

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	24/02658/FULMAJ Thatcham	07 <sup>th</sup> March 2025 <sup>1</sup>	Section 73: Vary conditions 2 (approved plans), 9 (landscape and ecological management plan), 10 (soft landscaping) and 20 (footpath) of permission 21/02137/FULMAJ: flood alleviation scheme and new three lane non-turf cricket practice net and non-turf pitch  Thatcham Memorial Playing Fields, Thatcham  West Berkshire Council
<sup>1</sup> Extension of time agreed with applicant until 11 <sup>th</sup> April 2025			

The application can be viewed on the Council's website at the following link:  
<https://publicaccess.westberks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SOC17DRD09N00>

**Recommendation Summary:** To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to conditions

**Ward Member(s):** Councillor Jeremy Cottam

**Reason for Committee Determination:** The applicant is West Berkshire Council, it is a major and more than 5 objections have been received. The application was called in by Councillor Cottam regardless of the recommendation.

**Committee Site Visit:** 3<sup>rd</sup> April 2025

#### Contact Officer Details

**Name:** Gemma Kirk  
**Job Title:** Senior Planning Officer  
**Tel No:** 01635 519111  
**Email:** Gemma.Kirk@westberks.gov.uk

## 1. Introduction

- 1.1 The purpose of this report is for the Committee to consider the proposed development against the policies of the development plan and the relevant material considerations, and to make a decision as to whether to approve or refuse the application.
- 1.2 This application seeks to vary conditions 2 (approved plans), 9 (landscape and ecological management plan), 10 (soft landscaping) and 20 (footpath) of previously approved application 23/02187/FULMAJ.
- 1.3 Thatcham Memorial Playing Fields and the cricket ground to the east form the application site. The site also partially covers the tennis courts to the south. The playing fields are located within the centre of Thatcham with residential areas bounding the western, northern, and eastern boundaries of the ground. To the south is Brownsfield Road which leads onto the A4. Several facilities are located to the south including the Health Centre, Library, car parking, the Memorial Hall and bowling green. The playing field, prior to construction commencing, provided walking routes through the site. The Memorial Playing Fields also included children's play equipment and an enclosed dog walking area.
- 1.4 The original permission granted permission for a flood alleviation scheme comprising of a detention basin in the western field and swale within the eastern field. A bund runs along the southern perimeter of the basin and swale. The proposal included creating an access track for the scheme and footpath around the perimeter of the Memorial Playing Fields including footbridge over the basin. Within the eastern field 'Brown's Sports Field' a new three lane non turf cricket practice net and new non turf pitch was proposed.
- 1.5 This application seeks only to amend the route of the footpath positioning it closer to the eastern and western boundaries of the playing field, a new fence erected to the south of the detention basin with gates and 8 new Purple Beech trees in addition to the agreed soft landscaping. These proposed amendments require variations to the approved plans, landscape and ecological management plan, soft landscaping and footpath conditions.
- 1.6 At Officer's site visit it was noted that construction of the revised footpath had commenced and therefore the amendments to the footpath are considered under Section 73a of the Town and Planning Country Act for retrospective works.

## 2. Planning History

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

Application	Proposal	Decision / Date
23/02187/FULMAJ	The proposed scheme will have a capacity of 3200m <sup>3</sup> and will comprise the construction of a detention basin with an area of 0.78 hectares in the western field. A 3m wide swale is proposed in the eastern field and will be 120m in length and c. 0.5m deep. A bund 280m in length will run along the southern perimeter of the basin and swale and will vary in height from a maximum of 0.3m high to an average of	APPROVED  12.03.2024

