Pemberton.
42. The Chairman invited Members of the Committee to vote on the proposal by Councillor Cottam, seconded by Councillor Pemberton, to grant planning permission. At the vote, the motion was carried.

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RESOLVED that the Service Director for Development and Regulation be authorised to grant planning permission subject to the following conditions:

Conditions

1. The development hereby permitted shall begin no later than three years from the date of this decision.

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).

2. The development hereby permitted shall be implemented in strict accordance with the following approved plans and documents.

Location plan--by blue jet.

Forge arrangements --22/10/41

Acoustic Fencing--22/10/60-A

Listed barn elevations--22/10/16 A

Workshop--22/10/21 B

Floorplan-barn-22/10/14

Open barn proposal --22/10/31

Block plan--22/10/50 B

Comparative Site Sections 22/10/70

ET Planning, Design and Access Statement February 2023

Clarke Saunders Acoustics Noise Impact Assessment February 2023

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

3. The use hereby permitted shall not be operated on site for more than 28 days each year and those days shall be Saturdays only. The event on each day shall not commence prior to 12:00 on that day, and must cease at 23:30 on that day. No more than 120 guests (including children) shall be present on site for any event.

Reason. To clarify the permission in accord with the advice in policy OVS6 in the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire Core Strategy 2006-2026, and the National Planning Policy Framework.

4. The use hereby permitted shall not commence until all of the works under application number 23/01014/LBC and all of the acoustic fence have been completed.

Reason. To ensure noise mitigation is installed to protect the amenity of other land users and occupiers in accordance with policy OVS6 in the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire Core Strategy 2006-2026 and the National Planning Policy Framework.

5. The use hereby approved shall not commence until the noise control measures to the tithe barn, as set out in the Noise Impact Assessment (Clarke Saunders reference AS12735.230116.R1 dated 10/02/23) submitted with the application, are implemented. The noise control measures shall be retained and maintained in accordance with the noise impact assessment thereafter.

Reason: To protect the occupants of nearby residential properties from noise in accordance with policy OVS6 of the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework.

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6. The level of noise emitted from amplified music associated with the use hereby permitted shall not exceed 35dB LAeq, 15m at the nearest residential receptor. No amplified music shall be played on site other than within the tithe barn. Any sub woofers shall not be used after 22:00, and all music, amplified and non-amplified shall cease at 23:00.

Reason: To protect the occupants of nearby residential properties from noise in accordance with policy OVS6 of the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework.

7. The premises shall be operated in compliance with all aspects of the Noise Management Plan appended to the Noise Impact Assessment (Clarke Saunders reference AS12735.230116.R1 dated 10/02/23) submitted with the application.

Reason: To protect the occupants of nearby residential properties from noise in accordance with policy OVS6 of the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework.

8. A noise limiting device shall be installed at the premises and maintained in such a manner as to control all sources of amplified music and speech at the premises. The device shall be:-

- used at all times during the event;
- set at a level agreed in writing with the Local Planning Authority; and
- sealed in a manner which is tamper proof.

Reason: To protect the occupants of nearby residential properties from noise in accordance with policy OVS6 of the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework.

9. All external doors and windows must be kept closed, other than for access and egress, when activities involving amplified music or speech are taking place, during each wedding event.

Reason: To protect the occupants of nearby residential properties from noise in accordance with policy OVS6 of the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework.

10. All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the rating level therefrom does not exceed the existing background noise level when measured in accordance with BS4142:2014 (or any subsequent revision).

Reason: To protect the occupants of nearby residential properties from noise in accordance with policy OVS6 of the West Berkshire District Local Plan Saved Policies 2007, policy CS14 of the West Berkshire District Core Strategy 2006-2026 and the National Planning Policy Framework.

