

| Item No. | Application No. and Parish | Statutory Target Date | Proposal, Location, Applicant |
|----------|--|-------------------------|---|
| (2) | 25/00083/FULMAJ Lambourn Parish Council | 08/05/2025 ¹ | <p>Construction of additional training facilities to include 40 boxes, horse walker, storage barn, water treadmill barn, collecting ring, tack room/day facilities, racing office and a two bed staff cottage with ancillary works.</p> <p>Frenchmans View Upper Lambourn Hungerford RG17 8QW</p> <p>Ed Walker Racing</p> |

¹ Extension of time agreed with applicant until 23/01/2026

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=SQDRCFRD0MN00>

Recommendation Summary: To DELEGATE to the Development Manager to GRANT PLANNING PERMISSION subject to conditions.

Ward Member(s): Councillor Howard Woollaston

Reason for Committee Determination: Called into planning committee should the officer recommend APPROVAL. Reason for call in No Suds, Water run-off and noise.

Committee Site Visit: 15th January 2026

Contact Officer Details

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| Name: | Mr. Matthew Shepherd |
| Job Title: | Principal Planning Officer |
| Tel No: | 01635 519111 |
| Email: | Matthew.Shepherd@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 planning permission for the construction of additional training facilities to include 40 boxes (Two American Barns with 20 boxes each), horse walker, storage barn, water treadmill barn, collecting ring, tack room/day facilities, racing office and a two-bed staff cottage along with ancillary works.
- 1.3 The applications site is known as Frenchmans View Training yard and is located in Upper Lambourn in the Valley of the Racehorse. Upper Lambourn does not benefit from a settlement boundary and as such is considered open countryside. However, the existing site is mostly surrounded by the built form of Upper Lambourn. Frenchmans View is currently a small racehorse training yard consisting of a lad's accommodation house, stores, Horse walker and American style barn of 14 boxes granted in 2006. To the North and North- West of the site is fenced paddocks enclosed by a strong hedge boundary. Further West is open countryside which is in close proximity to existing open gallops. Access to the site is gained from the B4000 along a small access track. Surrounding the site is a mixture of Horse stables and domestic dwellings to the south.
- 1.4 The site is in open countryside in the North Wessex Downs National Landscape. The access track has some surface water drainage constraints, but this element of the proposal is unchanged. To the South and East of the site is the neighbouring Upper Lambourn Conservation Area. There are several Listed buildings in close proximity to the application site that share boundaries as noted in more detail in this report.
- 1.5 The proposed development consists of two further American style barns to the West of the existing stables; these will all be connected to the collecting ring and surrounding paddocks. The proposed development will include a racing office and dwelling connected to each other. To the southwest of the site would be yard features such as a horse walker and day facilities. The Water treadmill will be located to the east of the existing stables. All the proposed development will be within the existing hedge line area of the existing Frenchmans View yard to the West and does not extend further into open countryside. The existing hostel shown on the application plans on site will remain unchanged.

2. Planning History

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

| Application | Proposal | Decision / Date |
|--------------|--|-------------------------|
| 00/00738/FUL | American barn - 14 loose boxes | Approved 14.08.2002 |
| 06/01712/FUL | American barn - 14 loose boxes (renewal of application 00/00738) | Approved 19.10.2006. |
| 23/00444/FUL | Change of Use from Grooms Hostel to Trainers House | Withdrawn 28.06.2023 |

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|-----------------|--|-------------------------|
| 23/00448/FULMAJ | Construction of additional training facilities to include 40 boxes, horse walker, storage barn, water treadmill barn, collecting ring, tack room / day facilities building, quarantine stables, racing office and a two bed staff flat with ancillary works. | Withdrawn 28.06.2023 |
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3. Legal and Procedural Matters

3.1 **Environmental Impact Assessments (EIA):** **Environmental Impact Assessments (EIA):** The proposed development falls within the column 1 description at paragraph 10(b) (urban development projects) of Schedule 2. Although it does not meet/exceed the relevant threshold in column 2, it is located in a sensitive area, namely the North Wessex Downs National Landscape (Formerly known as an Area of Outstanding Natural Beauty). 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 11.03.2025 at the entrance to the site just outside Upper Lambourn, with a deadline for representations of 01.04.2025. A public notice was displayed in the Newbury Weekly News on 20.02.2025; with a deadline for representations of 06.03.2025. Notification letters were sent to neighbouring dwellings with a deadline to respond of the 07.03.2025.

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. The table below identified the relevant local financial considerations for this proposal.

| Consideration | Applicable to proposal | Material to decision | Refer to paragraph(s) |
|-------------------------------------|------------------------|----------------------|-----------------------|
| Community Infrastructure Levy (CIL) | Yes | No | 3.5 |
| Affordable Housing | No | No | n/a |
| Public Open Space or Play Areas | No | No | n/a |
| Developer Contributions (S106) | No | No | n/a |
| Job Creation | Yes | Yes | See principle section |

3.5 **Community Infrastructure Levy (CIL):** Community Infrastructure Levy (CIL) is a levy charged on most new development within an authority area. The money is used to pay for new infrastructure, supporting the development of an area by funding the provision, replacement, operation or maintenance of infrastructure. CIL will be used to fund roads and other transport facilities, schools and other educational facilities, flood defences, medical facilities, open spaces, and sports and recreational areas. Subject to the application of any applicable exemptions, CIL will be charged on residential (Use Classes C3 and C4) and retail (former Use Classes A1 – A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of gross internal area (including extensions) or when a new dwelling is created (even if it is less than 100 square metres). CIL liability, and the application of any exemptions, will be formally confirmed by the CIL Charging Authority under separate cover following any grant of planning permission. More information is available at <https://www.westberks.gov.uk/community-infrastructure-levy>

3.6 **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.

3.7 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.

3.8 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.

3.9 There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

3.10 **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.

- 3.11 Officers have assessed the impact of the proposed development and do not find unacceptably harmful impacts to neighbouring amenity. It is acknowledged that there are certain properties where there may be some impact (this can be mitigated by conditions) 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 employment and support for the racehorse industry.
- 3.12 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.
- 3.13 **Listed building setting:** Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 16(2) has the same requirement for proposals for listed building consent. There are several Listed buildings in close proximity to the application site that share boundaries. The buildings themselves are located further away from the site. Nevertheless, the impacts on Craven Cottage, Kingscote Cottage, and Tumbleweed Cottage have been considered alongside the Conservation area. This has been considered in detail in this report but is not considered to be harmfully impacted by the proposed development.
- 3.14 **Conservation areas:** Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The site sits adjacent to the Upper Lambourn Conservation Area. This has been considered in detail in this report but is not considered to be harmfully impacted by the proposed development.
- 3.15 **National Landscapes (AONB):** Section 85 of the Countryside and Rights of Way (CRoW) Act 2000 (as amended) provides a general duty for public bodies: "Any relevant authority exercising or performing any functions in relation to, or so as to effect, land in an area of outstanding natural beauty in England must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty)." AONBs have been rebranded to be known as National Landscapes, although their legal AONB status continues.

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.

