



West Berkshire Local Plan Review 2022-2039
Proposed Submission Representation Form

Ref:

(For official use only)

Please complete online or return this form to:	Online: http://consult.westberks.gov.uk/kse
	By email: planningpolicy@westberks.gov.uk
	By post: Planning Policy, Development and Regulation, Council Offices, Market Street, Newbury, RG14 5LD
Return by:	4:30pm on Friday 3 March 2023

This form has two parts:

- Part A - Your details: need only be completed once
- Part B - Your representation(s): please fill in a separate sheet for each representation you wish to make

PART A: Your Details

Please note the following:

- *We cannot register your representation without your details.*
- *Representations cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.*
- *All information will be sent for examination by an independent inspector*
- *All personal data will be handled in line with the Council's Privacy Policy on the Development Plan. You can view the Council's privacy notices at <http://info.westberks.gov.uk/privacynotices>*

	Your details	Agent's details (if applicable)
Title:		Mr
First Name:*		John
Last Name:*		Collins
Job title (where relevant):		Director
Organisation (where relevant):		DHA Planning
Address* <i>Please include postcode:</i>		Eclipse House, Eclipse Park, Sittingbourne Rd, Maidstone ME14 3EN.
Email address:*		████████████████████
Telephone number:		01622 776226

*Mandatory field

Part B – Your Representation***Please use a separate sheet for each representation***

The accompanying guidance note available at: <https://www.westberks.gov.uk/lpr-proposed-submission-consultation> will assist you in making representations.

*Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change(s) as there will **not normally** be a subsequent opportunity to make further representations, **further submissions will ONLY be at the request of the Inspector, based on the matters and issues they identify for examination.***

Your name or organisation (and client if you are an agent):	John Collins (DHA Planning) on behalf of Lesimar Ltd.
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Please indicate which part of the Local Plan Review this representation relates to:

Section/paragraph:	
Policy:	Policy DM32 – Designated Employment Areas / Appendix 4 (Paices Hill/ Youngs Industrial Estate) of the West Berkshire Local Plan Review 2022-2039.
Appendix:	
Policies Map:	See Appendix 1 (at end of document).
Other:	

1. Legally Compliant

Please see the guidance notes for an explanation of what 'legally compliant' means.

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

We do not foresee any legal compliance issues.

2. Soundness

Please see the guidance notes for an explanation of what 'soundness' means.

Do you consider the Local Plan Review is sound?

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
Positively Prepared: The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development		<input type="checkbox"/>
Justified: the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		<input type="checkbox"/>
Effective: the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	<input type="checkbox"/>	
Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		<input type="checkbox"/>

Please give reasons for your answer:

It is clear that 'policy DM32 – Designated Employment Areas', as referred to in Appendix 4 (Paices Hill/ Youngs Industrial Estate) of the West Berkshire Local Plan Review 2022-2039, does not provide an accurate reflection of the potential employment area which could be included within the designation.

As per application reference 20/02527/OUTMAJ ('the extant permission'), Decision Notice attached as **Appendix 2** and Location Plan attached as **Appendix 3**, it is clear that the land to the south of Paices Hill/ Youngs Industrial Estate ('our client's site') has been granted outline permission for:

'the construction of an industrial estate to comprise up to 15,917 sqm of flexible commercial floorspace for B8 (Storage or distribution), Former B1 (c) now Class E (Commercial, Business and Service Use) and B2 (General Industry) with associated access, parking, infrastructure and landscaping. Matters to be considered: Access.'

As such, we consider that our clients site represents a logical expansion to the designated employment area given its outline permission. With this in mind, we consider that the existing designation should be extended to include the extant permission area at Blacks Lake Track Racing, Blacks Lake, Paices Hill, Aldermaston, Reading, RG7 4PG.

For the reasons as described above, we do not consider that the plan is positively prepared (as it does not seek to meet the area's objectively assessed need in terms of economic growth and management), nor is it justified (does not considered the extant permission) or consistent with national policy (does not seek to support economic growth and productivity, taking into account both local business needs and wider opportunities for development in line with para 81).

3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

Do you consider the Local Plan Review complies with the Duty to Co-operate?

Yes



No



Please give reasons for your answer:

We do not foresee any Duty to Co-operate issues.

4. Proposed Changes

Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We consider that our client's site at 'Blacks Lake Track Racing, Blacks Lake, Paices Hill, Aldermaston, Reading, RG7 4PG', which comprises the extant permission (Decision Notice attached as **Appendix 2**), should be included as part of/ an extension to the employment designation at Paices Hill/ Youngs Industrial Estate.

This would result in a natural extension of the designated employment area and given it comprises outline planning permission for industrial uses, would be a logical extension to this designation. We therefore consider that the site should be given weight in terms of 'policy DM32 – Designated Employment Areas' of the West Berkshire Local Plan Review 2022-2039.