	<p>0.2m high along its length. The crest of the bund will be set at 79.20m AOD and will accommodate a 15m wide spillway at a level of 79.05m AOD. The detention basin will comprise two areas, a higher level set at 78.50m AOD and a lower area set at 78.30m AOD. The basin will also comprise a stilling basin set at a level of 78.10m AOD. A 450mm diameter pipe will convey flows from the basin to the existing Thames Water 750mm surface water sewer via a control structure to the east of the basin. A 3.0m wide access track is proposed around the northern boundary of the basin to facilitate access for maintenance and a 2m track along the bund at the southern edge of the basin. The bund to the south of the swale will comprise a 1.0m wide crest which will facilitate maintenance. The provision of a 2m wide foot bridge is also proposed over the swale to ensure access is maintained from the north to the south of the fields. To mitigate the loss of cricket facilities a new three lane non turf cricket practice net and new non turf pitch are to be installed within Brown's Sports Field.</p>	
24/00508/COND	Application for approval of details reserved by condition 4 (CEMP) of approved 23/02187/FULMAJ	<p>APPROVED</p> <p>20.03.2024</p>
24/00609/COND	Application for approval of details reserved by conditions 5 (CMS), 6 (Disabled Parking), 7 (Incidental Mineral Extraction 1), 8 (Incidental Mineral Extraction 2), 9 (LEMP) and 11 (Bird Protection) of approved 23/02187/FULMAJ	<p>APPROVED</p> <p>23.05.2024</p>
24/01033/NONMAT	Non-Material Amendment to planning permission 23/02187/FULMAJ: Increase in excavations so as to install the impermeable liner at a depth that will prevent flotation of the liner. Reduction in amount of material to be transported. Final levels will remain unchanged.	<p>APPROVED</p> <p>23.05.2024</p>
24/00854/COND	Application for approval of details reserved by condition 14 (Tree protection for cricket nets) of planning permission 23/02187/FULMAJ	<p>APPROVED</p> <p>14.06.2024</p>
24/01982/COND	Application for approval of details reserved by condition 10 (Landscaping) of approved 23/02187/FULMAJ	<p>APPROVED</p> <p>09.12.2024</p>

- 2.2 The planning history referred to within the table relates to the flood alleviation scheme including the original approval granted by the committee in March 2024 and the associated condition approvals and a non-material amendment to the liner.
- 2.3 Currently under consideration is application 25/00264/COND which seeks to approve details for condition 13 (alternative temporary tennis court provision) of 23/02187/FULMAJ.

### 3. Legal and Procedural Matters

- 3.1 **Environmental Impact Assessments (EIA):** The proposed development falls within the column 1 description at paragraph 10(i) (Dams and other installations designed to hold water or store it on long term basis) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is not located in a sensitive area. It does meet/exceed the relevant threshold in column 2. The proposal is therefore “Schedule 2 development” within the meaning of the Regulations.
- 3.2 However, taking into account the selection criteria in Schedule 3, it is not considered that the proposal is likely to have significant effects on the environment. Accordingly, the proposal is not considered “EIA development” within the meaning of the Regulations. An Environmental Statement is not required.
- 3.3 **Publicity:** Publicity has been undertaken in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council’s Statement of Community Involvement. Site notices were displayed on 23rd December 2024 at Brownsfield Road, Beverley Close, Park Lane and Tennyson Road, with a deadline for representations of 16th January 2025. A public notice was displayed in the Newbury Weekly News on 19th December 2024; with a deadline for representations of 5th January 2025. 50 notification letters were sent to the immediate neighbours to the application site on 13<sup>th</sup> December 2024.
- 3.4 **Local Financial Considerations:** Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Whether or not a ‘local finance consideration’ is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body. No local financial considerations are material to this application.
- 3.5 **Public Sector Equality Duty (PSED):** In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The Council must have due regard to the need to achieve the following objectives:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.6 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- 3.7 The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have regard to and remove or minimise disadvantage. In considering the merits of this planning application, due regard has been given to these objectives.
- 3.8 It is noted that objections have been raised by the public regarding the material used for the footpath and whether this would in the long-term remain accessible for persons with physical disabilities. It is considered the footpath maintenance plan secured through condition would help to mitigate these concerns.
- 3.9 **Human Rights Act:** The development has been assessed against the provisions of the Human Rights Act, including Article 1 of the First Protocol (Protection of property), Article 6 (Right to a fair trial) and Article 8 (Right to respect for private and family life and home) of the Act itself. The consideration of the application in accordance with the Council procedures will ensure that views of all those interested are taken into account. All comments from interested parties have been considered and reported in summary in this report, with full text available via the Council's website.
- 3.10 It is acknowledged that there are certain properties where they may be some impact. However, any interference with the right to a private and family life and home arising from the scheme as a result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the district and wider area and is proportionate given the overall benefits of the scheme in terms of provision of a flood alleviation scheme and protection to properties and businesses from surface water flooding.
- 3.11 Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## 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>Thatcham Town Council:</b>	Objection to gates with removal of these sought. No further concerns raised to footpaths condition.
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<b>WBC Highways:</b>	Concerns with route, maintenance and loss of access to footpaths. Footpath maintenance concerns resolved. Previous comments from January still apply regarding retaining unfettered access along the footpaths and suggest a condition for the gates.
<b>WBC Tree Officer:</b>	With amendments to the footpath construction plans the new details are sufficient for conditions 9 and 10 subject to full implementation.
<b>WBC Ecology:</b>	No objections to the proposal suggested consultation with Tree Officer.
<b>WBC Public Protection:</b>	No objection.
<b>WBC Archaeology:</b>	No archaeological implications.
<b>Fisher German and Exolum Pipeline:</b>	Objection withdrawn following plans received on 11.03.2025 showing 6 metre buffers to be kept free of vegetation.
<b>Sport England:</b>	No comments to make.
<b>Active Travel England:</b>	No comment (does not meet statutory threshold).
<b>Environment Agency:</b>	Does not wish to be consulted.