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| Lambourn Parish Council: | <p>Lambourn Parish Council resolved to defer as Ward District Cllr Woolaston has already called in the application, which will give the applicant time to address the Parish Council's concerns at the lack of a SUDs plan, as this is an issue in upper Lambourn.</p> <p>The Parish council will object to the removal of the hostel accommodation when surveys have clearly indicated that housing for stable staff is required in Lambourn. With the additional 40 boxes, there was no clear plan for the staff accommodation needs.</p> <p>*The officer notes the existing hostel shown on the application plans on site will remain unchanged.</p> |
| WBC Highways: | No objections subject to conditions. |
| WBC Ecology Officers: | No objections subject to conditions. |
| Natural England: | No objection subject to appropriate mitigation being secured. |
| Thames Valley Police: | <p>No objection subject to condition.</p> <p>Officers could find no information on existing or proposed security measures submitted with the application. Given that the proposed facility is for the stabling and training of racehorses and the type and amount of equipment likely to be required for the facility, the security of the site needs to be carefully considered.</p> <p>A condition is recommended for an Access and Security Strategy.</p> |
| WBC Tree Officer: | No objection subject to conditions. |
| WBC Archaeology Officer: | No objections subject to conditions. |
| WBC Lead Local Flood Authority (LLFA): | No objections subject to conditions. |
| Active Travel England: | No comment. |
| WBC Conservation Officer: | No objections |
| WBC Public Rights of Way Officer: | No objections subject to informatics. |

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| The Jockey Club Estates: | <p>Jockey Club Estates (JCE) wishes to support the application for the construction of additional training facilities at Frenchman's View, Upper Lambourn.</p> <p>The emerging Local Policy DM37 states that, 'Proposals for the development of equestrian facilities that help to strengthen the rural economy will be supported'. The supporting text 12.46 states; 'the policy aims to allow for the sensitive development and growth of the horseracing industry' and recognises the influence of the horseracing industry on the local economy in Lambourn.</p> <p>The additional facilities at Frenchman's will provide much-needed modern stabling and compliment the adjoining facilities at Kingsdown Stables. The expansion of the whole site to 120 stables will retain one of the village's leading trainers and employers, as well as the increased employment opportunities and economic activity that the additional horse numbers will generate.</p> <p>JCE would request that an occupancy restriction is placed on the 2-bed staff cottage, limiting its use to person's employed solely or mainly at the site.</p> |
| North Wessex Downs AONB Board: | No response within the 21-day consultation period. |
| West Berkshire Ramblers Association: | No response within the 21-day consultation period. |
| WBC Waste Management Team: | No response within the 21-day consultation period. |
| Berkshire Newt Officer: | No response within the 21-day consultation period. |
| WBC Economic Development Officer: | No response within the 21-day consultation period. |
| WBC Transport Officer: | No response within the 21-day consultation period. |
| WBC Environments Team: | No responses within the 21-day consultation period. |
| WBC Environmental Health: | No response within the 21-day consultation period. |
| SPOKES: | No response within the 21-day consultation period. |

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| Thames Water Utilities: | No response within the 21-day consultation period. |
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Public representations

4.2 Representations have been received from 3 contributors, 3 of which support, and 0 of which object to the proposal.

4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

- Supports the application due to the preservation of the racehorse industry
- Support for a local Trainer who wishes to expand their business
- Better facilities are always needed as training is ever evolving
- The design is considered acceptable and orientated to be most effective.

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.

5.2 Strategic Policies

- Policy SP1 The Spatial Strategy
- Policy SP2 North Wessex Downs AONB
- Policy SP3 Settlement Hierarchy
- Policy SP5 Responding to Climate Change
- Policy SP6 Flood Risk
- Policy SP7 Design Quality
- Policy SP8 Landscape Character
- Policy SP9 Historic Environment
- Policy SP10 Green Infrastructure
- Policy SP11 Biodiversity & Geodiversity
- Policy SP12 Approach to Housing Delivery
- Policy SP19 Transport
- Policy SP20 Infrastructure Requirements & Delivery

Development Management Policies

- Policy DM1 Residential Development in the Countryside
- Policy DM3 Health & Wellbeing
- Policy DM4 Building Sustainable Homes & Businesses
- Policy DM5 Environmental Nuisance & Pollution Control
- Policy DM6 Water Quality
- Policy DM7 Water Resources & Waste Water
- Policy DM9 Conservation Areas
- Policy DM10 Listed Buildings
- Policy DM14 Assets of Archaeological Importance
- Policy DM15 Trees, Woodland & Hedgerows
- Policy DM23 Housing Related to Rural Workers

- Policy DM30 Residential Amenity
- Policy DM35 Sustaining a Prosperous Rural Economy
- Policy DM37 Equestrian and Horseracing Industry
- Policy DM41 Digital Infrastructure
- Policy DM42 Transport Infrastructure
- Policy DM44 Parking
- Policy DM45 Travel Planning

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

- The National Planning Policy Framework (NPPF).
- West Berkshire Supplementary Planning Document: Quality Design Part 2 (SPG)
- WBC Cycle and Motorcycle Advice and Standards for New Development
- The North Wessex Downs AONB Management Plan (2019 - 2024)
- National Planning Practice Guidance
- The Ministerial Statement Planning for Growth (23 March 2011)
- Manual for Streets
- The Wildlife and Countryside Act 1981 (as amended).
- The Conservation of Habitats and Species Regulations 2010.
- West Berkshire Landscape Character Assessment
- North Wessex Downs AONB Integrated Landscape Character Assessment (2002)
- Lambourn Parish Plan

6. Appraisal

Principle of development

Racehorse Yard Development

6.1 Policy DM37 deals with the Equestrian and Horseracing Industry, supporting proposals for all equestrian development that helps to strengthen the rural economy and increase opportunities for people to enjoy the countryside in a sustainable way.

6.2 In the North Wessex Downs National Landscape, the Horseracing Industry is required to conserve the environmental quality and countryside character protecting the National Landscape but alongside sensitive growth which will be allowed for. Within this context suitable existing establishments or facilities are expected to be retained. Re-development or conversion of those establishments away from uses essential to the horseracing industry will be subject to the tests of both suitability and necessity as outlined in the supporting text to the policy.

6.3 Proposals for the development of equestrian facilities, whether domestic or commercial, will be permitted where they satisfy the criteria set out in the policy DM37.

6.4 The proposed development is considered appropriate in terms of siting, scale, massing, character and appearance and level of activity due to it being closely associated with the existing site but located in the majority away from domestic dwellings near to the site. The proposed buildings are located near to existing facilities such as Gallops for training and the B4000 for transport links. The yard also has close links to Upper Lambourn and the village life it offers.

6.5 The proposed development seeks to expand the existing facilities at Frenchman's View Yard. There are therefore no existing buildings that can be reused, and it's not believed any buildings have been disposed of in the previous three years that could have met the new proposed needs of this application.

6.6 Whilst covered in more detail in the subsequent sections of this report the proposed development responds positively to the character of the landscape. It does this by maintaining the proposed built form within the existing racehorse site boundary which is enclosed by the substantial hedging running alongside the access track. This means there is minimal need to provide further landscaping.

6.7 Neighbouring amenity is not anticipated to be adversely affected by the proposed development. The scheme incorporates appropriate safeguards for the storage and management of manure and makes effective use of existing facilities and arrangements. The expansion has been designed to ensure that additional features, such as the water treadmill and the increase in horse numbers, do not result in unacceptable impacts on residential amenity.

6.8 The Councils Highways officer and Public Rights of Way Officer raise no objections to the application, accepting the increased site activity.

6.9 DM37 notes that particular regard must be given to the North Wessex Downs National Landscape Horseracing Industry in the Valley of the racehorse. Whilst conserving environmental quality and countryside character, the horseracing industry in the National Landscape will be protected, and its sensitive growth will be allowed for. Development must meet the criteria set out in policy DM37.

6.10 The proposed development revolves around the retention and improvement of the existing racing yard and does not propose the loss of facilities or fragmentation. The case officer has considered the long-term vitality and/or viability of the horseracing industry as a whole in association with this proposed development. It is notable that the Jockey Club Estates have supported the proposed development. Officers have considered the argument put forwards by the applicant that Frenchmen's View would become a satellite stable for the existing racing yard at the nearby Kingsdown Stables. Whilst noting they would both be run by Ed Walker of Kingsdown Stables they would be satellite sites allowing Kingsdown Stables to train more horses and expand but also retain separation and all the facilities to be a standalone yard should Frenchman's View ever need to be sold to another party. This supports expansion without the loss of Frenchman's View being used as a smaller yard in the future. The need for accommodation is assessed further in this report.

6.11 The proposed development focuses on retaining and enhancing the existing racing yard, without resulting in the loss of facilities or fragmentation. In assessing the application, the case officer has considered the long-term vitality and viability of the horseracing industry as a whole. Notably, the Jockey Club Estates has expressed support for the scheme, expressing that the

"Additional facilities at Frenchman's will provide much-needed modern stabling and compliment the adjoining facilities at Kingsdown Stables. The expansion of the whole site to 120 stables will retain one of the village's leading trainers and employers, as well as the increased employment opportunities and economic activity that the additional horse numbers will generate."