11. 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

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SuDS Manual C753 (2015) and the WBC SuDS Supplementary Planning Document December 2018 with particular emphasis on Green SuDS and water-use;

b) Include a Flood Risk Assessment (FRA) for developments located in areas at risk of flooding (in Flood Zone 2 and 3 or from surface water) or developments larger than 1 hectare;

c) Include a Flood Response Plan identifying safe access and egress routes to the site and, where appropriate, areas of safe refuge for the occupants. Details of procedures to be followed and provisions to be available should be included within the pack for use during a flood event. The relevant emergency contact details should also be provided;

d) Include details of how the existing flood routes will be sustained or mitigated (any measures for loss of flood routes shall not increase flood risk elsewhere);

e) Include written confirmation from Thames Water of their acceptance of the discharge from the site into the surface water sewer and confirmation that the downstream sewer network has the capacity to take this flow;

The above measures shall be implemented in accordance with the approved details before the use hereby permitted is commenced in accordance with a timetable to be submitted and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained and managed in accordance with the approved details 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), Part4 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.

12. The car parking as proposed on the application site shall be laid out in accordance with the approved plans prior to the use hereby permitted being commenced. The car parking shall be retained in perpetuity on the site in satisfactory condition, so long as the use permitted subsists on the site.

Reason. To ensure that the site has sufficient parking on site in accordance with policy CS13 in the West Berkshire Core Strategy of 2006 to 2026 and the National Planning Policy Framework.

13. The use shall not commence until electric vehicle charging points have been provided in accordance with the approved drawings. The charging point shall thereafter be retained and kept available for the potential use of an electric car.

Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

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14. The use shall not commence until the cycle parking has been provided in accordance with the approved drawings and this area shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure the development reduces reliance on private motor vehicles and assists with the parking, storage and security of cycles. 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).

15. The use shall not commence until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following the first use of the venue for weddings. Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

16. The development shall be undertaken in accordance with the bat mitigation measures identified in the John Wenman Ecological Consultancy Bat Emergency & Re-entry Survey Ref R3003/a. Prior to commencement of the relevant works to the listed building: a copy of the European Protected Species Mitigation Licence shall be submitted to the Local Planning Authority prior; bat boxes shall be installed, and the licensed ecologist shall give a toolbox talk to contractors.

Reason: To ensure protected species on site are protected as part of the works in accordance with the National Planning Policy Framework and policy CS17 of the West Berkshire Core Strategy 2006-2026.

17. Prior to the development being brought into use, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: Bats are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting

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places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

18. The development hereby permitted shall not be brought into use until biodiversity enhancements has been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure biodiversity enhancements are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

19. Time limit on development before further surveys are required.

If the conversion works hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within a year from the date of the planning permission, the approved ecological measures secured through Conditions 16 and 17 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to (i) establish if there have been any changes in the presence and/or abundance of bats and (ii) identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development continuation of the works. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

IMPORTANT: If any protected species are identified in the new surveys that were not previously known to be on site, and are likely to be harmed by the development, then a protected species licence might be required before works can commence. Advice should be sought from Natural England and/or a suitably qualified ecologist.

Reason: To ensure that any working practices or other mitigation measures are informed by up-to-date survey information in the interests of protecting bat populations. A pre-commencement condition is required for updated surveys given the mobile nature of bats. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

20. The accommodation hereby permitted on the site shall only be used in conjunction with the wedding venue use and shall be occupied only on the relevant weekend event between the hours of 12 noon on the Friday to 12 noon on the Sunday of the weekend event.

Reason: To ensure no wider accommodation use is permitted in accord with the advice in policies CS13 and ADPP5 in the WBCS of 2006 to 2026.

The decision to grant planning permission has been taken having regard to the policies and proposals in the statutory development plan. This includes the West Berkshire Core Strategy 2006-2026, the Housing Site Allocations DPD 2006-2026, the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), the West Berkshire Minerals and Waste Local Plan, Saved Policy NRM6 of the South East Plan, and Neighbourhood Development Plans for Stratfield Mortimer and Compton. Regard has also been given to the National Planning Policy Framework, Planning Practice Guidance, and relevant supplementary planning documents and guidance.

Informatives:

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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. Protected Species

Prior to the commencement of this proposal you are reminded that if there is any evidence of Protected Species on the site you must consider the implications of the Wildlife and Countryside Act 1981, the Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000 and comply with any necessary additional regulations and licences. For example, you must avoid taking, damaging or destroying the nest built or being used or egg of any wild bird as this would be an offence (with certain exceptions). You must also not intentionally or recklessly damage, destroy or block access to any habitat used by a protected species, such as bats, dormice, reptiles or any other species as listed in The Conservation of Habitats and Species Regulations 2010, Schedule 2 European Protected Species of Animals. Any licensing requirements are in addition to the requirements for planning permission and subject to a separate process. The following website gives further advice on this matter www.gov.uk/guidance/wildlife-licences

3. 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.

