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Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 15 JANUARY 2014

Councillors Present: David Allen, Jeff Beck, Paul Bryant (Chairman), George Chandler, Paul Hower, Roger Hunneman, Garth Simpson, Anthony Stansfeld, Julian Swift-Hook, Ieuan Tuck and Virginia von Celsing (Vice-Chairman)

Also Present: Jessica Bailiss (Policy Officer (Executive Support)), Michael Butler, Derek Carnegie, Paul Goddard, Rosemary Green (Senior Environmental Health Officer) and Anna Smy (Team Manager - Environmental Quality)

Apologies for inability to attend the meeting: Councillor Hilary Cole

PART I

37. Minutes

The Minutes of the meeting held on 11 December 2014 were approved as a true and correct record and signed by the Chairman.

38. Declarations of Interest

Councillors Julian Swift-Hook and Paul Bryant declared an interest in Agenda Item 4(1), but reported that, as their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

39. Schedule of Planning Applications

39(1) Application No. and Parish: 13/01978/COMIND - Building 302, New Greenham Park, Greenham

Councillor Swift-Hook declared a personal interest in Agenda item 4(1) by virtue of the fact that he was a member of Greenham Parish Council and Newbury Town Council, however would consider the item in his capacity as a Member of West Berkshire Council and based on its merits. Councillor Swift-Hook also reported that his use of a computer during the meeting was in order to access information to the application. As his interest was personal and not a disclosable pecuniary interest he determined to take part in the debate and vote on the matter.

(Councillor Paul Bryant declared an interest in Agenda Item(s) 4(1), by virtue of the fact that he was a Trustee of Greenham Common Community Trust but reported that, as his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 13/01978/COMIND in respect of Building 302, New Greenham Park, Greenham.

In accordance with the Council's Constitution, Tony Forward, Parish Council representative, Jeremy Bartlett and Shirley Huxtable, objectors, and Steven Smallman, Stuart Tagg and Richard Sharland, applicant, addressed the Committee on this application.

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Michael Butler introduced the report to Members, which took into consideration over ten letters of objection, which focused mainly on the impact on local residential amenity, largely noise. If approved it was likely that QTR, an organisation currently based in Reading, would occupy the site.

An application from Sainbury's in 2002 had since lapsed and was followed by an application from Pro Logis, which had been allowed at appeal. The application if approved would mean building on part of the Pro Logis site.

The Parish Council objected to the application and continued to do so despite a number of additional provisions following an acoustics report. Michael Butler confirmed that no response had been received from Hampshire County Council, who would receive a proportion of the highways S106 money if the application was approved.

The application was considered acceptable by Officers in terms of the traffic it would generate. Michael Butler reported that verbal confirmation had been received from the applicant that an additional section of four metre high acoustic fence would be added to the site where concern had been raised.

Michael Butler concluded that the Officer recommendation was for approval of the application, subject to the completion of the s106 obligation.

Tony Forward in addressing the Committee raised the following points:

- QTR were not necessarily going to be the tenants of the site;
- The business park supported the wider community however, it was clearly stated in planning law that this should not be at any cost;
- The fact that residents lived next to the industrial park should not mean that they had to put up with any noise. Both West Berkshire Council and the National Planning Policy Framework (NPPF) set rules on this and World Health Organisation (WHO) guidelines and British Standards specified what had to be achieved in quiet rural areas in terms of noise levels. It was vital that residents were protected from a new source of noise.
- The Pro Logis application had been very robust in terms of mitigation measures. The application would cause traffic movements within the park outside of the application area much closer to the residential properties, yet the applicant had proposed less mitigation measures than Pro Logis. Pro Logis would have required a bund the whole length of the site meaning no traffic could leave other than at the western end of the site, which was away from nearby dwellings.
- For security reasons the industrial park closed the western entrance, at weekends. This meant at weekends when impact on amenity was most noticed, all traffic from the park left from the eastern entrance, consequently bringing it closer to residential properties.
- Noise from Wincanton was described as significant in the applicant's noise report however, the Environmental Quality team had found it to be insignificant.
- A large number of objections had come from Thatcham residents. Pro Logis had considered these residents and those at Heads Hill however, the current application had failed to.
- Greenham Parish Council were disappointed that residents had needed to spend their own money to prove reports submitted were flawed – in their view.
- Greenham Parish Council were also concerned about the traffic generation. The Pro Logis site had been for 44,115 sqm and equated to a total of 2051 movements and of this 595 would be HGVs. The current proposal was for just over a tenth of

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the Pro Logis site however, would generate a total of 372 movements with HGV movements at 227. This was considered very high and if repeated across the Pro Logis site would produce 5990 vehicles movements in total compared to the Pro Logis 2051.