6.12 There are clear economic benefits to the proposed development to the horseracing industry. The applicant has explained that Frenchman's View would operate as a satellite yard to Kingsdown Stables, enabling the trainer to expand horse numbers while maintaining operational separation. This arrangement ensures that Frenchman's View remains a fully functional yard, capable of operating independently should

ownership change in the future. This approach supports sustainable growth of an existing trainer's business without compromising the continued use of Frenchman's View as a smaller yard. The need for associated staff accommodation is addressed in detail later in this report

6.13 Overall, the proposed development in regard to the expansion of the Horse racing facilities at Frenchman's View are considered to accord with the development plan in principle and accord with the criteria set out in DM37.

Rural Workers Dwelling

6.14 Policy DM23 relates to Rural Workers dwellings in the countryside. It seeks to support the provision of housing for rural workers related to, and located at or near, a rural business subject to the proposed development meeting a set criteria.

6.15 The policy requires a proven need for the housing with evidence showing the relationship between the housing and business. It is well established that on-site accommodation for the racing industry is needed for welfare reasons of the horses and to assist the industry in attracting staff. The dwelling proposed as part of this application is well located in terms of the site itself but also access to the Village of Upper Lambourn. Whilst there is lads' accommodation adjacent to the site there is a clear need to continue to grow the provision of housing for equestrian workers within Upper Lambourn.

6.16 The financial viability of the business is demonstrated through the submissions within the design and access statement. Kingsdown Stables is a successful racing yard led by Ed Walker and is seeking to expand. The JCE confirms its support for Kingsdown stables and reinforces the viability of the training yard and owner. Frenchman's View is a small yard, which does not have sufficient numbers of boxes to make appealing as a starter yard. The provision of more boxes and the support of Kingsdown Stables demonstrate the justification for the proposed accommodation.

6.17 As discussed in more detail later in this report the development has no adverse impact on the rural character and heritage assets of the area and its setting within the wider landscape. No dwelling serving or associated with the rural business has been either sold or converted from a residential use or otherwise separated from the holding within the last 10 years as far as officers are aware.

6.18 Subject to a condition limiting the accommodation's use to the race industry the proposed development is considered to meet DM23 of the development plan.

Character and appearance

6.19 Policy SP7 will require new development to strengthen a sense of place through high quality locally distinctive design and place shaping. This will enable healthy place making, creating places that are better for people, taking opportunities available for conserving and enhancing the character, appearance and quality of an area and the way it functions. Development proposals will be expected to show how they have responded positively to both national and local design guidance.

6.20 Policy SP8 relates to the Landscape Character of areas and is closely linked to SP7. Landscape led development which conserves and enhances the diversity and local distinctiveness of the landscape character of the district will be supported.

6.21 The natural, cultural, and perceptual components of the character of the landscape will be considered as a whole. Particular regard will be given to:

- a. Its valued features and qualities;
- b. The sensitivity and capacity of the area to change; and
- c. Ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.

6.22 Development should be demonstrably informed by and respond positively to the evaluation of the distinctive landscape character areas set out in the West Berkshire Landscape Character Assessment (2019) and other relevant landscape character assessments.

6.23 The northern part of the Lambourn Valley is steeply undulating with dramatically rolling hills, comprised mainly of large-scale arable agriculture. The landscape is open, exposed and remote. Settlement is sparse, with the hamlet of Fawley on higher ground and the two villages of Lambourn and Upper Lambourn in their well-contained valley setting. Horse racing is a prominent industry here; and the area has numerous associated stud farms, stables and gallops.

6.24 The area is defined in the north and west by the district boundary with the open downland landscape continuing beyond. The south and eastern borders are defined loosely by topography and landcover and mark the change to a lower and more wooded landscape. The whole area forms part of the North Wessex Downs National Landscape. The Character assessment goes on to outline a key feature of the landscape if the prominence of the horse racing industry. The character assessment does outline that a detractor in this landscape is the trend within the horse racing industry to move yards away from traditional sites within settlements to new greenfield sites closer to the gallops. The development of new facilities of this type could threaten the historic character of the area.

6.25 The case officer has reviewed the submitted Landscape and Visual Impact Assessment (LVIA) and has performed a site visit to the area to assess the landscape impacts. The submitted LVIA identifies that the proposed development could be sensitively absorbed into the landscape subject to groundworks to keep the barns heights lower, keeping the dwelling at 1.5 storeys and retaining the existing landscaping around the site. Reviewing the site sections, it can be seen that the proposed barns do require the ground levels to be reduced but this is not significant and means the barns do not rise sharply to the west. The dwelling has been kept to 1.5 storeys resulting in a smaller degree of height and bulk being seen from the National Landscape compared to previous unacceptable proposals. The surrounding landscaping is retained, and plans have been submitted showing tree protection methods which are acceptable to the Tree Officer.

6.26 From within Upper Lambourn, views of the proposed development would be minimal given the built form of dwellings and existing stabling obscure the majority of views. From outside of Upper Lambourn on the valley sides and gallops the proposed development would be seen in the context of other racehorse industry buildings and the backdrop of Upper Lambourn. The protection and retention of boundary landscaping enclose a significant amount of the built form and requires little additional planting to be effective screening. These factors all indicate the acceptability of the proposed development in the National Landscape.

6.27 The design of the stables, training equipment, storage buildings and dwelling are all high quality and in-keeping with the overall character of Upper Lambourn. Overall, the proposed development seeks to conserve the historic landscape of the valley of the racehorse and enhances the provision of high-quality training facilities. The proposed development is considered to accord with SP7 and SP8 of the development plan and the requirement to conserve and enhance the National Landscape.

Historic Environment

- 6.28 The proposed works to Frenchmans View are considered through their impact on the setting of the conservation area and nearby listed buildings. The site is located just beyond the boundary of the conservation area and there are two listed buildings directly south of the site.
- 6.29 The application is accompanied by a LVIA. This report establishes that the layout of the proposed development has been informed by the topography and that the tallest elements have been cited in the lowest places to avoid visual impacts. The scheme also includes tree planting to avoid further visual impact.
- 6.30 The LVIA notes that much of the intervisibility between the listed buildings and the site is blocked by the existing built and landscape form.
- 6.31 The setting of the conservation area includes extensive horse training facilities in all directions. The proposed development will add further buildings and facilities of a similar nature to what is found elsewhere around the conservation area. The proposed development will not cause any harm to the setting or significance of the conservation area or listed buildings. There are no conservation concerns with this application and so acceptance is recommended by the Conservation Officer.

Secured By Design

- 6.32 Thames Valley Police(TVP) Design officers could find no information on existing or proposed security measures submitted with the application. Given that the proposed facility is for the stabling and training of racehorses and the type and amount of equipment likely to be required for the facility, the security of the site needs to be carefully considered.
- 6.33 TVP recommend that the submission of an Access and Security Strategy is conditioned on any planning permission. The Access and Security Strategy should include how access into the facility will be controlled and consider the need for a CCTV system. Whilst not a solution to all security problems, CCTV can help deter criminals and assists with the identification of offenders after a crime has been committed. If CCTV is considered to be required, the number of cameras, type, location and coverage of any CCTV system should be provided and informed by an Operational Requirements Study. This can be secured by way of planning condition.

Amenity

Impact on neighbouring amenity

- 6.34 According to Policy DM30, all development will be required to provide and/or maintain a high standard of amenity for existing and future users of land and buildings.
- 6.35 When considering the impact on the living conditions of existing and proposed residential dwellings, development proposals will be supported where there is no unacceptable harm in terms of the following criteria:
 - Any significant loss of daylight and/or sunlight to land and buildings;
 - Any significant overlooking of land and buildings that results in a harmful loss of privacy;
 - Development resulting in an undue sense of enclosure, overbearing impact, or a harmful loss of outlook; and
 - Noise, dust, fumes and odours.