- 4.2 The following consultees were consulted, and no comments have been received: WBC Lead Local Flood Authority, WBC Access Officer, WBC Economic Development, WBC Environment Delivery, WBC Transport Policy, WBC Waste Team, WBC Countryside Team, SPOKES, Natural England, Thames Water Utilities, NatureSpace (District Licence Holder for Great Crested Newts), Royal Berkshire Fire and Rescue Service and Thames Valley Police Secure Design Team.

### ***Public representations***

- 4.3 Representations have been received from 29 contributors, 1 of which supports, 3 of which are neutral and 25 of which object to the proposal.
- 4.4 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:

#### *Objections:*

- Public would not get benefits from the use of the playing fields with the insertion of gates and fence as there are concerns the access to the fields would be stopped up. Not satisfied with reasons for gates and fence.
- Consider routes through playing fields are Public Rights of Way that should not be blocked.
- Proposed fence has a harmful impact on character of the area, amendments suggested.
- Concerns with material for the footpath and long-term accessibility.

- Concerns with when new trees, sport facilities and dog exercise area are to be delivered.
- Plans: New planning permission required for change in red line and works not built in accordance with plans.

*Support:*

- Reasons for the fence and gates to be installed provided, noted plans indicate gates can be locked in open position.

*Matters that are not material planning considerations for this application:*

- Management of the playing field and actions of a landowner.
- The loss of the Beverley Close access.
- Funding.

## 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, ADPP3, CS5, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS5, OVS6, TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) (WBDLP).
- Policies 7 and 9 of the Minerals and Waste Local Plan 2022-2037 (MWLP).

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- WBC Quality Design SPD (2006)
- Sport England Playing Fields Policy Guidance Document
- WBC Local Flood Risk Management Strategy (December 2021)

## 6. Appraisal

### *Principle of development*

6.1 The principle of the development was established by permission 23/02187/FULMAJ. It was considered that the principle of the flood alleviation scheme and associated works would be supported by Policies ADPP1, ADPP3 and CS5 of the WBCS.

6.2 The flood alleviation scheme within the playing fields is the final scheme under the Thatcham Surface Water Management Plan with all the schemes working together to reduce flood risk. It was identified that this final scheme would reduce both the probability and depth of flooding for properties to the south of the application site. The justification for the flood alleviation scheme was considered to deliver substantial benefits to residents in Thatcham.

6.3 The amendments proposed under this application are not considered to alter the established principle of the development and would still deliver the same substantial flood mitigation benefits.

### ***Character and appearance***

- 6.4 Policy CS14 seeks development that demonstrates highway quality and sustainable design that respects and enhances the character and appearance of the area. This includes considering accessible environments, using land efficiently and respecting the landscape. Policy CS19 seeks the conservation and enhancement of the landscape character where development should give particular regard to the sensitivity of the area to change and ensure it is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.5 It is considered that the impact on the landscape character from the flood alleviation basin and swale were established under 23/02187/FULMAJ. The amendments do not seek to change these.
- 6.6 It is considered that the changes to the proposed footpath in terms of location and materials would not significantly change the approved impact to the landscape character. The use of the Breedon Golden Amber Gravel is considered to be a material typical in a park setting, would be in-keeping with the area and an improvement to the use of a black-top surface.
- 6.7 The addition of a 1.2 metre mesh fence with timber gates has received objections as it is considered out of character with the site. However, it is noted within the site there are other example of the use of mesh fence and therefore it is considered that the addition would not appear out of character. Furthermore, due to the height and the openness of the material proposed it is not considered that the fence would harmfully obstruct long views across the playing fields.
- 6.8 This application proposes an additional 8 trees to those already agreed through the landscaping scheme (the total new trees to be planted would be 31). These are the Purple Beech trees within the south-west corner of the playing field. The addition of trees within the application site is a benefit to the landscape character.
- 6.9 It is considered that the amendments proposed would not result in harm to the character and appearance to the area.