- The Officer had stated that if the rest of the Pro Logis site was developed the overall impact would be the same however, this failed to acknowledge that if the rest of the site was developed the same as the proposed application, the impact would be much higher.

In considering the above application Councillor Julian Swift-Hook asked for clarification on the noise caused by the Wincanton site as this had not been developed when the Pro Logis application was considered. Tony Forward reported that the noise caused by the Wincanton site had caused real residential grief. The noise from Wincanton was significant and took place overnight.

Councillor Swift-Hook continued by referring to the point made by Tony Forward about the proposed building density of the site, via the planning application under consideration, and the risk that this could result in significantly higher levels of traffic movements. Tony forward confirmed that this was assuming the rest of the Pro Logis site was built at the density of the current proposal. There was concern that approval of the application would set a precedent.

Councillor Swift-Hook noted that the wider community including Thatcham and Heads Hill had been referenced and questioned how residents this far away would be affected. Tony Forward confirmed that the site was in a dip creating a situation similar to an amphitheatre, causing those mentioned at Thatcham and Head's Hill to suffer from the negative noise impact.

Councillor Garth Simpson asked for confirmation that the Wincanton Site formed part of the original Pro Logis site and if so what proportion it accounted for. Michael Butler confirmed that Wincanton was on the Pro Logis Site and accounted for about 30-40% and generated a relatively high traffic flow.

Jeremy Bartlett and Shirley Huxtable in addressing the Committee raised the following points:

- Jeremy Bartlett reported that he was speaking as a resident who lived very close to Greenham Park.
- He was often woken by low grinding and banging noises at night.
- Residents had invested for their own noise assessment to be carried out.
- British Standard 8233 had been used by the Council and dealt with the introduction of new developments near to existing noise sources. It was felt that British Standard 4142 would have been more suitable as it dealt with new noise sources next to an existing residential area.
- It was felt that the same level of noise protection should be implemented to that of the Pro Logis site.
- It was felt that there was a lot of missing information concerning the application.

Councillor Swift-Hook questioned what information residents felt was missing from the application. Jeremy Bartlett confirmed that he was referring to specific detail relevant to the application, to ensure all aspects were being considered. Recently residents had suffered from terrible smells coming from the English Provender site and although once investigated this stopped, it highlighted that current protection in place was inadequate. Councillor Swift-Hook acknowledged that much of the detail referred to as missing was

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dealt with using conditions. Jeremy Bartlett stated that residents wanted to see the full detailed approach determined by Councillors, not Officers when approving or refusing an application.

Councillor Swift-Hook referred to concerns raised about the eastern area. Councillor Swift-Hook highlighted that the applicant had now agreed to erect a four metre acoustic barrier to the car park as well as the eastern side of the warehouse. Councillor Swift-Hook asked if the applicant was happy to extend the wall so it joined onto the building, if residents would be satisfied. Jeremy Bartlett felt that further noise mitigation features were required. It was felt that for satisfaction to be reached the same level of protection would be needed as with the Pro Logis application, including consideration to other pollutants such as light.

Michael Butler reminded Members that they needed to consider the balance of the application and that QTR site was only 10% of the Pro Logis site. He did not feel that it was reasonable to set out mitigation measures like Pro Logis as the cost would be too high for a smaller company like QTR.

Councillor Paul Bryant queried what happened if conditions could not be agreed upon with the applicant. Michael Butler confirmed if an agreement could not be reached the conditions discharge application would not be approved and so the development could not proceed. .

Councillor Swift-Hook asked for clarification around discharged condition applications. Michael Butler confirmed that in most cases these were technical applications and these were not subject to public consultation. Councillor Swift-Hook requested that if the application was approved, the Ward Members should be consulted on any discharged conditions.

RESOLVED that Ward Members would be consulted on any discharged conditions if the application was approved.

Rose Green confirmed numerous guidelines were used under the NPPF by the Environmental Quality Team when assessing noise standards. Anna Smy reported that BS4142 was a comparative Standard (with the existing background) whilst BS8233 set absolute values within properties so it was not necessarily the wrong standard to use. Other guidelines on reasonable living conditions from the Government and WHO were also used. The Environmental Quality Team would use all the tools available when assessing a site in order to achieve the best outcome.

Councillor Swift-Hook queried why there was no reference to British Standard 4142 and referred to the point made by Jeremy Bartlett that British Standard 8233 was not suitable. Anna Smy confirmed that three standards including British Standard 4142 were used.