- 6.36 The application has been called to committee through concern in regard to noise and amenity by the Local Ward Member. Environmental Health officers have not responded to the consultation sent to them. The planning officer has assessed the impact the proposed development may have on the amenity of those living in the area and considers the impact to be acceptable.
- 6.37 The site is bounded by residential dwellings and other equestrian uses. Throughout Upper Lambourn equestrian developments are commonly located near to residential dwellings. The development has been carefully designed as to move the majority of the proposed development away from neighbouring dwellings. The storage barn to the east would be unlikely to give rise to levels of noise that may harm amenity due to the storage nature of the development. The proposed horse walker is located away from non-racing industry accommodation.
- 6.38 The water treadmill facility is likely to have the biggest impact from the sound of water and horses exercising within it. There are two adjacent dwellings that may be impacted High House and Kings Down Stables. The use of the Water Treadmill could be controlled by planning condition to reasonable operating hours that would not disrupt amenity outside of normal working hours. The noise of the treadmill is unlikely to be greatly different from the existing working yard or a horse walker. Given the existing nature of the equestrian site in upper Lambourn the level of noise generated by the development is expected in the valley of the racehorse and can be controlled as to not impact amenity at unsociable times. There are also landscaping and boundary treatments that sit between the proposed development and the adjacent neighbouring amenity which will help mitigate the impact.
- 6.39 The proposed dwelling, meeting and storage rooms are not considered to give rise to impacts of overshadowing, overlooking or overbearing. The amenity for future occupiers is considered acceptable given the restrictions on the dwelling to the horse racing industry. All these factors mean that the impact on neighbouring amenity and future occupiers' amenity is acceptable.

Highways

- 6.40 According to Policy SP19, development that generates a transport impact will be required to (amongst others) mitigate any adverse impact on local transport networks. Vehicular parking requires that following construction sufficient space is available for on-site vehicular parking in accordance with policy DM44 in a way that does not detract from the character and appearance of the area.

Sustainable Accessibility

- 6.41 The proposed site is accessed via an unnamed access road which joins the B4000 to the south. There are no formal footways along the existing access road or the B4000. There are also no formal cycling facilities within the vicinity of the site.
- 6.42 The nearest bus stops are located on the B4000, approximately 630m to the south-west of the site. These are served by route 47 which provides a service every 2 hours (0800 to 1700) between Swindon and Lambourn.
- 6.43 It is considered that that site has limited access to sustainable travel. However, given the nature of the proposals and rural location of the site it is unlikely that users would travel to the site via sustainable travel modes.

Accident Data

- 6.44 Accident data between 2017 and 2021 has been analysed and this shows that there have been no personal injury accidents on the local road network within this five-year period.
- 6.45 The LHA have reviewed the accident data for the latest five-year period on Crashmap and confirm there have been no PIAs in the vicinity of the site. It is therefore considered that there are no existing highway safety concerns.

Vehicular Access

- 6.46 The existing site access will be retained. This joins the B4000 to the south via a priority junction. The B4000 is subject to a 40mph speed limit.
- 6.47 The access is 5.5m wide and is formed of a gravel track measuring between 3-4m wide which runs along the western side of the site. Appendix B shows swept path analysis for a horsebox and delivery vehicle. This demonstrates that these vehicles can enter and exit the access via the B4000 sufficiently. The existing access is therefore suitable to accommodate these vehicles.
- 6.48 Based on the 40mph speed limit, visibility splays have been calculated based DMRB standards. Drawing 538.0010.001 at Appendix B shows visibility splays of 2.4m x 120m in both directions.
- 6.49 The LHA consider that the visibility splay to the east of the access is achievable. However, the visibility to the west of the access is currently restricted by a significant amount of vegetation. It is considered that as existing, the achievable visibility splay would be 2.4m x 45m. To achieve the required visibility splay to the west of the access, approximately 100m of existing vegetation would need to be removed and maintained to ensure visibility is not restricted.
- 6.50 Furthermore, approximately 100m to the west of the site access the speed limit changes from 40mph to national speed limit. The LHA are therefore concerned that speeds within the 120m visibility splay could be greater than 40mph. It is therefore requested that an ATC survey is undertaken on the B4000 adjacent to the site access to establish existing vehicle speeds.
- 6.51 The LHA requested that the applicant undertook an ATC survey to establish 85th percentile speeds at the site access. An ATC survey was undertaken in March 2025 which showed 85th percentile speeds of 43.3mph in the eastbound direction and 38.3mph in the westbound direction.
- 6.52 The applicant has calculated visibility splays based on DMRB calculations which show a visibility splay of 2.4m x 117.5m would be required to the west of the access and 2.4m x 96.4m would be required to the east of the access.
- 6.53 Drawing 538.0010.001 at Appendix C of the updated TS shows that visibility splays of 2.4m x 120m can be achieved in both directions subject to clearance and maintenance of vegetation.
- 6.54 The LHA considers the visibility splays acceptable, and a condition would be required to ensure the visibility splay is kept clear.
- 6.55 The LHA requested details as to how the proposed gated access would be operated. The updated TS states that the access is controlled by an electric gate with all users to be provided with a fob or code to enter. This is considered acceptable.

Parking

6.56 There are currently two parking spaces on site, and it is proposed to provide an additional 9 parking spaces, resulting in a total of 11 parking spaces. The LHA consider the parking provision proposed acceptable however request that electric vehicle charge points are provided in line with Building regulation document S. The applicants have responded by way of an updated Transport Statement that noted that there is no demand for EV charging at present. Whilst this may be the case at the present time there will be a need for EV charging points into the future, and they must be delivered for the development to be policy compliant. Therefore, a condition is recommended for them to be installed.

Servicing and Refuse

6.57 The TS states that horseboxes and delivery vehicles (4 per week) will be the largest vehicles accessing the site. It is accepted that as these vehicles currently access the site that internal swept path analysis is not required.

6.58 It is understood that refuse servicing would continue as existing with staff moving the bins to a collection point adjacent to Frenchmans House. This is acceptable.

Trip Generation

6.59 Trip generation has been calculated based on a first principles approach. Currently the site generates a maximum of 13 two-way daily trips during the summer and 93 two-way weekly trips.

6.60 The proposed site would generate an additional 10 two-way daily trips and 72 weekly two way trips. The LHA consider that the proposed trip generation is minimal and would not have a detrimental impact on the local highway network.

Highways Conclusion

6.61 Overall, Highways officer does not raise objection to the application subject to planning conditions.

Flood Risk and Sustainable Drainage

6.62 According to Policy SP6, in order to restrict or reduce runoff, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS) in accordance with the SuDS Supplementary Planning Document, best practice, and the Non-statutory Technical Standards for Sustainable Drainage. The surface water strategy has been reviewed and considered by the LLFA. This policy is amplified by Policy DM7 which seeks to ensure a comprehensive and integrated approach to the conservation and management of water resources and ensures that development does not overload available facilities and create or exacerbate problems of flooding or pollution

Flood Risk

6.63 The application site is located within Flood Zone 1, which has the lowest probability of flooding. There are areas of the application site that are within areas at Risk of Surface water flooding. These are at the proposed access, and along the access track. No built form, other than the existing track and access will be within areas at risk of surface water flooding.

Sustainable Drainage Measures

6.64 The Parish Council have raised concerns in regard to Sustainable Drainage of the site. Officers have reviewed the application documents and note the Flood Risk Assessment submitted as part of the application documents. This sought to address the Surface Water Drainage of the site which details in section 6.3 of said report how following testing the conditions of the soils at the site traditional soakaways would be a viable method of surface water disposal from the development.

6.65 The report indicates that

"The proposed surface water drainage regime will consist of 3 AquaCell soakaway systems connected to gravity-fed pipes, which will capture surface water runoff from the building roofs. The soakaways will be located within the available area adjacent to the American barns and underneath the paddocks, towards the north of the site. Two of these soakaways will be located parallel to the American barns, while the third soakaway will be situated at the northernmost edge of the site, and perpendicular to the American barns."