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 secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

(2) Application No. and Parish 23/01014/LBC, Awberry Farm, Beenham

Item starts at 2 hours and 8 seconds into the recording.

44. The Committee considered a report (Agenda Item 4(2)) concerning Planning Application 23/01014/LBC in respect of retention of unauthorised works, retrospective application for full restoration and conversion of the barn. Addition of internal insulation and air cooling, and a new porch to the west elevation to provide the key reception area for a flexible events venue at Awberry Farm, Beenham.

45. Mr Butler introduced the report to Members, which took account of all the relevant policy considerations and other material planning considerations. In conclusion, the report detailed that the proposal was acceptable in planning terms and officers recommended that the Service Director of Development and Regulation be authorised to grant listed building consent, subject to the conditions outlined in the main and update reports.

46. Anything from Paul Goddard?

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47. In accordance with the Council's Constitution, Mr Peter McEwan, Beenham Parish Council representative, Mr David Hancock, objector, Mr Nigel Toon, supporter, and Mr Nigel Hopes, applicant, addressed the Committee on this application.

Parish Council Representation

48. Mr McEwan in addressing the Committee raised the following points:

- The site had three separate renovations over the years where plans were not detailed properly.
- That a condition should be put into place to ask for the previous plans to be handed over to West Berkshire Council.
- That there would be one small door for the site users to enter through that required going up and down steps, meaning that there was no provision for disabled access to the site.
- That the application should be conditioned for a revaluation for the entrance porch.

Member Questions to the Parish Council

49. Mr McEwan stated that the double door system was set up as mitigation for the noise and argued that there were no details in the report about access and that it would not work effectively.

50. Mr McEwan expressed that someone should have the plans for the previous developments and could provide the drawings.

Objector Representation

51. Mr Hancock in addressing the Committee raised the following points:

- That the Committee could not tell what the future intentions of the site might be and that this could be used for further development down the line.
- Although there had been changes to the original application these changes were not enough.
- The site was at 35 decibels during testing, so with the addition of music it would surely bring the noise over the sound limit, therefore the sound target would be impossible to achieve.
- There were 60 residential properties nearby and all of these would be affected.
- It would be a risk to approve the retrospective planning application.

Member Questions to the Objector

52. Mr Hancock expressed that he was unsure what impact the noise suppression would have at the site.

Supporter Representation

53. Mr Toon in addressing the Committee raised the following points:

- The renovations would not compromise the historic structure of the barn.
- There would be no material difference compared to the existing structure.
- The barn would be supplemental to what was already in the village, in terms of the venues available.

Member Questions to the Supporter

54. Members did not have any questions of clarification.

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Applicant Representation

55. Mr Hopes in addressing the Committee raised the following points:

- The applicant worked with the wider community to discuss the changes; they had also reached out to multiple objectors.
- The barn had been used for weddings before.
- The Conservation Officer had no objections.
- They worked with a heritage building consultant to preserve the integrity of the heritage asset.
- There would be screening to prevent the visibility of the car park.
- There were no sightlines where the light from Awberry Farm could be seen by residents.

Member Questions to the Applicant

56. Mr Hopes explained that catering would come through the north set of double doors and the single door was for access to the toilet facilities. The double doors to the south would be shut at 22:00.

57. The Committee heard that the current disabled access to the toilet would be through the double doors.

58. Mr Hopes expressed that a fire assessment had taken place and was approved.

59. The Committee heard that this was the final application that Mr Hopes planned to put forward.

Member Questions to Officers

60. Mr Butler expressed that even though the doors would have to be opened for disabled access, officers concluded that the noise impact would be acceptable.

61. Mr Butler argued that it would not be appropriate or consistent to refuse the application, due to the potential noise implications, as the previous application was considered acceptable.

62. The Committee heard that to condition the need to find the old plans would be unreasonable.

63. The Committee was informed that Disability Discrimination Act (DDA) compliance did not extend to listed buildings.

64. Ms Lydia Mather explained that the Committee could consider whether an amended plan could be delegated to officers for approval, which would consider disabled access.