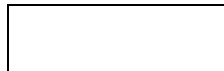
5. Independent Examination

If your representation is seeking a change, do you consider it necessary to participate at the examination hearing session(s)?

Yes



No



If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Should the Inspector consider it necessary for us to further justify the expansion of the designated employment area, we would be happy to participate at the examination hearing session.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

6. Notification of Progress of the Local Plan Review

Do you wish to be notified of any of the following?

Tick

Please tick all that apply:

The submission of the Local Plan Review for Independent Examination	<input checked="" type="checkbox"/>
The publication of the report of the Inspector appointed to carry out the examination	<input checked="" type="checkbox"/>
The adoption of the Local Plan Review	<input checked="" type="checkbox"/>

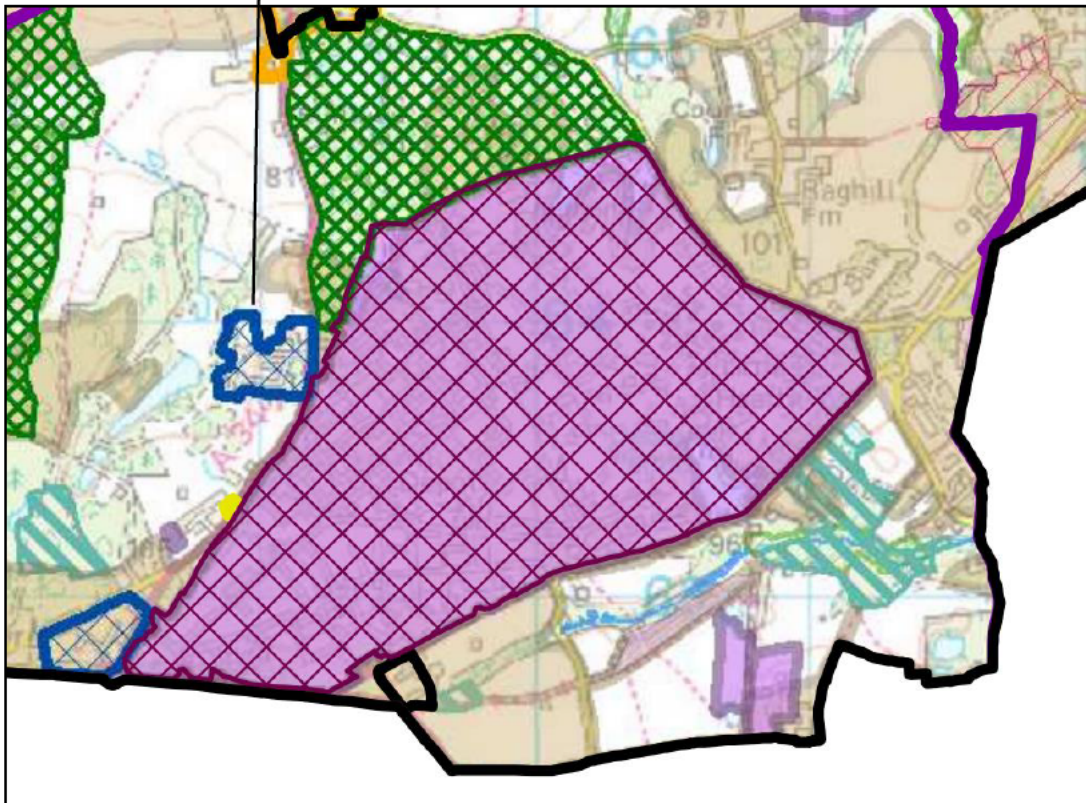
Please ensure that we have either an up to date email address or postal address at which we can contact you. You can amend your contact details by logging onto your account on the Local Plan Consultation Portal or by contacting the Planning Policy team.

Signature	JOHN COLLINS	Date	03/03/2022
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Your completed representations must be received by the Council by 4:30pm on Friday 3 March 2023.

Appendix 1

Policy DM32 – Designated Employment Area as referred to in Appendix 4 (Paices Hill/ Youngs Industrial Estate).



Appendix 2

DHA Planning
John Collins
Sittingbourne Road
Maidstone
ME14 3EN

Applicant:
Lesimar Ltd

PART I - DETAILS OF APPLICATION

Date of Application

29th October 2020

Application No.

20/02527/OUTMAJ

THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

Outline Planning Application for the construction of an industrial estate to comprise up to 15,917 sqm of flexible commercial floorspace for B8 (Storage or distribution), Former B1 (c) now Class E (Commercial, Business and Service Use) and B2 (General Industry) with associated access, parking, infrastructure and landscaping. Matters to be considered: Access.

