

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	23/02802/FUL  Hermitage	14 February 2024 <sup>1</sup>	Change of use of land to provide up to 84 storage containers for self-storage use (B8) and erection of boundary fence (part retrospective)  Priors Court Farm, Priors Court Road, Hermitage, Thatcham.  Priors Court Containers.

<sup>1</sup> Extension of time agreed with applicant until 25 July 2024.

To view the plans and drawings relating to this application click the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=23/02802/FUL>

And

<https://publicaccess.westberks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S5AL8URD0NK00>

**Recommendation Summary:** To **DELEGATE** to the **Development Manager** to **GRANT PLANNING PERMISSION** subject to the schedule of conditions. (Section 8 of the report).

**Ward Member(s):** Councillor Heather Codling  
Councillor Paul Dick

**Reason for Committee Determination:** 10 or more objections.

**Committee Site Visit:** 22nd July 2024

**Contact Officer Details**

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## 1. Introduction

- 1.1 The application seeks part retrospective planning permission for the change of use of land to provide up to 84 storage containers for self-storage use (B8) and erection of boundary fence (part retrospective).
- 1.2 Each container would be 6 metres in length by 2.4 metres in width and 2.6 metres in height and would be dark green in colour. The containers would be served by the existing vehicular access off Old Street. No alterations are proposed to the access. The proposal also incorporates details of the retrospective fence above the front boundary wall. The fence extends the boundary height to approximately 2.5 metres.
- 1.3 The 84 containers will result in a total floor area of approximately 1,209 sqm of B8 use.
- 1.4 The development has been amended and now incorporates the part retrospective timber fence above the wall on the front boundary. The proposal also incorporates the amended landscaping to the eastern tree belt. The secondary access located to the southeast boundary adjacent to No 7 has been removed from the application area. To exclude the secondary access amended location and site plans have been submitted. For completeness a notice was served to the landowners during the consideration.
- 1.5 The container storage would operate as a self-storage facility with customers renting one or more units. Units are typically rented by customers who are between houses or who require household items to be stored with insufficient space at home or small businesses. The applicant states that the nature of the use means that customers do not frequently visit the site.
- 1.6 As part of the proposal customers would be able to visit the premises and load or unload their containers between the hours of 8am and 6.30pm Monday – Friday and 8am and 1pm on Saturdays. There would be no access on Sundays or bank holidays.
- 1.7 The entrance gates to the site have a pin code so that customers text a number when they arrive and they are given a code that will enable them to access the site. It is submitted that the facility will not operate outside of the stated opening hours.
- 1.8 The submitted and amended proposed landscape plan outlines additional native mixed hedge planting along the site frontage, eastern boundary and the northeast boundary of the site.

### ***Background***

- 1.9 The proposal is located to the eastern section of a larger site. The western part of the site benefits from planning permission under application 11/01089/FUL (Erection of warehouse premises together with (integral) ancillary offices and staff parking). The building was not constructed in accordance with the plans and a subsequent application 16/00117/COMIND (Retrospective - Construction of use class B8 warehouse, to include mezzanine storage, car and lorry parking, landscaping and other ancillary works.) was submitted and approved.
- 1.10 The site area to the east (the proposal site) benefited from temporary permission under application 02/02393/TEMP for change of use to storage of equipment and materials for contractor works. The site has been the subject of historical planning and enforcement processes and the planning history is listed within this report. An enforcement appeal was allowed by the Planning Inspectorate and granted planning permission for the whole

site area including the western section for the operation of a pallet business and for the storage of wooden pallets following an Enforcement appeal (PINS ref: T/APP/G0310/000008/P6).