Councillor Swift-Hook referred to another concern raised regarding the green area and asked for clarification on what this would be used for as there was concern that it would be used for accessing the site. Michael Butler confirmed that the access to the north would be retained and then there would be a further two accesses, on the west elevation only, but not to the east .However, the green area would be used for parking

Steven Smallman, Richard Sharland and Stuart Tagg in addressing the Committee raised the following points:

- The site was a former airbase that took up around 900 acres. There had been 1.6 million square foot of buildings.
- In 1993 when the land was no longer needed as an airbase, 150 acres had been designated for employment purposes and 750 acres became a country park.

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- The site was very important in the district as it supported the local economy. 110 jobs would be created by QTR if the application was approved.
- The core objectives of the NPPF included driving sustainable economic growth.
- The Greenhman Common Trust had bought back the Pro Logis site including building number 302, which was on the application site.
- The highways officer was content that there would be acceptable impact on the local network.
- An accumulation of impacts had been dealt with in the Officers report.
- Local residents had raised objection to noise and in response to this the applicant had met with residents and the Parish Council to try and rectify their concerns. The work space had been relocated as a result and the doors at the gable end would be shut at all times.
- The proposal fully complied with ECON6, CS9 and the Councils Core Strategy. The NPPF focused on economic development.

Councillor Swift-Hook stated that Members had heard comments from objectors and the Environmental Quality Team. Councillor Swift-Hook queried why British Standard 8233 had been referred to in the Officers report however, British Standard 4142 had not. Richard Sharland explained that there were many different strands used when considering acoustics. The report on the 10th December 2013 had taken into account a wider range of standards than the initial report and therefore the latter had been misleading. Standards for acoustics were either from an absolute or relevant perspective and Richard Sharland confirmed that the application had been assessed by using a variety of guidance. Councillor Swift-Hook further asked if British Standard 4142 was therefore not relevant and Richard Sharland confirmed that it was but only during the night time, not during the day and evening. BS8233 was relevant at night time, when background noise levels were higher.

Councillor Swift-Hook raised the concern raised by objectors regarding the rest of the site being developed at the same use intensity. Stuart Tagg commented that he would be surprised if a small local transport operator was more efficient at using floor space than a national one. Councillor Swift-Hook stated that residents were concerned that the application, which was just a tenth of the Pro Logis site would generate twenty percent of the Pro Logis traffic. Stuart Tagg stated that he was not aware of ten or more similar companies to QTR who would want to occupy the site. He stated that there used to be a preference for smaller local companies like QTR rather than larger ones like Sainsbury's or Pro Logis, but this appeared to no longer be the case.

Steven Smallman referred to the word 'precedent', which had been used throughout discussions and stated that this could not be used as a reason to refuse a planning application as each application should be judged on its merits. Officers duly noted this point.

Councillor Swift-Hook raised a question about reversing alarms and stated that if permission was granted it would not be particular to QTR as indicated on page 44 of the Planning Officers report. It was important that this condition stated 'QTR or other occupant'.

Councillor Swift-Hook referred to the acoustic fence and asked if the applicant would be happy to continue the four metre fence until it joined the building. Stuart Tagg confirmed that they would be happy to do this however, highlighted that due to the ground levels across the roadway the fence would be 1m lower than the 4m high fence to the north and east.

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Councillor Swift-Hook questioned if the ancillary office space would be adequate and it was confirmed that it would be adequate for what QTR required.

Councillor Jeff Beck queried when the site would be lit. Stuart Tagg confirmed that low level lighting would be used where the vehicles were manoeuvring. It was confirmed that there would be security lighting only at night.

Councillor George Chandler questioned if vehicles would be unloaded at the western end of the site. Steven Smallman confirmed that all vehicles would be unloaded at the western end and the eastern end would only be used for parking, therefore most of the noise would be to the west. Richard Sharland confirmed that the building would also act as a screen for the noise.

Councillor Roger Hunneman was concerned about how much of the traffic would use the A339 and Burger King roundabout, which was an Air Quality Management Area. It was confirmed that in the transport section of the report a table set out projected HGV movements, these could not be precise but were a good indication. Between four and seven in the evening 40 HGV movements would be generated. Broadly 30% of traffic would use the A339 going north through Newbury and therefore was a relatively small proportion. Councillor Hunneman asked if the vehicles could be routed down Newtown Road and Stuart Tagg confirmed that it was preferable not to direct any HGV traffic through villages and therefore it had been split up across different routes to help minimise the impact.

Councillor Paul Hewer questioned where the ancillary office buildings would go. Stuart Tagg reported that there would only be a minor amount required in the main building and it was thought that internal portacabins might be used for this.