### ***Amenity***

- 6.10 Policy CS14 and Saved Policies OVS5 and OVS6 all seek to minimise the impact of development in terms of environmental impacts and neighbouring amenity.
- 6.11 The impact on amenity during construction and the finalised proposal were established under 23/02187/FULMAJ. This application does not seek to change the construction arrangements agreed as part of the application and through applications to approve condition details. It is recommended that the Construction site set-up, Construction Method Statement and Construction Environmental Management Plan are updated where required to reflect the approved details.
- 6.12 It is considered that the addition of the 1.2 metre fence and the additional landscape planting would not have a harmful impact to neighbouring amenity or additional environmental impacts.
- 6.13 The proposed amendments to the location of the footpath would re-position the footpath adjacent to the boundaries of properties on Beverley Close in the south-west corner of the playing fields. It is recognised that there would be some impact to their amenity in terms of disturbance and privacy. However, it is considered that the relocation of the footpath would not significantly exacerbate the existing impacts to this property as the part of the playing field was already publicly accessible and the



development does not intend to change the number of visitors to the playing field. Furthermore, existing trees and hedges and proposed planting would assist in mitigating the impact on amenity.

### ***Trees***

- 6.14 Policy CS14 and CS19 both seek that development respects the landscape and have regard to landscape character. It was considered that the trees at this site did have a positive contribution to the character of the area and landscape character. It was also identified that the trees formed part of the District's green infrastructure and subject to Policy CS18.
- 6.15 The proposed amendments take into account the existing trees within the site. The application is accompanied by an updated Arboricultural Impact Assessment addressing impacts from the relocated footpath and the installation of the fence. The Tree Officer sought amendments to the composition of the footpath in root protection areas of existing trees during the application to ensure that existing trees are protected. It is recommended a condition is applied that within 3 months of a decision that the composition of the footpath in the root protection areas identified in the plans is constructed to match that shown on Drawing 2004241-036 P7.
- 6.16 8 additional trees are proposed in the south-east corner of the playing field. It was established under 23/02187/FULMAJ that 40 trees would be lost to accommodate the development. It has been approved previously that from that 23 trees would replace those lost. With the amendments under this permission the proposal would plant 31 trees. This is a benefit of the amendments proposed. The table submitted on 28.03.2025 is the finalised composition of species to reflect the change of the 8 trees from Pedunculate Oak to Purple Beech (agreed by the Tree Officer). It is recommended that condition 10 be amended to update the planting schedule. It is considered that the condition should still require soft landscaping to be implemented within the first planting season following completion or first use of the development (whichever occurs first).

### ***Green infrastructure***

- 6.17 Policy CS18 seeks the protection and enhancement of the District's green infrastructure of which the application site forms part of this. Policy CS18 advises that development that would result in the loss of green infrastructure or harm its enjoyment will not be permitted. Where exceptionally loss is agreed it should be replaced with a new space of an equal or greater size of similar standard to be provided close by.
- 6.18 Under the assessment for 23/02187/FULMAJ the importance of the playing fields and sports facilities was recognised. Conditions sought to mitigate impacts to sport facilities and green infrastructure during construction and reinstatement following completion. The sport facility provision is not proposed to be altered by the amendments. Details for condition 13 (alternate temporary tennis court provision) are still under consideration with the Local Planning Authority, an update will be provided in the Update Report.
- 6.19 It is recommended that conditions are re-applied to this permission for providing a enclosed dog exercise area, children's play area and the tennis court lost during construction with details first to be agreed by the Local Planning Authority. It is also recommended that the condition requiring the informal recreation area that has been lost during construction is brought back into use. Conditions on the original permission required the cricket practice nets and wicket to be installed within 6 months of the site set-up commencing (with tree protection details for this to be agreed). This has been

undertaken and the conditions relating to this are therefore not required on this application as they have been discharged.