### **The Site and Site Access**

- 1.11 The site is located along Old Street which is accessed from Priors Court Road just before Priors Court Road passes over the M4 towards Hermitage. The site is generally screened from the wider surrounding landscape by dense trees and understorey belts along the boundaries.
- 1.12 The site is located within the open countryside outside of defined settlement boundaries. It is located within the North Wessex Downs National Landscape. There are no Public Rights of Way within the vicinity of the application site with the closest being CHIE/48/2 and CHIE/52/1 to the south of the M4. No views have been identified for PROW (public rights of way) and the views into or across the site tend to be limited to Old Street
- 1.13 The application site's security gated access also serves the neighbouring warehouse building to the immediate west (approved under application reference: 16/00117/COMIND). To the north are a couple of low-key buildings used by a mechanic and a tyre fitter. To the east are a pair of semidetached bungalows (numbers 7 and 8 Priors Court Cottages) with the curtilage of number 7 occupying the majority of the site's eastern boundary. The eastern boundary is formed by a combination of close board fencing, adjacent outbuilding and security fencing and is more open in places with localised views across areas of scrub from nearby Old Street to the east.
- 1.14 Most of the remaining areas of the site are laid to tarmac and hardstanding with areas set aside for parking, shipping containers and other areas of storage around the industrial units.
- 1.15 The site is located within Flood Zone 1.

## **2. Planning History**

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

<b>Application</b>	<b>Proposal</b>	<b>Decision / Date</b>
19/02374/COMIND	Section 73a: Removal of Condition 7 (Fire) of previously approved application (16/02874/COMIND): Construction of use class B8 warehouse, to include mezzanine storage, car and lorry parking, landscaping and other ancillary works.	Approved/ 31 December 2019
16/02874/COMIND	Section 73 Variation of Condition 7 - Fire hydrant of planning permission 16/00117/COMIND Retrospective - Construction of use class B8 warehouse, to include mezzanine storage, car and lorry parking, landscaping and other ancillary works.	Approved/ 02 December 2016
16/00117/COMIND	Retrospective - Construction of use class B8 warehouse, to include mezzanine storage,	Approved/ 01 July 2016

	car and lorry parking, landscaping and other ancillary works.	
11/01089/FUL	Erection of warehouse premises together with (integral) ancillary offices and staff parking.	Approved/ 01 July 2016
16/00068/SCOPE	EIA scoping opinion request	Not required / 19 January 2016
07/02213/OUT	Construction of workshop for servicing and repair of applicant's own vehicles only	Refused / 30 November 2007
07/01664/FUL	Change of use of land and buildings to storage of coaches with ancillary offices	Refused / 02 November 2007
06/00911/FUL	B8 Haulage Company - vehicle movement and overnight parking.	Refused / 26 August 2006
02/02393/TEMP	Change of use to storage of equipment and materials for contractor works	Approved/11 February 2003

### 3. Procedural Matters

- 3.1 The proposed development falls within the column 1 description at paragraph 10 (b) (Urban development projects) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 2017. The development can be considered as an urban development at Column 10 (b) (Infrastructure projects). Given the nature and scale of this development, the development does not exceed the thresholds under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment). As such, EIA screening is not required.
- 3.2 A site notice was displayed on 02 January 2024 and the deadline for representations expired on 23 January 2024.
- 3.3 The development has been amended and now incorporates the wall and details of the retrospective fence above erected to the front boundary, includes amended landscaping to the eastern tree belt boundary and only includes a single gate-controlled access point and excludes the secondary access located to the southeast adjacent to No 7 from the application area. To exclude the secondary access an amended location plan and site plan were submitted. For completeness a notice was served to additional landowners during the consideration. The description was also amended to add the retrospective fence above the front boundary wall to the current application.
- 3.4 The main amendment plans, and additional supporting information packages were received in March and April 2024 in response to officer-level feedback. According to the Planning Practice Guidance, where an application has been amended it is up to the Local Planning Authority to decide whether further publicity and consultation is necessary, considering several considerations including objections, and the significance

of the changes. These amendments have been to address specific technical concerns raised by consultees and the case officer, the amendments have been made publicly available via the Councils planning website. Given that these amendments have been in response to technical issues and did not significantly alter the originally proposed scheme, it has not been necessary for amended plans site notices to be displayed.

- 3.5 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required because of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development.
- 3.6 CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil)

#### 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.

<b>Chieveley Parish Council</b>	No objections, subject to landscaping being improved
<b>WBC Highways</b>	No objection
<b>WBC Local Lead Flood Authority</b>	No objection
<b>WBC Ecology</b>	No comments received.
<b>WBC Trees</b>	No objection subject to condition
<b>WBC Archaeology</b>	No objection
<b>WBC Environmental Health</b>	No objection
<b>National Highways</b>	No objection
<b>North Wessex Downs National Landscape</b>	No response within the 21-day consultation period.

##### ***Public representations***

- 4.2 Representations have been received from 15 objectors (some with repeat submissions).