6.66 The SUDS officer has reviewed this document, and the conclusion's made in it and considered the application documents to be acceptable subject to a detailed condition.

6.67 The foul wastewater from the development will be collected by a new below ground pipe network and discharged to the existing foul public sewer in High Street via a new connection. This will be subject to an application with Thames Water following planning approval.

6.68 Recycled water from the ECB Aqua Treadmill will be tested for chlorine and any potential phosphates or nitrates prior to being discharged to the soakaway system to ensure that the drainage regime complies with EA and local authority regulations and does not contaminate nearby water sources.

6.69 Given this level of detail submitted, and the condition wording suggested by the LLFA officers the issue raised by the Parish Council can be overcome. It is considered that the proposal could comply with Policy SP6 and DM7 of the development plan.

Trees and Ecology

Trees

6.70 The proposed development has been reviewed by the tree officer who is content with the proposed development and the submitted Arboriculture information and tree protection methods. They have recommended a condition that the works are undertaken in accordance with these submitted details.

Ecology

6.71 The Ecology officer has raised no objections to the proposed development subject to conditions. The application documents do not show that the proposed development would impact any protected species. The ecology reports note that none of the building or trees have suitable bat roosting features. No further surveys are considered necessary.

6.72 Ecology officers have reviewed the ecological information submitted in support of this planning application and advise that sufficient information has been provided. If planning permission is granted, they advise that conditions securing ecological avoidance and mitigation measures and the implementation of ecological enhancements are attached..

6.73 The ecological impact assessment for the site has passed best practice lifespan of 18 months (CIEEM, 2019); however, no updated survey is considered necessary prior to construction and operation. No further surveys are considered necessary due to a lack of suitable habitat for protected species such as bats, hazel dormice and Great Crested Newts. Reasonable avoidance measures will be secured by means of a construction environmental management plan to be secured by a pre-commencement condition.

Nutrient Neutrality

6.74 The proposed development falls within the catchment of the River Lambourn SAC and therefore within the Nutrient Impact Zone for this Habitat Site. All new development that would result in a net increase in phosphorous must take into account Natural England's Advice on Nutrient Neutrality dated 16th March 2022. West Berkshire Council will need to be certain that the submitted plans will not adversely affect the integrity of the River Lambourn SAC in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), before considering granting planning permission. A Habitats Regulations Assessment has been completed, which demonstrates that with mitigation measures, and with the imposition of a condition limiting occupation of the dwellings to after 1st January 2025 when works to the Chieveley Wastewater works have been completed, the proposed development will not have an adverse effect on the integrity of the River Lambourn SAC.

6.75 Natural England considers that without appropriate mitigation the application could have an adverse effect on the integrity of The River Lambourn Special Area of Conservation.

6.76 In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- A management and monitoring plan for the proposed woodland planting nutrient mitigation scheme.
- Off-site removal of the water generated by the Horse Treadmill.

Natural England advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

6.77 There is a reliance on SuDS to deliver the required nutrient reductions at the site. The applicant should demonstrate that the SuDS can achieve the required reduction by providing additional information to your authority. The applicant advises that surface water will be collected in a sealed lagoon and discharged via soakaway, and that groundwater level monitoring may be required to confirm when this can be undertaken. It is essential for your authority to verify that the necessary supporting evidence has been submitted, as that forms the basis for the SuDS calculations. As highlighted in the guidance that accompanies the calculators on Gov.uk, Natural England advises that SuDS calculations should be undertaken in accordance with CIRIA guidance (C808 – Using SuDS to reduce phosphorus in surface water runoff (2022) and/or C815 – Using SuDS to reduce nitrogen in surface water runoff (2023)).

6.78 In addition, the SuDS features require monitoring and management in perpetuity. Your authority must ensure that a robust ongoing management plan is appropriately secured and is enforceable in any planning permission given. The Council has consulted with its LLFA officer and Ecology Officer. The Ecology Officer has carried out the necessary Habitats Regulations Assessment and in correspondence with NE's

response has confirmed they are content the proposed development is Nutrient Neutral subject to the details SUDS conditions recommended by the LLFA.

Responding to Climate Change

6.79 Policy SP5 requires the principles of climate change mitigation and adaptation to be embedded into new development, improving the resilience of land, buildings and existing and future communities to the opportunities and impacts arising from climate change. All development should contribute to West Berkshire becoming and staying carbon neutral by 2030.

6.80 Policy DM4 relates to Building Sustainable Homes and Businesses. It stipulates that new development of one or more new dwellings (C3 or C4 use class) should achieve net zero operational carbon emissions (regulated and unregulated energy) by implementing the energy hierarchy. The proposed development includes accommodation for jockeys which is required to meet the criteria of DM4.

6.81 Proposals should demonstrate application of the energy hierarchy through submission of an Energy Statement or a detailed energy section within the Sustainability Statement in accordance with policy SP5 and which identifies how the following minimum standards of construction are achieved to the greatest extent feasible and viable.

6.82 Residential Development should meet the following minimum construction standards related to a detached dwelling

- Achieve 63% reduction in carbon emissions achieved by on-site measures, as compared to the baseline emission rate set by Building Regulations Part L 2021 (SAP 10.2). These regulated carbon emission targets are to be achieved before the addition of on-site renewable electricity generation (which should subsequently be considered in section 3 of this policy); and
- Equal to or less than the following targets, using the Building Regulations Part L SAP Fabric Energy Efficiency (FEE) metric:

Detached: 43.6 kWh/m²/year FEE

6.83 The application is accompanied by separate Energy Statements produced by Easy EPC. This provides a summary of the proposed dwellings performance alongside the Standard Assessment Procedure (SAP) for the development. SAP is the official UK government methodology to calculate a dwelling's energy performance for Building Regulations compliance and to generate an Energy Performance Certificate (EPC).

6.84 The proposed development does not achieve a 63% reduction in carbon emissions on the baseline of a Building Regulations Part L 2021 dwelling. The reduction in CO₂ achieved by reducing the amount of energy required is only 58.57%. This is a small shortfall from the policy requirement.

6.85 The proposal does however achieve the required Fabric Energy Efficiency (FEE) of the policy by utilising 41.82 kWh/m²/yr below the aforementioned policy requirement of 43.6 kWh/m²/year FEE.

6.86 Whilst the proposal does not meet the carbon reductions through its construction standards as noted earlier it does achieve DM4s target of a zero-carbon home through the use of Solar PV panels and an Air Source Heat pump. The energy and renewable energy sources mean that through the production of Green Energy the dwellings

improvement on the baseline is 100.24% in terms of carbon dioxide emissions. The dwelling can be constructed to a zero-carbon home meeting policy DM4.

6.87 The commercial buildings proposed all fall under the 100sqm threshold of DM4 and therefore are too small for BREEAM excellent rating to be required.

Archaeology

6.88 The application site in Upper Lambourn is of some archaeological interest, being a relatively undeveloped plot of land on the edge of a Saxon village with known Roman archaeology present, surrounded by the Lambourn Downs where there is evidence for much later prehistoric activity.

6.89 There were earthwork banks and ditches within the site, seen in aerial photographs and recorded by English Heritage (now Historic England), although officers believe these may not be visible now. This potential was raised for withdrawn app 23/00448/FULMAJ, and the applicants have commissioned a Heritage Statement which is welcome. Although this was undertaken in 2023, its conclusions remain current, namely that there is moderate potential for encountering Roman agricultural features and a high probability of medieval features being present. Archaeology officers are not aware of any previous fieldwork here, and the document considers that the development might have some impact, and some mitigation work might therefore be needed. Archaeology officers' preference is for further information to be provided as to the archaeological interest of the land, through field evaluation. Geophysical survey might be a useful first step as the assessment proposes, although the existing paddocks would make this rather difficult. Trial trenching could also provide an indication of the presence of belowground heritage assets.