Councillor Anthony Stansfeld asked Officers if extra measures to mitigate noise could be conditioned later on if required. Michael Butler confirmed that once permission was granted along with the conditions, the planning department would not be able to re-impose new conditions.

Stuart Tagg stated that the Council had ample means to control noise if required besides going through the planning legislation and therefore this should not be a concern.

Councillor Swift-Hook asked for clarity on QTR's nature of business. Councillor Bryant reminded Members that the occupant would not necessarily be QTR. It was confirmed that QTR were a pallet distribution company.

Councillor Bryant asked if sprinklers were being installed seeing that there would be expensive goods onsite. Stuart Tagg confirmed that all the necessary regulations would be complied with.

Anna Smy explained to Members that HGVs were the largest concern within the Air Quality Management Areas and therefore an increase in HGV traffic would have a negative impact. However, the Environmental Quality Team would welcome working closely with Greenham Park in order to meet targets around air quality in the area.

Councillor Hunneman referred to the S106 money and asked if a significant proportion could be dedicated to improving air quality along the A339. Paul Goddard confirmed that the money would be dedicated to improvements along the A339.

Councillor Swift-Hook as Ward Member raised the following points:

- The principle of the development was accepted and therefore it was the detail which required discussion.
- The applicant was willing to increase the acoustic barrier to four metres and that part of the site would not be used between the hours of 7pm and 7am.

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- Despite these efforts Councillor Swift-Hook still had concerns about the application, particularly as the traffic generated would account for 20% of the traffic generated by Pro Logis even though it was only a tenth of the size. He hoped that further development would be controlled with this in mind.
- The site would contribute positively to the local economy however, he was unsure how the site would lead to an increased usage of libraries, which was where it was stated some of the S106 money would go towards if the application was approved.
- He was concerned that during the consultation phase, Hampshire County Council had not responded. The site was right on the border between West Berkshire and Hampshire.
- There used to be a cross border working group between West Berkshire and Hampshire and Councillor Swift-Hook was keen to see this reconvened.
- He was concerned about the volume of issues in planning applications dealt with through conditions and felt it would be helpful for these to remain within the application detail.
- A planning brief for the Greenham Park area had been drawn up in 1993. When Pro Logis had come to Committee in 2003, Councillor Swift-Hook had suggested that this needed revisiting and felt that this was still the case.
- In conclusion Councillor Swift-Hook felt it would be hard for Members to object to the application, as it would bring welcome employment to the area.
- He welcomed the acoustic fence proposed by the applicant and hoped that residents would be satisfied by this.

Michael Butler in response to Councillor Swift-Hook's comments about Hampshire County Council, stated that the relevant Officer at Hampshire County Council had been approached however, still no response had been received.

Councillor Simpson asked if a row of trees along the eastern side of the site would be acceptable. Michael Butler confirmed that there was extremely deep concrete hardstanding where Councillor Simpson was referring to and therefore this would not be a reasonable request.

Stuart Tagg reported that a row of trees was planned along the south eastern boundary of the site, outside the hardstanding area. .

Councillor Beck proposed that Members approve the application in line with Officer recommendation and this was seconded by Councillor Iuean Tuck.

Councillor Bryant reminded Officers that condition seven needed to be amended so that it was less specific to QTR. It was suggested that the following text be used 'all QTR or other operators'. This was agreed by Officers.

Councillor David Allen asked if there would be a way to dedicate a certain proportion of money to air quality management. Paul Goddard confirmed that there were three specific areas the money could be spent on including improvements to the A339 through Newbury town centre, cycle ways and the retention and provision of bus services from New Greenham Park to Newbury and Thatcham

Councillor Swift-Hook requested that his abstention from the vote be recorded in the minutes.

RESOLVED that the Head of Planning and Countryside be authorised to grant planning permission subject to the following conditions and the s106 obligation completion.