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. In summary, the following issues/points have been raised:

*Objection comments:*

- existing use as 'operation of a pallet business and for the storage of wooden pallets' is contested.
- the specific land for this planning application is subject to a landscaping scheme under 02/02393/TEMP which is not maintained.
- the site has seen a removal of trees
- significant increase on vehicle movements on what is currently a very quiet road.
- the fence screens views of the open countryside
- the fence is out of place in the street scene
- site users are currently already breaching planning conditions by allowing unauthorized activities
- condition 6 of appeal decision /APP/C/88/GO310/000008/P6 specifically referenced that no pallets shall be stored within 25m of the boundary of the site with No 7 Priors Court Cottages.
- the storage containers breach condition 6.
- roads inadequate for increased traffic
- unauthorised fence along the highway
- impact on North Wessex Down National Landscape
- commercial activity and noise will harm amenity
- commercial development lacks provisions for facilities
- concerns about increased flooding.
- activities occurring on a Sunday
- amended plans fail to address all material considerations detailed within correspondences
- there is evidence to prove that this access is currently already being used by the applicant.

## **5. Planning Policy**

5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS5, CS9, CS10, CS13, CS14, CS15, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies TRANS1, OVS.5, OVS.6 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)
- Local Transport Plan for West Berkshire 2011-2026
- Manual for Streets
- North Wessex Downs Management Plan 2019-2024
- WBC Quality Design Supplementary Planning Document (SPD)

- WBC Planning Obligations Supplementary Planning Document (SPD)
- WBC Cycle and Motorcycle Advice and Standards for New Development
- West Berkshire Landscape Character Assessment (2019)
- North Wessex Downs Integrated Landscape Character Assessment (2002)
- West Berkshire Local Plan Review 2022-2039 Proposed Submission (Regulation 19)

## 6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance of the area
- Neighbouring Amenity
- Highways Matters
- Flood risk and Sustainable Drainage
- Biodiversity and Trees
- Sustainable construction
- Other Matters
- Planning Balance and Conclusion

### *Principle of development*

6.2 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

6.3 The representations received with the application have been considered fully and the material considerations have been discussed with consultees as outlined below.

6.4 There is disagreement between members of the public and the applicant regarding the existing use of the site. Officers acknowledge that the site has a very contentious history which is accompanied by planning enforcement referrals and investigations and the issuance of enforcement notices in some of the cases. An enforcement appeal was allowed by the Planning Inspectorate and planning permission granted for the whole site area including the western and eastern sections for the operation of a pallet business and for the storage of wooden pallets following an Enforcement appeal (PINS ref: T/APP/G0310/000008/P6). It is noted that the Inspector's decision stated that no pallets shall be stored within 25m of the eastern boundary of the site with No. 7 Priors Court Cottages. This 25m buffer dissects the current proposal site area.

6.5 It is also noted that permission granted in the above appeal was superseded by the granting of planning permission 16/00117/COMIND (Retrospective - Construction of use class B8 warehouse, to include mezzanine storage, car and lorry parking, landscaping and other ancillary works), (in so far as the land upon which the building was erected). Finally, National and Local Policy has significantly changed since 1988, as such the current application can only be considered with reference to the current development plan and based on individual planning merits.

6.6 Members are advised that irrespective of the previous unauthorised developments and the proposed development itself being retrospective, the planning application must be considered on its own individual planning merits and in terms of its compliance with the

relevant development plan policies and material considerations at the time of consideration. Whilst there are overlapping applications and permissions including conditions these will be overridden if members approve the application.