- 6.20 The proposed re-positioning of the footpath to the boundaries of the playing field would create a larger uninterrupted space for the informal area for exercise and events. The amendments to the footpath would still allow for permeability through the site allowing the public to move through the site north and south.
- 6.21 The Highways Officer supports the change in material to the Breedon Golden Amber Gravel as it provides a smooth surface which is considered to be accessible. However, there were concerns with ongoing maintenance to ensure it remained in a suitable condition and accessible for all. A maintenance plan was submitted which the Highways Officer considered to be acceptable.
- 6.22 It is recognised that concerns have been raised in representation letters, Highways Officer comments, and Town Council comments regarding remaining unfettered access through the site. It is considered in objections and representations received that the proposed gates and fence would prevent this.
- 6.23 It has been advised by the Public Rights of Way Team, without prejudice, that there are no Public Rights of Way shown on the definitive map over Thatcham Memorial Playing field. A formal Definitive Map Modification Order application would be required to be submitted to record a public footpath over the site. This would be separate to the planning process and carried out under legislation separate to the planning system. To date it is believed that the footpaths through the playing field are permissive footpaths where the public are allowed to use the site with the permission of the landowner. The landowner would need to ensure they complied with any legal agreement or charitable objectives, but this would be outside of the remit of planning to enforce.
- 6.24 However, the connectivity provided by the footpath and its accessibility are considered to provide a positive contribution to the green infrastructure as noted by the Highways Officer. The plans indicate the gates will be able to be locked into an open position and the letter of support indicates the intention behind the gates is not to prohibit access to the playing field except for occasional private events or for health and safety reasons during maintenance. It is recommended that a condition is applied that requires that the gates remain unlocked unless for private events or health and safety reasons. It is considered a condition would meet the 6 tests in the NPPF and PPG including it being reasonable, necessary to make the development acceptable, relevant to planning and the development in terms of ensuring that green infrastructure would not be harmed by the proposal. It is considered that the condition would be enforceable and precise. It is noted a condition was sought by the Highways Officer regarding the gates.
- 6.25 It is noted that representation letters raise issues with the access from Beverley Close to the playing fields being closed. The closure of the access was not undertaken by the applicant as part of this application, nor does the amendments on this application propose to block the access. Therefore, it is not considered to form a consideration for this application. A condition requiring the access to be re-opened would not be relevant to the development and therefore would not meet the 6 tests.
- 6.26 Whilst it is acknowledged that there are significant concerns regarding the amendments to the proposed scheme it is considered with a condition regarding the gates there would not be any further harm to the green infrastructure established under 23/02187/FULMAJ.

## ***Ecology***

- 6.27 Policy CS14 seeks that development recognises good design including providing, conserving and enhancing biodiversity opportunities and opportunities for landscaping. Policy CS17 seeks the conservation and enhancement of biodiversity and seeks all new development to maximise opportunities to achieve biodiversity gains.
- 6.28 The Landscape and Ecological Management Plan (LEMP) and the Biodiversity Net Gain metric were updated. The proposal would still deliver a biodiversity net gain in accordance with Policy CS17. The Council's Ecologist is satisfied with the amendments to the LEMP. It is recommended that condition 9 (LEMP) is updated with the new LEMP and soft landscaping details.

## ***Other matters***

- 6.29 Exolum pipeline: amendments were sought during the application to ensure that the amendments to the landscaping would not impact upon Exolum's access to the pipeline that runs underground through the application site. The original objections were overcome by the plans received on 11.03.2025.
- 6.30 Flooding and Drainage: It is identified that the substantial positive benefit of a flood alleviation scheme protecting both domestic and commercial properties remain. The proposal would be in accordance with Policy CS16 and ADPP3 in terms of flood risk. The proposed amendments do not make changes to the basin and swale.
- 6.31 Mineral Safeguarding Area: It is not considered that the proposed amendments would alter the assessment made to mineral safeguarding under Policies 7 and 9 of the Minerals and Waste Local Plan. Conditions will be updated with the details agreed regarding incidental mineral extraction.
- 6.32 Construction impacts: The proposed amendments do not seek to alter any construction management practices put in place to protect amenity, the environment and highway safety impacts. It is considered that these remain acceptable, and conditions will be applied that construction shall continue in accordance with approved details.
- 6.33 Highways impacts: impacts to the public highway on the completion of the development are not considered to be altered by the proposed amendments.
- 6.34 Plans: It is noted that representations have raised concerns with an amendment to the red line. Whilst it is noted that the red line on the General Arrangement plan does not match that of the approved red line on 23/02187/FULMAJ, it is not the intention of the applicant to amend the red line. The site location plan (2004241-016-P2) with the red line agreed under 23/02187/FULMAJ will remain as the approved red line. It is noted that there are concerns that the development is not being built in accordance with approved plans, it is recommended that this is raised with Planning Enforcement who can investigate the matter.