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CONDITIONS

1. The development shall be started within three years from the date of this permission and implemented strictly in accordance with the approved plans.
Reason: To enable the Local Planning Authority to review the desirability of the development against the advice in the DMPO of 2010.
2. Notwithstanding the permitted development rights as set out in Schedule 2, Part 8 of the GPDO 1995 as amended, no mezzanine flooring or any extensions to the warehouse use hereby permitted shall be undertaken, without the express planning permission from the Council.
Reason: To ensure there is no further intensification or expansion of use on the site, which could impact local amenity and the highway network, in accord with policies CS13 and CS14 in the West Berkshire Core Strategy 2006 to 2026.
3. The permitted ancillary office space shall remain as ancillary at all times [less than 10% of the overall floorspace].
Reason: To accord with the advice in policy ECON6 in the West Berkshire District Local Plan 1991 to 2006 (Saved Policies 2007).
4. The access route for all vehicles attending the application site shall be via Third Street East, and Ministry Road, and not Wofford Way.
Reason: To reduce the potential noise impact of lorries accessing the site, on neighbouring property, in accord with policy OVS6 in the Saved Local Plan for West Berkshire 1991 to 2006.
5. The use of the Eastern Parking Area by HGV's shall be restricted to the hours between 07:00 -19:00, every day.
Reason: In the interests of the amenities of neighbouring occupiers, in accord with policy CS14 in the West Berkshire Core Strategy 2006 to 2026.
6. No development shall take place until a scheme for the provision of the 4 metre high acoustic barriers (nominal mass 28kg/m², faced on the internal face with absorptive lining), on the eastern and southern boundary of the site, as detailed in the acoustic report dated 10 December 2013 by Ian Sharland - version 4 - has been submitted to and approved by the Local Planning Authority. All works forming part of the scheme shall be completed before use of the building commences.
Reason: In the interests of the amenities of neighbouring occupiers. In accordance with the objectives of policies ADPP1 and CS14 of the West Berkshire Core Strategy 2006-2026.
7. Installation of air handling equipment, if any, shall not commence until details of any proposed air handling plant equipment have been submitted to and agreed in writing by the Local Planning Authority, the scheme shall include;
 - (a) written details concerning any proposed air handling plant associated with the development including
 - (i) the proposed number and location of such plant as well as the manufacturer's information and specifications
 - (ii) the acoustic specification of the plant including general sound levels and frequency analysis under conditions likely to be experienced in practice.
 - (iii) the intended operating times.

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- (b) The findings of a noise survey (undertaken in accordance with BS4142 or such other standard acceptable to the Local Planning Authority) to determine noise levels in the vicinity of the proposed development and calculations showing the likely impact of noise from the air handling plant;
- (c) a scheme of works or such other steps as may be necessary to minimise the effects of noise from the air handling plant;

The agreed scheme shall be implemented in full, with installation timing to be agreed as part of the agreed scheme and kept in full operational order for as long as the building, hereby approved, is occupied and used.

Reason: In the interests of the amenities of neighbouring occupiers. In accordance with the objectives of policies ADPP1 and CS14 of the West Berkshire Core Strategy 2006-2026.

- 8. All of QTR's operators or any subsequent occupier of building 302, whose HGV's and fork lift trucks are operating on the Application Site shall be fitted with non tonal (white noise) reversing warning alarms. In addition, no reversing tonal beepers shall be used on any vehicles on site between the hours of 23:00-07:00, nor at any time on Sundays, bank or public holidays.

Reason: In the interests of the amenities of neighbouring occupiers. In accord with policy OVS6 in the West Berkshire District Local Plan 1991 to 2006 (Saved Policies 2007).

- 9. No development shall take place until details of the vehicle parking and turning space / areas have been submitted to and approved in writing by the Local Planning Authority. Such details shall show how the parking spaces are to be surfaced and marked out. The use shall not commence until the vehicle parking and turning spaces / areas have been provided in accordance with the approved details. The parking and / or turning space shall thereafter be kept available for parking (of private motor cars and goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

- 10. No development shall take place until details of all accesses for vehicles and pedestrians into the site have been submitted to and approved in writing by the Local Planning Authority. The use shall not commence until the access has been constructed in accordance with the approved details.

Reason: In the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

- 11. No development shall take place until details of the cycle parking and storage space have been submitted to and approved in writing by the Local Planning Authority. The use shall not commence until the cycle parking and storage space has been provided in accordance with the approved details and retained for this purpose at all times.

Reason: To ensure that there is adequate and safe cycle storage space within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy

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

12. Details of floodlighting of the site shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. The floodlighting shall be installed, maintained and operated in accordance with the approved details unless the local planning authority gives its written consent to the variation. This installation shall be done prior to the operation of the site commencing.

Reason: to protect the appearance of the area and local residents from light pollution. In accord with policy ECON6 in the West Berkshire District Local Plan - saved 2007.

INFORMATIVE:

1. This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.
2. This decision letter must be read in conjunction with a s106 planning obligation dated the yyyy. You are advised to make yourself aware of the contents.

40. Appeal Decisions relating to Western Area Planning Committee

Members noted the outcome of appeal decisions relating to the Western Area.

(The meeting commenced at 6.30 pm and closed at 8.30 pm)

CHAIRMAN

Date of Signature