- 6.7 The application site is located outside of any defined settlement boundary within the district and it therefore regarded as 'open countryside' under Core Strategy Policy ADPP1. The policy states that only appropriate limited development in the countryside will be allowed focused on addressing identified needs and maintaining a strong rural economy.
- 6.8 Policy CS9 talks about the appropriate location of business development in the district. its states that proposals for industry, distribution and storage uses will be directed to the district's defined Protected Employment Areas, and existing suitably located employment sites and premises.
- 6.9 Any proposals for such uses outside these areas/locations will be assessed by the Council against the following:
- compatibility with uses in the area surrounding the proposals and potential impacts on those uses; and
  - capacity and impact on the road network and access by sustainable modes of transport.
- 6.10 Policy ADPP1 of the Core Strategy requires proposals in open countryside to be focussed on addressing identified needs and maintaining a strong rural economy. Considered in these terms Policy CS9 of the Core Strategy promotes the provision of B8 sites which this application would contribute to addressing. Policy CS9 directs proposals for storage uses to within the district's existing Protected Employment Areas (PEA). Whilst this site is located outside of the boundary of the nearest PEA, it is adjacent to areas of land that have planning permission for B8 uses or other business uses, and as such, given the circumstances of the site, on balance the principle of change of use of this land to B8 is accepted.
- 6.11 Whilst the development itself is for storage it is for storage for householders or small business. It is considered that the application for householders or small business is compatible with the area surroundings. Furthermore, Highways Officers raise no objections to the application and as such it is considered the impact on the road network would not be harmful
- 6.12 Policy CS10 notes that existing small and medium sized enterprises within the rural areas will be supported to provide local job opportunities and maintain the vitality of smaller rural settlements.
- 6.13 The supporting text notes that many rural areas host many small and medium sized enterprises which are vital to providing local job opportunities and a diverse economy. There is a continued need to protect and support the development of start-up businesses and adequate provision should be made for them throughout the district. National policy supports sustainable economic growth in rural areas.
- 6.14 The number of containers is high and this has been considered by Officers. Given the likely householders and small enterprises using the storage facility, it is considered that the number of containers would be in keeping with the use and size of the site. The number of visitors and frequency is considered unlikely to be very high given the size of the containers. Therefore, the intensification of the use of the site is relatively limited.



6.15 Overall, there is no extension into the countryside. The use is considered compatible with the existing nature of the site, not considered to give rise to highways issues. The development is in principle supported by policies ADPP1, CS9 and CS10.

### ***Character and appearance of the area.***

#### *Functional Design*

6.16 According to Core Strategy Policy CS14, good design relates not only to the appearance of a development, but the way in which it functions. According to the NPPF, planning decisions should ensure that developments (amongst others):

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.17 Part 1 of the Quality Design SPD provides key urban design principles to ensure that a development functions well in line with the development plan and consistent with the NPPF. The application site is contained within the existing yard area.

6.18 Each container would be 6 metres in length by 2.4 metres in width and 2.6 metres in height and would be dark green in colour. The containers would be served by the existing vehicular access off Old Street. No alterations are proposed to the access. The proposal also incorporates details of the retrospective fence above the front boundary wall. The timber fence will extend the boundary height to approximately 2.5 metres. The containers to be retained are utilitarian in design and have a relatively low profile being single storey. The containers are not readily visible from public viewpoints. The change of use is not considered to be a further incursion into the countryside or to have an unduly adverse impact on the character of the area.

6.19 A Landscape and Visual Appraisal is submitted as part of the application. Whilst the North Wessex Down Board were consulted, unfortunately no comments were received. However, the case officer has also reviewed the comments from the North Wessex Down Board under approved application 16/00117/COMIND, where the North Wessex Down Board acknowledged that the site had been eroded by several developments, however landscape enhancements were recommended. Officers have taken the same approach and the applicant has submitted amended plans that offer additional planting along the street scene, eastern and northeastern boundaries. Officers also consider that a condition restricting any lighting would be necessary to ensure that any proposed lighting can be considered to conserve the North Wessex Down dark night skies.

6.20 The Landscape and Visual Appraisal assesses views towards the site confirming that all existing boundary planting will be retained to preserve the relatively high degree of screening into the site and minimise the character and visual effects on the local rural landscape. New planting is proposed along the site's frontage as well as along the northeastern and eastern parts of the site boundary that would provide additional screening to both the proposed containers and the neighbouring warehouse building.

The views of the containers would be limited to immediate views of the area and from glimpses from Old Street. Additional planting is proposed which will add to the screening. From long views the containers would be viewed with the existing B8 warehouse backdrop, as such it is considered that any impact on the North Wessex Down National Landscape would be limited. The containers would be shielded from wider views by the adjacent trees and this planting will also be enhanced with additional planting.

- 6.21 The development is not considered to have a detrimental impact on the character and appearance of the area nor on the North Wessex Down National Landscape. The development complies with policy ADPP5, CS14 and CS19 of the Core Strategy. Due to the distance and intervening vegetation providing screening, it is unlikely that the proposals on the site will impact the wider landscape setting in the vicinity of the application site.