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

- 7.1 The principle of the development established under 23/02187/FULMAJ and the substantial benefits for protecting residents from surface water flood risk remain the same and supported under Policies ADPP1, ADPP3, CS5 and CS16.
- 7.2 The proposed amendments to the scheme are considered to deliver environmental and social benefits by providing additional trees to compensate those approved to be

felled under 23/02187/FULMAJ, there would be a greater uninterrupted playing field space, and an improved appearance with the material used. It is considered that the amendments to the footpath and landscaping would be an improvement on the original scheme and have a moderate positive weight in the planning balance.

- 7.3 It is acknowledged that there is local objection to the amendments. This includes retaining access to the playing fields. However, it is considered that by using a condition that requires the gates to stay unlocked that this would still ensure the north-south connectivity through the site could be retained. Therefore, this is given neutral weight in the planning balance.
- 7.4 The re-positioning of the footpath would create some additional amenity impacts to neighbouring amenity in the south-west corner of the playing field but it is considered that these would be minor and outweighed by the benefits.
- 7.5 It is therefore considered that the proposed variations to conditions on permission 23/02187/FULMAJ are acceptable. It is recommended that variations are made to the approved plans, soft landscaping, Landscape and Ecological Management Plan and footpath conditions to reflect the information accompanying this application. Other conditions are updated to include the details agreed by way of condition. Where conditions have been discharged these have not been re-applied to this permission. An additional condition is recommended related to footpath maintenance, fence installation and the gates.

## **8. Full Recommendation**

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

### ***Conditions***

1. **Approved plans**

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

- (i) Drawing 2004241-016 P2 (Site Location Plan) received on 22.12.2023;
- (ii) Drawing 2004241-001 F (General Arrangement) received on 11.03.2025;
- (iii) Drawing 2004241-002 P2 (Red line Boundary) received on 22.12.2023;
- (iv) Drawing 2004241-005-T01 (Proposed Earthworks Cut and Fill Volumes) received on 17.05.2024 (received under 24/01033/NONMAT);
- (v) Drawing 2004241-006 A (Tree Removal Plan) received on 18.09.2023;
- (vi) Drawing 2004241-007 (Site Cross Sections Sheet 1 of 2) received on 18.09.2023;
- (vii) Drawing 2004241-008 (Site Cross Sections Sheet 2 of 2) received on 18.09.2023;
- (viii) Drawing 2004241-009 (Bund and Swale: Construction Details Sheet 1 of 4) received on 18.09.2023;
- (ix) Drawing 2004241-010 (Bund and Swale: Construction Details Sheet 2 of 4) received on 18.09.2023;
- (x) Drawing 2004241-011 (Bund and Swale: Construction Details Sheet 3 of 4) received on 18.09.2023;
- (xi) Drawing 2004241-012 (Bund and Swale: Construction Details Sheet 4 of 4) received on 18.09.2023;
- (xii) Drawing 2004241-013 (Flow Control Structure Detail) received on 18.09.2023;

- (xiii) Drawing 2004421-014 A (Exolum Pipeline Protection Plan) received on 29.11.2023;
- (xiv) Drawing 2004241-015 P1 (Pedestrian Footbridge Detail) received on 22.09.2023;
- (xv) Drawing 2004241-024 (Relocation of Practice Nets and Artificial Wicket) received on 22.12.2023;
- (xvi) Drawing NSTTCC001 (Triple Lane Practice Facility) received on 22.12.2023;
- (xvii) Slatter Cricket and Play: Thatcham Town Cricket Club Quotation received on 22.12.2023.

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

## 2. **Construction Site Set-Up**

The construction of the hereby approved development shall be carried out in accordance with the drawings listed below unless otherwise agreed in writing:

- i. Drawing 2004241-020 (Enabling Works: General Arrangement) received on 18.09.2023;
- ii. Drawing 2004241-021 (Enabling Works: Visualisation and Details) received on 18.09.2023;
- iii. Drawing 2004241-022 (Enabling Works: Vehicle Tracking) received on 18.09.2023.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

## 3. **Construction Environmental Management Plan**

The Construction Environmental Management Plan (2004241-07A, March 2024) received on 20.03.2024 (approved under 24/00508/COND) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: Without appropriate mitigation the application would have an adverse effect on the integrity of the River Kennet, Thatcham Reedbeds and Bowdon & Chamberhouse Woods SSSI. This condition is applied in accordance with the NPPF and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

## 4. **Construction Method Statement**

Construction works shall incorporate and be undertaken in accordance with the approved Construction Method Statement details agreed as part of 24/00609/COND. This includes: Construction Method Statement received on 02.05.2024; Email from Ardent Consulting Engineers: Response to Highways Officer received on 30.04.2024 and Email from Ardent Consulting Engineers: Confirmation of hours of construction received on 23.05.2024.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

## 5. **Temporary disabled parking provision**

The approved temporary disabled parking arrangements shown on Covering Letter with Drawing 2004241-030 for Temporary Disabled Spaces by Ardent Consulting

Engineers received on 27.03.2024 (approved under 24/00609/COND) shall remain for the duration of the construction and removed within a month of the construction access being re-instated to its original use.