6.90 Doing this work at an early stage reduces the risk of archaeological mitigation being required unexpectedly and is in line with the National Planning Policy Framework. However, it is accepted that trial trenching could be undertaken through a condition rather than pre-determination of this outline application, but this will need to be part of a two-staged process of archaeological work, i.e. the evaluation, followed, if necessary, by a full investigation.

Other matters

Water Efficiency

6.91 Policy DM7 requires development to minimise water use by incorporating appropriate water efficiency and water recycling measures. It further requires new residential development, including replacement dwellings, to meet the Building Regulations optional higher water efficiency standard. Water efficiency measures could be secured via condition.

Health Impacts

6.92 The development is a major development in terms of the DMPO's definition and therefore requires a Health Impact Assessment to be submitted to accord with DM3. However, this application was submitted prior to the adoption of the new local plan. As such no HIA accompanied this application. Given it only contains one dwelling and is associated with the racing industry it is not considered the proposed development would have a significant impact on health and wellbeing of the local population by the case officer. Any impacts arising from the proposed development will likely be resolved through the payment of community infrastructure levy (CIL).

Digital Infrastructure

6.93 According to DM41, the Council will expect all new residential and employment generating premises commercial premises to be served by high-speed reliable gigabit-capable broadband, wherever possible in the form of fibre to the premises (FTTP), or any new or alternative technologies that may come forward during the lifetime of the Local Plan. Where it is not currently viable to deliver FTTP broadband, the fastest viable alternative connection should be provided, together with adequate ducting to allow FTTP connections to be made easily at a later date, without the additional costs of retrofitting. This can be secured by planning condition.

7. Planning Balance and Conclusion

7.1 The proposed development subject to this application seeks to expand and develop training facilities at Frenchman's Views Racing Yard. The expansion is proposed in a sensitive manner to the National Landscape and without harm to the surrounding amenity of Conservation Area. The application justifies the proposed development and on-site accommodations. The application is accompanied by detailed tree protection methods and landscaping plans.

7.2 Overall, the proposed development delivers economic benefits for West Berkshire through support for the racing industry in the valley of the racehorse with a high-quality scheme. The proposed development is considered to comply with the development plan and is recommended for APPROVAL.

8. Full Recommendation

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

Conditions

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| 1. | Commencement of development The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004). |
| 2. | Approved plans The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below: <ul style="list-style-type: none">• Location Plan. Drawing number 3.000. Revision 4. Received 16/05/2025• Proposed Site Plan. Drawing number 3.005. Received 19/12/2025• Proposed accommodation and Office Floor Plans. Drawing number 3.110 Revision 2. Received 19/12/2025• Proposed accommodation and Office Elevations. Drawing number 3.210. Revision 3. Received 19/12/2025• Proposed Accommodation and Office Roof Plan. Drawing number 3.111 Revision 1. received 19/12/2025• Proposed Tack Room and Day Facilities Elevations> Drawing number 3.205 Revision 3. Received 31/10/2025 |

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| | <ul style="list-style-type: none"> • Proposed Tack Room and Day Facilities Floor Plans. Drawing number 3.105 Revision 4. Received 31/10/2025 • Proposed Water Treadmill Elevations. Drawing number 3.216. Revision 1. Received 16/05/2025. • Proposed Storage Barns Elevation. Drawing number 3.215 Revision 1. Received 16/05/2025. • Proposed Horse walker Elevations. Drawing number 3.217. Revision 1. Received 16/05/2025. • Proposed Barn 2 Elevations. Drawing number 3.22. Revision 1. Received 16/05/2025. • Proposed Barn 1 Elevations. Drawing number 3.201. Revision 1. Received 16/05/2025. • Proposed Barn 1&2 Elevations. Drawing number 3.200. Revision 1. Received 16/05/2025. • Proposed Water Treadmill Plans. Drawing number 3.116. Revision 2. Received 16/05/2025. • Proposed Storage Barn Plans. Drawing number 3.115. Revision 1. Received 16/05/2025. • Proposed Horsewalker Plans. Drawing number 3.117. Revision 2. Received 16/05/2025. • Proposed Barn 1&2 Ground Floor Plan. Drawing number 3.100 Revision 1. Received 16/05/2025. • Proposed Barn 1&2 Roof Plan. Drawing number 3.101. Revision 1. Received 16/05/2025. • Proposed Tree Plan. Drawing number 3.006. Received 16/05/2025 • Proposed Tree Plan 2. Drawing number 3.007. Received 16/05/2025 • Proposed Tree Plan 3. Drawing number 3.008. Received 16/05/2025 • Proposed Collecting Ring Plans. Drawing number 3.120. Received 16/05/2025. • Access Visibility Assessment and Two-Way vehicle Tracking. Drawing number 538.0010.001. <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p> |
| 3. | <p>Schedule of materials</p> <p>No works above foundation level of the development hereby approved shall take place until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the appropriate use of external materials. This condition is applied in accordance with the National Planning Policy Framework, Policy SP7 of the West Berkshire Local Plan Review 2023-2041, and Supplementary Planning Document Quality Design (June 2006).</p> |
| 4. | <p>Racehorse use</p> <p>The whole site known as Frenchmans View, including but not limited the storage buildings, officer buildings, new dwelling and other horseracing development hereby permitted shall remain as one unit in conjunction with the racehorse industry.</p> <p>No part of the site shall be used as a separate residential unit or B1 office, sold/leased/rented or used as a separate unit or commercial yard, and no separate curtilage shall be created.</p> |

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| | <p>Reason: The development is acceptable on the basis that it makes a contribution to the racehorse industry of West Berkshire. Any other uses may not be acceptable on this site. This condition is applied in accordance with the National Planning Policy Framework, and Policies SP1, SP2 and DM37 of the West Berkshire Local Plan Review 2023-2041.</p> |
| 5. | <p>Rural Workers Dwelling The dwelling hereby permitted shall be limited to a person solely or mainly working (or retired through old age or ill health) in the operation of a racehorse training establishment at Frenchmans View Upper Lambourn Hungerford RG17 8QW or a widow or widower of such a person and to any resident dependants.</p> <p>Reason: This permission has been given because the need for the dwellings outweighs the planning objections to the development and to ensure the dwellings remain available for the training of racehorses. This condition is applied in accordance with the National Planning Policy Framework, and Policies SP1, SP2, DM23, and DM37 of the West Berkshire Local Plan Review 2023-2041.</p> |
| 6. | <p>Manure storage and disposal The development shall not be first brought into use until a Manure Management Document detailing the method of storage of manure and its removal has been submitted to and approved in writing by the Local Planning Authority. This will include information in regard to how the manure is disposed of outside of the River Lambourn SAC Catchment.</p> <p>Thereafter the methods of storage of manure shall be implemented in accordance with the approved details.</p> <p>Reason: To prevent the proliferation of manure which would detract from the quality of the National Landscape and in the interests of amenity and to avoid any possible water/land contamination. To mitigate the increased risk of phosphorus on the River Lambourn SAC from the increased number of Horses on site. This condition is applied in accordance with the National Planning Policy Framework and Policy SP11 of the West Berkshire Local Plan Review 2023-2041.</p> |
| 7. | <p>Foul Water from Water Treadmill Prior to the first use of the Water Treadmill details of water management and the cesspool for foul water shall be submitted to and approved by the Council. This is to ensure no leaching of contaminated water into groundwater occurs. This document should include maintenance requirements.</p> <p>Reason: In order to avoid adverse impact on the River Lambourn Special Area of Conservation (SAC) by way of additional phosphorous originating from the development in accordance with the Conservation of Habitats and Species Regulations 2017, the National Planning Policy Framework, and Policy SP11 of the Local Plan Review 2023 - 2041.</p> |
| 8. | <p>Hours of Water Treadmill Use The Water Treadmill should only be used during the following hours.</p> <p>0800 hours to 1800 hours Mondays to Fridays. 0830 hours to 1300 hours Saturdays and Sundays; and</p> <p>To not be used on Bank Holidays.</p> |