### ***Neighbouring Amenity***

- 6.22 According to the NPPF, planning decisions should ensure that developments create places with a high standard of amenity for existing and future occupiers.
- 6.23 According to Core Strategy Policy CS14, new development must make a positive contribution to the quality of life in West Berkshire. As such, the impacts on neighbouring living conditions in terms of any loss of light, loss of privacy, loss of outlook, any overbearing impacts, or any significant noise and disturbance, are material considerations.
- 6.24 The application site immediately adjoins the western boundary of the residential property of 7 Priors Court Cottages. Representations from members of the public highlight concerns regarding loss of amenity and impact on highway.
- 6.25 Officers consider that the proposed development would have limited impact on neighbouring amenity. The proposed containers would provide a self-storage facility and would be accessed by secure gates that require a uniquely generated code to open the gates on each visit. It is submitted that customers of the containers would only be able to access their self-storage between 8am and 6.30pm Monday to Friday and 8am to 1pm Saturdays, with no access permitted on Sundays and bank holidays. The applicant submits that the facility will not operate outside of the stated opening hours. Following a request for additional information the applicant confirmed that customers have a number to call upon arrival at the application site and they will be sent text with a unique code allowing them to gain entry via a PIN pad. Outside of the operating hours an access code will not be supplied.
- 6.26 There will be no machinery operating on the site and the only noise generated by the site would be the arrival and departure of cars / LGVs during the proposed day time operating hours. As discussed in the site history, the site has various planning permissions including use for pallet storage which would generate more noise through forklifts or other similar machinery together with the use of the site by HGVs delivery and collecting pallets.
- 6.27 The Environmental Health Officer has been consulted and they have raised no objections.
- 6.28 The Environmental Health Officer has concluded that there would be no significant adverse noise impacts resulting from the proposed use. The Environmental Health Officer also acknowledged that the comments were made in relation to the current proposals as submitted and therefore supersede the previous requirement for a 25m

buffer which was required in relation to the far more intrusive and uncontrolled pallet storage use.

- 6.29 In addition to responding to a consultation request, the Environmental Health Officer has highlighted that there had been a complaint that was received from a local resident to Environmental Health Officer and Planning enforcement and this had likely resulted in the submission of a planning application. The Environmental Health Officer recommended that a condition could be attached to any planning permission to restrict the hours of operation of the container self-storage to the hours set out in this report.
- 6.30 It is not considered that there would be any intensification of the use of the site from the development. The proposed development is located away from neighbouring dwellings and will not present any overshadowing or overbearing impact on neighbouring amenity.
- 6.31 Regarding air quality, the Environmental Health Officer has stated that the proposed 84 storage units are expected to generate around 12 vehicle movements a day and this will have an insignificant impact on local traffic and local air quality
- 6.32 The development is not considered to have an adverse impact on neighbouring amenity. The proposed development is in accordance with Policy CS14 regarding preserving neighbouring residential amenity.

### ***Highways Matters***

- 6.33 According to Core Strategy Policy CS13, development that generates a transport impact will be required to (amongst others): reduce the need to travel; improve and promote opportunities for healthy and safe travel; and demonstrate good access to key services and facilities.
- 6.34 The Highway Officer has been consulted and they have confirmed that the submitted Highway Technical Note confirms that the existing site access that would serve the proposals has visibility splays in accordance with the recorded 85th percentile of traffic on the adjacent highway network. The Technical Note has reviewed various similar sites to provide a projection of likely traffic generation, estimating that each container would generate 0.7 trips per day. A total of 84 containers would therefore generate a total of 6 vehicles per day equating to 12 traffic movements per day. The Highway Officer indicated that the likely increase in traffic is therefore concluded to have no material impact on the highway network and as such is considered acceptable.
- 6.35 No formal car parking is proposed as it is anticipated that vehicles will drive up to their allocate unit, load or unload and depart.
- 6.36 The development would be accessed from one single access which is the main controlled access off Old Street. The Highways Officer has stated that the applicant has reviewed the latest 5-year accident data within the vicinity of the site. It showed only one accident occurred just west of the Old Street junction with Priors Court Road. The applicant has demonstrated on the submitted plans that visibility splays, in line with Manual for Streets, of 2.4 x 42m to the east and 2.4m x 40m to the west can be achieved at the existing site access. On this basis the accident analysis is considered acceptable and it is considered that the proposals would not impact highway safety.
- 6.37 For the above reasons, considering any cumulative impacts, the proposal would not have an adverse impact on highway safety and the free flow of traffic within the local highways infrastructure, and would provide satisfactory cycle and car provision to meet

the needs of future occupiers in accordance with the provisions of Policy CS13, and the National Planning Policy Framework.