Reason: To ensure that the healthcare facilities to the south of the site remain accessible during the construction of the development. This policy is applied in accordance with the NPPF and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.

**6. Incidental mineral extraction (1)**

The development shall be carried out in accordance with the layout scheme for maximising the potential for incidental extraction as shown on Covering Letter with Drawing 2004241-031 for Proposed Mineral Extraction and Re-Use received on 27.03.2024 approved under 24/00609/COND.

Reason: To ensure the minimum amount of mineral sterilisation occurs and in accordance with Policy 9 of the Minerals and Waste Local Plan 2022-2037.

**7. Incidental mineral extraction (2)**

The development shall be carried out in accordance with Covering Letter with Drawing 2004241-031 for Incidental Mineral Extraction (2) received on 27.03.2024 approved under 24/00609/COND securing the method for ensuring minerals can be viably recovered and method for recording recovered mineral for re-use on site and/or off site. Any reporting on the quantity of recovered minerals should be made to the Local Planning Authority.

Reason: To ensure the minimum amount of mineral sterilisation occurs and in accordance with Policy 9 of the Minerals and Waste Local Plan 2022-2037.

**8. Landscape and Ecological Management Plan**

The long-term implementation of the landscape and ecology enhancements scheme shall be carried out in accordance with the Landscape Ecology Management Plan (DFA24026V4, November 2024) received on 06.12.2024. Notwithstanding Appendix 1 within the document the development shall be carried out with the final agreed Illustrative Landscape Masterplan (315862-ADW01g-ILMP) received on 11.03.2025 and Update Proposed Tree Planting Table received on 28.03.2025.

Reason: To ensure compensation for the trees lost at the site as these have both a visual and ecological benefit. The landscaping would also provide ecological enhancement as described in the Ecological Assessment by Derek Finnie Associates (August 2023) and the accompanying Biodiversity Net Gain Metric. This condition is applied in accordance with the NPPF and Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2026-2026.

**9. Soft landscaping scheme**

All soft landscaping details shall be completed within the first planting season following completion or first use of the development (whichever occurs first) and in accordance with:

- (i) Illustrative Landscape Masterplan (315862-ADW01g-ILMP) received on 11.03.2025 and Update Proposed Tree Planting Table received on 28.03.2025;
- (ii) 315862: Technical Note 1- Landscape Details (Mabbett) received on 14.10.2024 (approved under 24/01982/COND);
- (iii) Email from Ardent Consulting Engineers: Condition 10: Updates in soft landscape implementation programme to reflect Tree Officer comments received on 29.11.2024. For the avoidance of doubt, the email from 29.11.2024 shall be taken as the details regarding the watering of trees,

shrubs and hedgerows and the section of the standard tree planting rather than that within Technical Note 1 (approved under 24/01982/COND).

Any trees, shrubs or plants that die or become seriously damaged within five years of this development shall be replaced in the following year by plants of the same size and species.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development and to enhance its setting within the immediate locality. This is to ensure the implementation of a satisfactory scheme of landscaping in accordance with the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

**10. Tree protective fencing**

The tree protective fencing erected in accordance with the submitted plans, reference drawing numbers SJA TPP 22318-041a dated Sept 2023 shall be retained intact for the duration of the development. Within the fenced area(s), there shall be no excavations, storage or mixing of materials, storage of machinery, parking of vehicles or fires.

Reason: Required to safeguard and to enhance the setting within the immediate locality to ensure the protection and retention of existing trees and natural features during the construction phase in accordance with the NPPF and Policies ADPP1, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

**11. Retention of one tennis court and alternative arrangements during construction**

Wording to be confirmed within the Update Report.

**12. Re-instatement of enclosed dog exercise area**

Within three months of the completion of the hereby approved development a replacement enclosed dog walking area of a similar quality and size to the existing shall be provided in accordance with details that are first submitted to and agreed in writing by the Local Planning Authority. Details shall include the location, size and boundary treatments for the enclosure.