65. The Committee heard that the delegated decision would be reviewed by the Chairman of the Committee and the Ward Member to provide oversight. If neither the Ward Member nor the Chairman were satisfied, the application could go back to the Committee. However, the application had already been in front of the Committee.

66. Mr Butler explained that the existing roof would be maintained, and it was only being raised. Ms Mather explained that a condition could be added over the use of roof tiles. This was to insert the additional acoustic insulation material.

Debate

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67. Councillor Langford opened the debate by stating that the amended plans should not be agreed upon by delegated powers due to the strong feeling in the village, therefore it should be brought back to Committee.
68. Councillor Cottam proposed to accept the Officer's recommendation and grant listed building consent subject to the conditions listed in the main report and update report. There would also be the addition of a condition around the re-submission of plans, which were to be considered by the Chairman and Ward Member, to accommodate the disabled access and a condition on the tiling of the roof. This was seconded by Councillor Poole.
69. The Chairman invited Members of the Committee to vote on the proposal by Councillor Cottam, seconded by Councillor Poole, to grant listed building consent. At the vote the motion was carried.

RESOLVED that the Service Director for Development and Regulation be authorised to grant listed building consent subject to the following conditions:

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. Air ventilation/cooling.

No development shall take place until full details/cross sections showing how all ducting (from the ventilation units and air conditioning units) will feed into the building, have been submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall incorporate and be undertaken in accordance with the approved details.

Reason: To protect the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework (2021) and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

3. The development must be carried out in strict accord with the following as approved plans.

Existing site plan-21/08/04 A

Location plan -blue jet mapping.

Floor plan—22/010/14C

Site plan-21/08/04

Section-22/10/sct

Elevations -22/10/16D

Reason: To clarify what has been approved under this consent in order to protect the special architectural or historic interest of the building.

4. The change of use permitted under 23/00376/FULMAJ shall not commence until all the works to be carried out as approved by this listed building consent have been completed.

Reason: To ensure the noise impact is mitigated to a satisfactory level in accordance with policy OVS6 in the West Berkshire District Local Plan of 1991 to 2006 and the National Planning Policy Framework

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5. The works to the listed building hereby granted shall be undertaken in accordance with the bat mitigation measures identified in the John Wenman Ecological Consultancy Bat Emergency & Re-entry Survey Ref R3003/a. Prior to commencement of the relevant works to the listed building: a copy of the European Protected Species Mitigation Licence shall be submitted to the Local Planning Authority prior; bat boxes shall be installed, and the licensed ecologist shall give a toolbox talk to contractors.

Reason: To ensure protected species on site are protected as part of the works in accordance with the National Planning Policy Framework and policy CS17 of the West Berkshire Core Strategy 2006-2026.

6. If the conversion works hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within a year from the date of the planning permission, the approved ecological measures secured through Condition 5 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to (i) establish if there have been any changes in the presence and/or abundance of bats and (ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development continuation of the works. Works will then be carried out in accordance with the proposed new approved ecological measures an timetable.

IMPORTANT: If any protected species are identified in the new surveys that were not previously known to be on site, and are likely to be harmed by the development, then a protected species licence might be required before works can commence. Advice should be sought from Natural England and/or a suitably qualified ecologist.

Reason: To ensure that any working practices or other mitigation measures are informed by up-to-date survey information in the interests of protecting bat populations. A pre-commencement condition is required for updated surveys given the mobile nature of bats. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

7. Existing roof tiles from the main roof, which need to be removed as part of the proposal, shall be reused in the proposed works. Where the use of reclaimed roof tiles are required to be used where insufficient numbers of salvageable roof tiles are available, no re-roofing shall take place until a sample of reclaimed roof tiles has been submitted to and approved in writing by the Local Planning Authority. All materials incorporated in the work shall match the approved samples.