### ***Flood risk and Sustainable Drainage***

- 6.38 Core Strategy Policy CS16 also requires that all developments incorporate sustainable drainage techniques. The Planning Practice Guidance supports this position for major developments.
- 6.39 The site is located in Flood Zone 1 (lowest risk of flooding) according to Environment Agency Flood Mapping. The Lead Local Flood Authority have carefully considered the proposal and raised no objections.
- 6.40 For these reasons, the proposal would not have an adverse impact on flooding within the site or locality in accordance with the provisions of Core Strategy Policy CS16 and the National Planning Policy Framework.

### ***Biodiversity and Trees***

- 6.41 According to Core Strategy Policy CS17, biodiversity assets across West Berkshire will be conserved and enhanced.
- 6.42 Policy CS18 outlines that the district's green infrastructure will be protected and enhanced, that developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted. Policy CS18 of the West Berkshire Core Strategy requires the retention of valued green infrastructure which contribute to the character of the landscape and the area.
- 6.43 Policy CS19 of the Core Strategy concerns the historic environment and landscape character. It seeks to ensure that the diversity and local distinctiveness of the landscape character of the district is conserved and enhanced. Particular regard is given to the conservation and, where appropriate enhancement of landscape assets.
- 6.44 According to the NPPF, planning decision should contribute to and enhance the natural and local environment by (amongst others) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Similarly, Policy CS17 states that to conserve and enhance the environmental capacity of the district, all new development should maximise opportunities to achieve net gains in biodiversity.
- 6.45 The Council's Tree Officer has assessed the proposal and has raised no objection. The Tree Officer has stated that the soil within the site area already is compacted due to its current use and roots are unlikely to be found, however, to protect the locations where rooting has been possible the Tree Officer has recommended that a condition is attached requesting details of a tree protection scheme to ensure the trees present can remain without damage.
- 6.46 Due to the existing condition of the site, no biodiversity would be impacted. A lighting condition has been recommended and it is considered that the lighting details can be reviewed for biodiversity.
- 6.47 For these reasons, it is considered that retained trees would be adequately safeguarded from any potential adverse effects and additional planting would be in accordance with the provisions of policy CS18 and the National Planning Policy Framework.

## ***Sustainable construction***

- 6.48 According to Core Strategy Policy CS15, major development shall achieve minimum reductions in total carbon emissions (regulated and unregulated energy use) from renewable energy or low/zero carbon energy generation on site or in the locality of the development if a direct physical connection is used, unless it can be demonstrated that such provision is not technically or economically viable.
- 6.49 The percentage reductions in carbon emissions should be based on the estimated carbon emissions of the development after the installation of energy efficiency measures related to either the Code for Sustainable Homes, BREEAM or equivalent method has been applied.'
- 6.50 The proposed use does not warrant a BREEAM rating as the containers will not be occupied for extended periods.
- 6.51 It is considered that the proposed development could comply with the principles of Core Strategy Policy CS15.

## ***Other Matters***

- 6.52 Representations received have been reviewed on a material consideration basis in this report. The letter from Howard Williamson also refers to the application proposals encouraging vermin, rat infestations and littering/refuse and that the lack of WC facilities are leading to issues with antisocial behaviour. Officers consider that customers will visit for very short periods of time and as such no toilet facilities are provided and in fact such facilities would arguably lead to littering.
- 6.53 A representation has queried the ownership of the application site and adjoining land. The application red line includes the site access onto the highway and as such Certificate of Ownership B is submitted as part of the application with notice served on the Highway Authority.
- 6.54 The third-party letters refer to various breaches of planning control on adjoining land. These breaches do not relate to the proposed container storage use and as such are not relevant to the determination of this application.