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| | <p>Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041.</p> |
| 9. | <p>Pasture Management Plan</p> <p>Prior to the first use of the new development a pasture management plan shall be submitted and approved by the Local Planning Authority. This should include but not be limited to the following information:</p> <ul style="list-style-type: none"> • No fertilisers to be applied; • Dung to be collected regularly (at least twice each week in accordance with British Horse Society guidance https://www.bhs.org.uk/horse-care-and-welfare/health-care-management/pasture-management/); • The grassland to be managed so as to encourage greater floral and invertebrate diversity; • Grazing is controlled to protect the sward from over-grazing and poaching and is rested regularly; • Ragwort and other noxious weeds are removed (these are toxic to horses); <p>Reason: In order to avoid adverse impacts on the River Lambourn Special Area of Conservation (SAC) by way of additional phosphorous originating from the development in accordance with the Conservation of Habitats and Species Regulations 2017, the National Planning Policy Framework, and Policy SP11 of the Local Plan Review 2023 - 2041.</p> |
| 10. | <p>Archaeology Condition</p> <p>No development including site clearance shall take place within the application area until a Stage 1 written scheme of investigation (WSI) for a programme of archaeological work has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by Stage 1, then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the WSI no site clearance work or development shall take place other than in accordance with the agreed WSI, which shall include:</p> <p class="list-item-l1">A. The Statement of significance and research objectives, the programme and methodology of archaeological site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.</p> <p class="list-item-l1">B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting archaeological material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.</p> <p>Reason: To ensure that any significant archaeological remains that are found are adequately recorded. This condition is applied in accordance with the National Planning Policy Framework, and Policies SP9, DM11 and DM14 of the Local Plan Review 2023-2041. A pre-commencement condition is necessary because the programme of archaeological works must take place before/during the development.</p> <p>A pre-condition is necessary because sufficiently detailed information does not accompany the application. These measures may require work/care to be</p> |

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| | <p>undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p> |
| 11. | <p>Access and Security Strategy Prior to the occupation of the facility, an Access and Security Strategy shall be submitted to, and approved in writing by the Local Planning Authority. The Access and Security Strategy shall include details of proposed security measures and access control for the development.</p> <p>The development shall be carried out in accordance with the approved details prior to commencement of operations and shall be retained and maintained as such thereafter.</p> <p>This condition is applied in accordance with the National Planning Policy Framework, Policy SP7 of the West Berkshire Local Plan Review 2023-2041, and Supplementary Planning Document Quality Design (June 2006).</p> |
| 12. | <p>Tree Works and Protection carried out in accordance with details The Arboricultural Method Statement and tree protection measures within the submitted report shall be implemented in full and tree protection measures and works carried out in accordance with the Assessment. No changes shall be made to the works unless amendments have been submitted to and approved in writing by the Local Planning Authority and shall include details of any changes to the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area.</p> <p>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 West Berkshire Local Plan Review 2023-2041.</p> |
| 13. | <p>Hard landscaping The development hereby permitted shall not be first occupied/first used until the hard landscaping of the site has been completed in accordance with a hard landscaping scheme that has first been submitted to and approved in writing by the Local Planning Authority.</p> <p>The hard landscaping scheme shall include details of any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking) to be provided as part of the development.</p> <p>Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies SP7, SP8 and SP10 of the West Berkshire Local Plan Review 2023-2041, and the Quality Design SPD.</p> |
| 14. | <p>Soft landscaping The development hereby permitted shall not be first occupied/first used until the soft landscaping has been undertaken in accordance with the following documents</p> <ul style="list-style-type: none"> • Proposed Site Plan. Drawing number 3.005. Received 19/12/2025 • Proposed Tree Plan. Drawing number 3.006. Received 16/05/2025 • Proposed Tree Plan 2. Drawing number 3.007. Received 16/05/2025 • Proposed Tree Plan 3. Drawing number 3.008. Received 16/05/2025 <p>Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged</p> |

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| | <p>within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p> <p>Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies SP7, SP8 and SP10 of the West Berkshire Local Plan Review 2023-2041, and the Quality Design SPD.</p> |
| 15. | <p>Parking/turning in accord with plans</p> <p>The use shall not commence until the vehicle parking and/or turning space have been surfaced, marked out and provided in accordance with the approved plan(s). The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy DM44 of the West Berkshire District Local Plan 2023 - 2041.</p> |
| 16. | <p>Electric Charging Point</p> <p>The development hereby permitted shall not be first occupied/first used until electric vehicle charging points have been provided for the dwelling and office buildings in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the charging points shall be maintained and kept available and operational for electric vehicles at all times.</p> <p>Reason: To promote the use of electric vehicles. This condition is imposed in accordance with the National Planning Policy Framework 2024 and Policies SP5, SP19, DM42 and DM44 of the West Berkshire Local Plan Review 2023 – 2041.</p> |
| 17. | <p>Visibility splays before occupation</p> <p>The use shall not commence until the visibility splays at the access have been provided in accordance with drawing number 538.0010.001. The land within these visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.</p> <p>Reason: In the interests of road safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy DM42 of the West Berkshire District Local Plan 2023 - 2041.</p> |
| 18. | <p>Set back of gates</p> <p>The gates to be provided at access(es) where vehicles will enter or leave the site, shall open away from the adjoining highway and be set back as shown on the approved plans.</p> <p>Reason: In the interest of road safety and to ensure that vehicles can be driven off the highway before the gates are opened. This condition is imposed in accordance with the National Planning Policy Framework and Policy DM42 of the West Berkshire District Local Plan 2023 - 2041.</p> |
| 19. | <p>Hours of Construction Works</p> <p>No construction works shall take place outside the following hours:</p> <p>0730 hours to 1800 hours Mondays to Fridays.</p> |

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| | <p>0830 hours to 1300 hours Saturdays; and</p> <p>No work shall be carried out at any time on Sundays or Bank Holidays</p> <p>Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policies DM5 and DM30 of the West Berkshire Local Plan Review 2023-2041.</p> |
| 20. | <p>Construction Environmental Management Plan (CEMP)</p> <p>No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:</p> <ul style="list-style-type: none"> (a) Risk assessment of potentially damaging construction activities. (b) Identification of "biodiversity protection zones". (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). (d) The location and timing of sensitive works to avoid harm to biodiversity features. (e) The times during construction when specialist ecologists need to be present on site to oversee works. (f) Responsible persons and lines of communication. (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. (h) Use of protective fences, exclusion barriers and warning signs. <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: To avoid harm to protected species during demolition/construction and preparatory operations. This condition is applied in accordance with the National Planning Policy Framework and Policy SP11 of the West Berkshire Local Plan Review 2023-2041. A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.</p> |
| 21. | <p>Lighting design strategy for light sensitive biodiversity</p> <p>Prior to any external lighting being installed/constructed, a "lighting design strategy for biodiversity" for "training facilities to include 40 boxes, horse walker, storage barn, water treadmill barn, collecting ring, tack room/day facilities, racing office and a two bed staff cottage with ancillary works" shall be submitted to and approved in writing by the local planning authority. The strategy shall:</p> <ul style="list-style-type: none"> a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in</p> |

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| | <p>accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.</p> <p>Reason: Bats, badgers, and otters are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation. This condition is applied in accordance with the National Planning Policy Framework, and Policy SP11 of the West Berkshire Local Plan Review 2023-2041.</p> |
| 22. | <p>Biodiversity Gain Condition</p> <p>No development, demolition, earth moving shall take place until a Biodiversity Gain Plan has been submitted to and approved by the local planning authority. The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Metric dated 25th April 2024 prepared by Phillips Ecology, and shall include:</p> <ul style="list-style-type: none"> i. information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat; ii. the pre-development biodiversity value of the onsite habitat; iii. the post-development biodiversity value of the onsite habitat; iv. any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development; v. any biodiversity credits purchased for the development. <p>The approved Biodiversity Gain Plan shall be implemented in accordance with the approved details.</p> <p>Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990. A pre-commencement condition is required because the habitat and management arrangements need to be determined before existing habitats are affected.</p> |
| 23. | <p>Habitat Creation Management and Monitoring Plan (HCMP)</p> <p>Prior to the commencement of the development the HMP shall be submitted to, and be approved in writing by, the local planning authority. The HMP shall include:</p> <ul style="list-style-type: none"> i. Summary of Habitat Proposal and Plans providing the biodiversity baseline assessment against which BNG outcomes are assessed and monitored; ii. Site Context Photos iii. Retention and Protection Measures Map iv. Management plan aims and objectives; v. Design Principles Informed by Baseline Information vi. a programme detailing the long-term phases of the management the number of years to achieve and then maintain the BNG targets; vii. Habitat targets. Habitat creation, enhancement condition management targets and prescriptions. |