Reason: To ensure that the materials are appropriate to the special architectural or historic interest of the building. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

This decision has been taken having regard to the policies and proposals in the West Berkshire

District Local Plan 1991-2006 (WBDLP) Saved Policies 2007, and to all other relevant material considerations, including Government guidance, supplementary planning guidance notes; and in particular guidance notes and policies:

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

Informatives:

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 investigated.
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.
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 secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

(3) Application No. and Parish: 22/02945/REG4, Francis Baily Primary School

Item starts at 3 hours and 8 minutes into the recording.

Continuation of meeting

70. In accordance with the Council's Constitution, Part 3, paragraph 10.8, the Committee supported the Chairman's motion that the remaining business could be concluded by 22.30, and therefore continued with Agenda Item 4(3) and Agenda Item 4(4).
71. The Committee considered a report (Agenda Item 4(3)) concerning Planning Application 22/02945/REG4 in respect of Francis Baily Primary School, Skillman Drive, Thatcham, West Berkshire, RG19 4GG in respect of a Proposed phased development which involves erection of a new single storey teaching block in a new location followed by the demolition of the existing single storey teaching block.
72. Mr Patrick Haran 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 Service Director of Development and Regulation be authorised to grant planning permission, subject to the conditions outlined in the main and update reports.
73. Mr Goddard explained that the application would result in an extra 70 square metres of school building, however this would not lead to an increase in traffic.
74. In accordance with the Council's Constitution, Simon Pike, Thatcham Town Council representative, addressed the Committee on this application.

Town Council Representation

75. Mr Pike in addressing the Committee raised the following points:
 - The classrooms were desperately needed; however, the application was not in keeping with Thatcham Town Council's environmental policy.

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Member Questions to the Parish/Town Council

76. Members did not have any questions of clarification.

Member Questions to Officers

77. The Committee heard that the extra square footage added by the application was to improve the existing facilities and not to accommodate more students.

Debate

78. Councillor Cottam opened the debate by stating that the funding might not be available for the building to be environmentally friendly, but that this would see an increase in efficiency and quality for the school.

79. Councillor Pemberton argued that the environmental impact of the building would not be down to the applicant, but the lack of funding. The Councillor explained that the existing building was not fit for purpose and the school needed improvement.

80. Councillor Cottam proposed to accept the Officer's recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Langford.

81. The Chairman invited Members of the Committee to vote on the proposal by Councillor Cottam, seconded by Councillor Langford, to grant planning permission. At the vote the motion was carried.

RESOLVED that the Service Director for Development and Regulation be authorised to grant planning permission subject to the following conditions:

Conditions

1. Commencement of development: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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).

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

DRWG 0589-PL-11 Site Location Plan & Existing Block Plan recd 30.11.2022

DRWG 0589-PL-12 REVA Block Replacement Existing Floor Plans & Elevations recd 10.01.2023

DRWG 0589-PL-13 REVB Block Replacement Proposed Floor Plans, Elevations recd 10.02.2023

Construction Method Statement ref: ACA 125 Issue 4 by Quill Construction dated 12.05.2023 recd 12.05.2023

Design and Access Statement ref: 0589 by Academy Estate Consultants dated 17.05.2022 recd 30.11.2022

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

3 Sustainable Drainage: No development shall commence until details of sustainable drainage methods (SuDS) to be implemented within the site have been submitted to and approved in writing by the Local Planning Authority. The planning, design and implementation of sustainable drainage methods (SuDS) should be carried out in accordance with the Non-Statutory Technical Standards for SuDS (2015), the SuDS Manual C753 (2015) and the West Berkshire Council Sustainable Drainage Supplementary Planning Document December (2018) with particular emphasis on green SuDS that provide environmental/biodiversity benefits and water re-use. Thereafter the

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development shall be carried out and maintained in accordance with the approved details.

Reason: To ensure appropriate sustainable drainage measure, in accordance with the National Planning Policy Framework, and Policy CS15 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because insufficient information accompanies the application and such measures may need to be incorporated into early building operations.

4 Arboricultural Method Statement: No development or other operations shall commence on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of:

- all temporary tree protection (including ground protection)
- any special construction works within any defined tree protection area.

All temporary tree protection shall be in place prior to any development works and all measures implemented for the full duration of works.