## **7. Planning Balance and Conclusion**

- 7.1 The application must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.2 The proposed development will protect and support the development of start-up businesses and ensure adequate provision is made for business. National policy supports sustainable economic growth in rural areas.
- 7.3 Additional planting is proposed which will add to the landscape screening. From long views the containers would be viewed with the existing B8 warehouse backdrop, as such it is considered that any impact on the North Wessex Down National Landscape would be limited. The development is not considered to have a detrimental impact on the character and appearance of the area nor on the North Wessex Down National Landscape.

- 7.4 The proposed development would not have an adverse impact on neighbouring amenity or Ecology and Trees in the immediate area. The development is therefore considered to be in accordance with Policies ADPP1, ADPP5, CS9, CS10, CS13, CS14, CS15, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy (2006-2026).
- 7.5 Having taken account of all the relevant planning policy considerations and other material considerations set out above, it is considered that the proposed development complies with the development plan when considered as a whole and is therefore recommended to members for approval.

## 8. Full Recommendation

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

### *Planning Conditions*

1.	<p><b>Approved plans</b></p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <ul style="list-style-type: none"> <li>• Highway Technical Note received on 02 December 2023.</li> <li>• Landscape and visual impact assessment received on 19 December 2023.</li> <li>• Planning Statement received on 20 December 2023.</li> <li>• Applicant response to comments received on 24 January 2024.</li> <li>• Amended Location Plan and Proposed Site Plan received on 29 February 2024.</li> <li>• Amended Landscape Plan received on 23 April 2024.</li> <li>• Amended Block Plan, Wall and Fence Plan and Elevations received on 23 April 2024.</li> </ul> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
2.	<p><b>Use restriction</b></p> <p>The premises shall be used for self-storage and distribution B8 and for no other purpose (including any purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>Reason: It is considered necessary to restrict the use of the Class B8 to Storage and distribution only. This use would be considered compatibly with the site and the surrounding uses. This condition is applied in accordance with the National Planning Policy Framework and ADPP1, CS9, CS10 of the West Berkshire Core Strategy 2006-2026</p>

3	<p><b>Restriction on external storage</b></p> <p>No materials, goods, plant, machinery, equipment, waste containers or other items shall be stored, processed, repaired, operated or displayed in the open land on the site.</p> <p>Reason: To ensure that no items are stored outside of the use that may intensify the use of the site and impact on 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).</p>
4	<p><b>Tree protection scheme</b></p> <p>Within 2 months of the date of planning permission being granted or before any further development takes place, details of a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Such a scheme shall include:</p> <ul style="list-style-type: none"> <li>• a plan showing the location and type of the protective fencing.</li> <li>• All such fencing shall be erected prior to any further development works.</li> <li>• At least 2 working days' notice shall be given to the Local Planning Authority that it has been erected.</li> <li>• It shall be maintained and retained for the full duration of any works or until such time as agreed in writing with the Local Planning Authority.</li> <li>• No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.</li> </ul> <p>Note 1: The protective fencing should be as specified in the BS5837:2012 at Chapter 6 and detailed in figure 2.</p> <p>Note 2: Ground Protection shall be as paragraph 6.2.3.3. of the same British Standard.</p> <p>Reason: Required to safeguard and to enhance its setting within the immediate locality to ensure the protection and retention of existing trees and natural features in accordance with the NPPF and Policies ADPP1, (ADPP5 if within NWDAONB), CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006- 2026.</p>
5	<p><b>Operating hours (use/activity)</b></p> <p>The self-storage and distribution B8 shall not take place outside of the following hours:</p> <p>Mondays to Fridays: 08:00am to 18:30pm  Saturdays: 08:00am to 13:00pm  no access on Sundays or bank holidays.</p> <p>Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>

6	<p><b>Lighting strategy</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance.</li> <li>(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.</li> <li>(c) Include isolux contour diagram(s) of the proposed lighting.</li> <li>(d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.</li> </ul> <p>No external lighting shall be installed except in accordance with the above strategy.</p> <p>Reason: To ensure the conservation and enhancement of community biodiversity assets and to conserve the dark night skies of the North Wessex Downs National Landscape. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.</p>
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### ***Informatives***

1.	<p>This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has secured and accepted what is a development which improves the economic, social and environmental conditions of the area.</p>
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