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| | <p>viii. Habitat Creation, Enhancement and Management – Risk Register and Remedial Measures</p> <p>ix. A monitoring strategy and schedule to inform decisions about management, whether assessing progress towards the BNG targets is on track and whether changes to management are required to achieve the targets to include methods and intervals of reporting and adaptive management.</p> <p>x. If management is not delivering the biodiversity outcomes, or is deemed unlikely to (on the basis of trajectory of change in condition and known time to target condition), changes in the management regime shall be agreed in writing and implemented to deliver a successful outcome.</p> <p>xi. Evidence of legal, financial, governance and practical arrangements for the long-term delivery and management of BNG measures.</p> <p>The approved HCMM will be implemented in accordance with the approved details.</p> <p>Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990. A pre-commencement condition is required because the habitat and management arrangements need to be determined before existing habitats are affected.</p> |
| 24. | <p>Maximum water consumption</p> <p>All new residential developments shall meet the Building Regulations optional higher water efficiency standard of 110 litres per person per day, using the 'Fittings Approach' as set out in table 2.2 of the Building Regulations part G2. No dwelling hereby permitted shall be occupied until this standard has been achieved for that dwelling. This standard shall be complied with for that dwelling and retained in perpetuity thereafter.</p> <p>Reason: To ensure development is designed to be water efficient and reduce water consumption in accordance with the National Planning Policy Framework and Policy DM7 of the West Berkshire Local Plan 2023-2041.</p> |
| 25. | <p>Digital Infrastructure</p> <p>No works above foundation level of the dwellings hereby approved shall take place until a digital infrastructure strategy statement has been submitted to and approved in writing by the Local Planning authority. Such a statement shall set out how the development hereby approved will be served by high-speed reliable gigabit-capable broadband, wherever possible in the form of fibre to the premises (FTTP), or any new or alternative technologies that may come forward. Where the document describes how it is not currently viable to deliver FTTP broadband, the fastest viable alternative connection should be provided, together with adequate ducting to allow FTTP connections to be made easily at a later date, without the additional costs of retrofitting.</p> <p>Thereafter the development shall not be occupied until the submitted details have been provided in accordance with the approved details.</p> <p>Reason: To ensure that the site is provided with high-speed communications infrastructure in the interests of the amenity of the occupants of the site in accordance with the requirements of the National Planning Policy Framework and policy DM41 of the West Berkshire Local Plan Review 2023-2041.</p> |
| 26. | Sustainability and Building Construction Measures |

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| | <p>The development hereby permitted shall incorporate the sustainability measures set out in the following documents</p> <ul style="list-style-type: none"> - Easy EPC SAP10.2 & Policy DM4 Review 3787 <p>No dwelling shall be occupied until all sustainability measures have been provided in full accordance with these approved details.</p> <p>Reason: To secure the sustainability measures that the development is contributing to the district's response to climate change in accordance with Policy SP5 and DM4 of the West Berkshire Local Plan Review 2023-2041.</p> |
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Informatives

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| 1. | <p>Decision Making</p> <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. The local planning authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area.</p> |
| 2. | <p>Community Infrastructure Levy</p> <p>The development hereby approved results in a requirement to make payments to the Council as part of the Community Infrastructure Levy (CIL) procedure. A Liability Notice setting out further details and including the amount of CIL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and Ensure that a Commencement Notice is submitted to the authority prior to the commencement of the development. Failure to submit the Commencement Notice will result in the loss of any exemptions claimed, and the loss of any right to pay by instalments, and additional costs to you in the form of surcharges. For further details see the website at www.westberks.gov.uk/cil</p> |
| 3. | <p>Biodiversity Net Gain</p> <p>The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:</p> <p>(a) a Biodiversity Gain Plan has been submitted to the planning authority, and</p> <p>(b) the planning authority has approved the plan.</p> <p>The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be West Berkshire District Council.</p> <p>There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.</p> <p>Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.</p> <p>EXEMPTIONS AND TRANSITIONAL ARRANGEMENTS</p> <p>The following are the statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.</p> |

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| | <p>1. The application for planning permission was made before 12 February 2024.</p> <p>2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.</p> <p>3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and</p> <ul style="list-style-type: none"> (i)the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or (ii)the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024. <p>4. The permission which has been granted is for development which is exempt being:</p> <p>4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:</p> <ul style="list-style-type: none"> i) the application for planning permission was made before 2 April 2024; ii) planning permission is granted which has effect before 2 April 2024; or iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii). <p>4.2 Development below the de minimis threshold, meaning development which:</p> <ul style="list-style-type: none"> i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric). <p>4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.</p> <p>4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).</p> <p>4.5 Self and Custom Build Development, meaning development which:</p> <ul style="list-style-type: none"> i) consists of no more than 9 dwellings; ii) is carried out on a site which has an area no larger than 0.5 hectares; and iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015). <p>4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.</p> |
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* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

APPLICABLE EXEMPTION

The exemption that is considered to apply to this application is: Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

IRREPLACEABLE HABITAT

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

THE EFFECT OF SECTION 73D OF THE TOWN AND COUNTRY PLANNING ACT 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

PHASED DEVELOPMENT

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country

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| | <p>Planning) (Modifications and Amendments) (England) Regulations 2024 would apply if the permission were subject to the biodiversity gain condition.</p> <p>In summary: Biodiversity gain plans would be required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).</p> |
| 4. | <p>Damage to footways, cycleways and verges</p> <p>The attention of the applicant is drawn to the Berkshire Act, 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway, cycleway or grass verge arising during building operations.</p> |
| 5. | <p>Damage to the carriageway</p> <p>The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.</p> |
| 6. | <p>Incidental works affecting the highway</p> <p>Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from, the Principal Engineer (Streetworks), West Berkshire District Council, Transport & Countryside, Council Offices, Market Street, Newbury, RG14 5LD, telephone number 01635 – 503233, before any development is commenced.</p> |
| 7. | <p>Official Postal Address</p> <p>Please complete and online street naming and numbering application form at https://www.westberks.gov.uk/snn to obtain an official postal address(s) once development has started on site. Applying for an official address promptly at the beginning of development will be beneficial for obtaining services. Street naming and numbering is a statutory function of the local authority.</p> |
| 8. | <p>No Obstruction of Right of Way</p> <p>The applicant is advised that this planning permission does not in any way allow the public right of way to be obstructed at any time during the course of the development.</p> |
| 9. | <p>Visitors made aware of PROW</p> <p>The applicant is advised that all visitors to the site should be made aware that they would be driving along a public bridleway. As a result, they should drive with caution when manoeuvring into and out of the site and should give way to pedestrians/ cyclists/ equestrians at all times.</p> |
| 10. | <p>No encroachment onto PROW</p> <p>Nothing connected with either the development or the construction must adversely affect or encroach upon the bridleway, which must remain available for public use at all times.</p> |
| 11. | <p>21 Days' notice of development</p> <p>The applicant is advised to give the Local Authority 21 days prior notice to the development commencing. Before the applicant starts, the Local Authority must obtain from the applicant a written undertaking that they will meet any costs incurred by the Authority in the repair of the surface of the right of way, as a result of construction traffic using the route.</p> |
| 12. | <p>No alteration of the surface of the Public Right of Way</p> <p>No alteration of the surface of the right of way must take place without the prior written consent of the Rights of Way Officer.</p> |