Reason: To ensure that the existing dog walking provision is replaced within one of a similar quality. The dog walking facility forms part of the green infrastructure provision and public amenity at Thatcham Memorial Playing Fields which is required to be protected and enhanced. This condition is applied in accordance with the NPPF and Policies CS14 and CS18 of the West Berkshire Core Strategy 2006-2026.

**13. Re-instatement of children's play area**

Within three months of the removal of the temporary construction road and access hereby approved the children's play equipment indicated to be removed on Drawing 2004241-020 shall be replaced in accordance with details that are first agreed with by the Local Planning Authority. Details shall include the location, type of equipment and any boundary treatments required.

Reason: To ensure the children's play area is returned to the site which forms part of the green infrastructure provision at Thatcham Memorial Playing Fields which is required to be protected and enhanced. This condition is applied in accordance with the NPPF and Policy CS18 of the West Berkshire Core Strategy 2006-2026.

**14. Re-instatement of tennis courts**

Within three months of the removal of the temporary construction road and access (as shown on Drawing 2004241-020) hereby permitted the existing tennis court to be lost during construction shall be reinstated to a quality at least equivalent (or better) than the current quality. Details of the reinstated tennis court shall be approved in writing by the Local Planning Authority before reinstatement works commence.

Reason: To ensure the development would not result in the loss or harm to sport facilities. This condition is applied in accordance with the NPPF and Policies CS14 and CS18 of the West Berkshire Core Strategy 2006-2026.

**15. Re-instatement of recreational ground**

Within three months of the removal of the temporary construction compound, road and access (as shown on Drawing 2004241-020) hereby permitted the recreational ground shall be reinstated to a quality at least equivalent (or better) than the current quality.

Reason: To ensure the development would not result in the loss or harm to sport facilities and green infrastructure. This condition is applied in accordance with the NPPF and Policies CS14 and CS18 of the West Berkshire Core Strategy (2006-2026).

**16. Footpath**

Within 3 months of this decision, the footpath shall be laid out in accordance with Drawing 2004241-036-P7 (Proposed Footpath Routes) received on 10.02.2025. Where the footpath has already been laid in root protections areas this should be replaced in accordance with the details shown on Drawing 2004241-036-P7. Tree Protection during the construction of the footpath should be carried out in accordance with the Arboricultural Method Statement (SJA ams 24358-01c) received on 06.12.2024.

Reason: To ensure that enjoyment of the playing fields and the connectivity it provides for residents to services in Thatcham is not harmfully impacted by the development. The condition also ensures that there is no harm to existing vegetation within the site. This condition is applied in accordance with Policy CS13, CS14, and CS19 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

**17. Footpath maintenance**

The approved footpaths shall be maintained thereafter in accordance with Footpath Maintenance Plan (2004241-R09) received 10.02.2025.

Reason: To ensure the footpaths remain accessible for the enjoyment of playing fields and the connectivity it provides for residents to services in Thatcham is not harmfully impacted by the development. This condition is applied in accordance with Policy CS13, CS14 and CS18 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

**18. Fence details**

The new fence hereby approved at Brown's Sports Field shall not be installed until details of the fence have first been submitted to and approved in writing by the Local Planning Authority. The details of the fence shall include height, style, and materials. The new fence shall be installed in accordance with these approved details.



Reason: To ensure that the proposed fence does not have a harmful impact on the character 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 the Quality Design SPD.

19. **Fence construction**

The 1.2 metre fence and gates to the south of the detention basin and within the Thatcham Memorial Playing Fields shall be constructed in accordance with Drawing 2004241-038 P7 received on 10.02.2025 and Arboricultural Method Statement (SJA ams 24358-01c) received on 06.12.2024.

Reason: To ensure that the type of fence installed would respect the character of the area and would not result in harm to existing vegetation within the site. This condition is applied in accordance with the NPPF, Policy CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

20. **Gates**

The gates located on the footpaths as shown on Drawing 2004241-038 P7 within Thatcham Memorial Playing Fields shall remain unlocked at all times, unless required to be locked for Health and Safety purposes or private events.

Reason: To ensure the footpaths remain accessible for the enjoyment of playing fields and the connectivity it provides for residents to services in Thatcham is not harmfully impacted by the development. This condition is applied in accordance with the NPPF, Policy CS13, CS14 and CS18 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

***Informatives***

1. **Proactive statement**
2. **Section 73 A**
3. **Biodiversity Net Gain not required: Section 73 exemption applicable**
4. **Compliance with approved drawings**
5. **Health and safety**
6. **Control of Pollution Act 1974**
7. **Construction noise**