Reason: To ensure the retention and protection of trees identified at the site in accordance with the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

5 Soft Landscaping: The new classroom as shown on Replacement Proposed Floor Plans, Elevations & Block Plan drawing number 0589-PL-13 received 30.11.2022 shall not be first occupied until a detailed soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations. Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

6 Construction Method Statement: The development hereby approved shall be carried out in accordance with the approved Construction Method Statement ref: ACA 125 Issue 4 by Quill Construction dated 12.05.2023 received 12.05.2023 and site set-up plan.

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 CS13 and CS14 of the West Berkshire Core Strategy (2006-2026) and Policies OVS5, OVS6 and TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

7 Materials: The materials to be used in the development hereby permitted shall be as specified on the plans and the application forms. Where stated that materials shall match

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the existing, those materials shall match those on the existing development in colour, size and texture.

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

8 Demolition: The original classroom block shown on plan named Block Replacement Existing Floor Plans & Elevations drawing number 0589-PL-12 rev A received 10.01.2023 shall be demolished and all spoil removed from the site within two months from first occupation of replacement class room shown on plan Block Replacement Proposed Floor Plans, Elevations & Block Plan drawing number 0589-PL-13 REVB received 10.02.2023 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the original classroom is demolished within a reasonable timescale following completion of the replacement classroom in order to prevent the overdevelopment of the site. The retention of two classroom blocks in this location would be unacceptable because the original classroom is not fit for purpose and the buildings would have an unacceptable impact on the amenities of the occupiers of both buildings. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

9 Implementation of One Permission: The development to which this planning permission relates shall not commence if any part of the development for which planning permission was granted by the Local Planning Authority on 07.07.2023 under application reference 22/02533/REG4 and/or pursuant to planning application reference no. 22/01273/REG4 made on 06.09.2022 has already commenced.

Reason: The implementation of both schemes together with the granted scheme would be unacceptable because retention of two classrooms in this location would be unacceptable because the buildings would have an unacceptable impact on the amenities of the occupiers of both buildings. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

(4) Application No. and Parish: 22/02533/REG4, Francis Baily Primary School

82. The Committee considered a report (Agenda Item 4(4)) concerning Planning Application 22/02533/REG4 in respect of Francis Baily Primary School, Skillman Drive, Thatcham, West Berkshire, RG19 4GG in respect of the erection of 3 temporary teaching blocks and 3 temporary toilet blocks.

83. Mr Haran 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 Service Director of Development and Regulation be authorised to grant planning permission subject to the conditions outlined in the main and update reports.

84. Mr Goddard had no comments on the application.

Member Questions to Officers

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85. Members did not have any questions of clarification.

Debate

86. Councillor Cottam proposed to accept the Officer’s recommendation and grant planning permission subject to the conditions listed in the main report and update report. This was seconded by Councillor Pemberton.

87. The Chairman invited Members of the Committee to vote on the proposal by Councillor Cottam, seconded by Councillor Pemberton, to grant planning permission. At the vote the motion was carried.

RESOLVED that the Service Director for Development and Regulation be authorised to grant planning permission subject to the following conditions:

Conditions

1. Time Limit: The temporary classrooms and toilets hereby permitted shall be located on the site for a maximum period of 30 weeks from their installation after which time the use shall be discontinued and the temporary classrooms and toilets shall be removed from site. The applicant shall notify the Local Planning Authority in writing within two weeks of the installation of the temporary classrooms and toilets.

Reason: To accord with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004 and to enable the Local Planning Authority to control the development and monitor the site to ensure compliance with the permission.

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

DRWG 0589-PL-101 REVA Site Location Plan & Existing Block Plan recd 17.11.2022

DRWG 0589-PL-103 REVA Proposed Floor Plans & Elevations recd 17.11.2022

DRWG 0589-PL-104 Proposed Toilet Plans & Elevations recd 17.11.2022

DRWG 0589-PL-102 REVB Proposed Block Plan recd 03.02.2023

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

3. Deliveries: No deliveries to the site in pursuance of the development hereby approved shall take place at peak times on the highway network (between 0800-0900 and 1700- 1800) or at the start/end of the school day if staff and pupils will be on-site.

Reason: To safeguard the amenity of pupils and staff and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS 14 of the West Berkshire Core Strategy (2006- 2026) and Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

(The meeting commenced at 6.30 pm and closed at 10.20 am)

CHAIRMAN

Date of Signature