Blacks Lake Track Racing, Blacks Lake, Paices Hill, Aldermaston Reading RG7 4PG

PART II - DECISION

In pursuance of its powers under the Town and Country Planning Act 1990, West Berkshire District Council GRANTS OUTLINE planning permission for the development referred to in Part I in accordance with the submitted application form and plans, subject to the following condition(s):-

1. Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development takes place. The development shall be carried out in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Applications for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:
 - o Location Plan 4157/sk14;
 - o Development Exclusion Boundary Buffer Plan SK1001;
 - o Tree Survey and Impact Assessment by Keen Consultants;
 - o Ecological Assessment by Ecology Solutions ;
 - o Summary of Ecological Enhancements by Ecology Solutions ;
 - o Phase 1 Desk Study Lustre Consulting Limited;
 - o Exploratory Phase 2 Site Investigation by Lustre Consulting Limited March 2020;
 - o Controlled Waters Risk Assessment by Lustre Consulting Limited March 2020;
 - o Vapour Detailed Quantitative Risk Assessment (EH Sciences Limited on behalf of Lustre Consulting Limited, March 2020);
 - o Executive Summary for contamination studies by Lustre Consulting Limited;
 - o Contamination report Addendum, supporting letter from Lustre Consulting dated 22/07/2020;
 - o Attenuation Tanks Controlled Waters Assessment by YES Environment;
 - o Flood Risk Assessment by Lustre Consulting;
 - o Interim Travel Plan by DHA Planning;
 - o Tree Constraints Plan drawing number 1577-KC-XX-YTREE-TCP01 Rev 0;
 - o Tree Protection Plan drawing number 1577-KC-XX-YTREE-TPP01 Rev 0;
 - o Transport Statement by DHA Planning dated October 2020;
 - o Transport Statement Addendum by DHA Planning dated February 2021.

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

5. Illustrative plans/documents

The reserved matters shall be broadly in accordance with the following illustrative material:

Site Plan drawing 4157/sk26 Feb 2021;
Proposed Unit 1 - 4 Elevations 4157/sk27a;
Proposed Unit 5 - 8 Elevations 4157/sk28a;
Proposed Unit 9 Elevations 4157/sk29a;
Proposed Units 10 - 12 Elevations 4157/sk30;
Proposed Unit 13 Elevations 4157/sk31;
Proposed Units 14 - 16 Elevations 4157/sk32a;
Proposed Units 17 - 22 Elevations 4157/sk33;
Indicative Emergency Plan 4157/sk34;
Outline Emergency Shelter/Evacuation Plan September 2020.

Reason: The above plans have informed the decision making process and should provide a basis for future reserved matters details.

6. No development shall take place until details of existing and proposed ground levels, and finished floor levels of the buildings, have been submitted to and

approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. These details are required before development commenced because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the NPPF, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (June 2006). A pre-commencement condition is required as these will effect early ground works.

7. No development shall take place until a scheme to deal with contamination at the site has been submitted to and approved in writing by the Local Planning Authority (LPA). The above scheme shall:
 - (a) Include an investigation and risk assessment. A report of the findings shall: identify the nature and extent of any contamination on the site (irrespective of its origin); include an assessment of the potential risks to human health, property, and the environment; and include an appraisal of remedial options, and proposal of preferred option(s).
 - (b) Include a remediation scheme which ensures that, after remediation, as a minimum, the land shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.
 - (c) Include a monitoring and maintenance scheme to ensure the long-term effectiveness of the proposed remediation, and the provision of reports on the same that shall be submitted to and approved in writing by the LPA.
 - (d) Be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation), and conducted in accordance with current best practice.

Thereafter, any approved remediation scheme and/or monitoring and maintenance measures shall be carried out in accordance with the approved details. Two weeks written notice shall be given to the LPA prior to the commencement of any remediation scheme.

If any previously unidentified land contamination is found during the carrying out of the development, it shall be reported immediately in writing to the LPA. Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the LPA. Thereafter, any remediation measures shall be carried out in accordance with the approved details.

The development shall not be occupied until all approved remediation measures have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is applied in accordance with the National

Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required to ensure that adequate investigation and a suitable remediation and/or monitoring is agreed before it may be implemented throughout the demolition and/or construction phase.

8. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reasons: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with the National Planning Policy Framework. To protect nearby receptors such as the fishing lakes from potential contamination from the underlying solvent plume.

9. Piling using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons: To protect groundwater quality and ensure that the proposed piling does not harm groundwater resources in line with the National Planning Policy Framework and Position Statement of the 'The Environment Agency's approach to groundwater protection'.

10. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved CMS. The CMS shall include measures for:
 - (a) A site set-up plan during the works;
 - (b) Parking of vehicles of site operatives and visitors;
 - (c) Loading and unloading of plant and materials;
 - (d) Storage of plant and materials used in constructing the development;
 - (e) Erection and maintenance of security hoarding including any decorative displays and/or facilities for public viewing;
 - (f) Temporary access arrangements to the site, and any temporary hard-standing;
 - (g) Wheel washing facilities;
 - (h) Measures to control dust, dirt, noise, vibrations, odours, surface water run-off, and pests/vermin during construction;
 - (i) A scheme for recycling/disposing of waste resulting from demolition and construction works;
 - (j) Hours of construction and demolition work;
 - (k) Hours of deliveries and preferred haulage routes;
 - (l) A site set-up plan during the works

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

commencement condition is required because the CMS must be adhered to during all demolition and construction operations.

11. No demolition or construction works shall take place outside the following hours, unless otherwise agreed in writing by the Local Planning Authority:

7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

No work shall be carried out at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy 2006-2026.

12. No external lighting shall be installed until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall identify those areas/features on site that are particularly ecologically sensitive and the strategy shall include a plan to show the location of the lighting, isolux contour diagrams and specifications for all lighting. The external lighting shall thereafter be installed in accordance with the approved details prior to the occupation of any of the buildings.

Reason: To protect the amenity of neighbouring sites in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.

13. The units hereby approved shall not be occupied until an amended Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be implemented in accordance with the implementation programme set out within the approved plan. It shall be reviewed (and updated if necessary) within 6 months of first implementation. After that the Travel Plan shall be annually reviewed and updated and all reasonable practicable steps made to achieve the agreed targets and measures within the timescales set out in the plan and any subsequent revisions.

Reason: To ensure the development reduces reliance on private motor vehicles and provides the appropriate level of vehicle parking. This condition is imposed in accordance with the National Planning Policy Framework (February 2019), Policies CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Supplementary Planning Document Quality Design (June 2006).

14. No unit shall be first occupied until a detailed soft landscaping scheme, to include details of the structural plants in the planters and containers has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved soft landscaping scheme within the first planting season following completion of building operations / first occupation of the new buildings (whichever occurs first). Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

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

Note: As part of the landscaping it is recommended that the Leylandii trees of Group G10 are removed. They are likely to continue to grow and therefore concern is held for their future retention being close to Unit 5. The Council's tree officer would like to see them replaced with Fastigate Scots Pine (sometimes called Sentinel Pine - *Pinus sylvestris fastigiata*) which will reach a maximum height of 8-12m and reflect the local heathland ecology as well as helping the biodiversity of the site.

15. Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing Keen Consultants Tree Protection Plan 1577-KC-XX-YTREE-TPP01 Rev0 dated Feb 2021. Within the fenced areas there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026.

16. The development hereby permitted shall achieve a rating of "Excellent" under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). The development shall not be first occupied until a final certificate has been issued certifying that this rating has been achieved, and a copy of the certificate has been provided to the Local Planning Authority.

Reason: To ensure the development contributes to sustainable construction. This condition is applied in accordance with the National Planning Policy Framework, Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

17. No development shall take place until a comprehensive Emergency Plan has been submitted to and approved in writing by the Local Planning Authority in relation to the construction phase of the development. Thereafter the measures set out in the approved Emergency Plan shall be implemented in full for the duration of the construction process.

Reason: In order to ensure protection of the construction staff should there be a radiation emergency at AWE Aldermaston in accordance with Policy CS8 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required as it is essential the approved strategy is in place at the time works commence and measures may need to be put into place prior to works starting on site.

18. No development shall take place until an outline Emergency Plan for the whole site has been submitted to and approved in writing by the Local Planning Authority. The plan shall be based on the draft submitted with this application however it must also provide the following:

- (a) Confirmation as to the construction of each of the units - in order to assess they will be able to provide adequate sheltering conditions.

- (b) Confirmation that a live telephone landline would be available in each of the units.
- (c) More details as to what would be needed to happen in each of the units by way of the 'basic' actions.
- (d) More detail in relation to how a controlled immediate evacuation or a controlled release after shelter would be undertaken and where an agreed location for everyone to go to would be. The site is on a major road and one which would be used by the emergency services as a result any evacuation must not impact on the responding vehicles.
- (e) Confirmation in the emergency plan that all the equipment referred to will be available such as bedding, masks, food etc for each unit.
- (f) Whilst it is noted that there is often 85% daily occupancy of the maximum numbers of employees this does not take account of visitors to the units who would also need to be accommodated therefore the sheltering capacity should take account of this. In addition the layouts of each unit must allow for sheltering the maximum occupancy with no requirement for anyone to go outside to get shelter in another unit.
- (g) More detail is necessary in relation to the coordination of the response across all unit.
- (h) More detail is necessary in relation to training and exercising of the plan(s).
- (i) More detail in the plan should be added in relation to recovery.

An outline Emergency Plan means that normally only the final contact details and names are not completed.

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

Reason: In order to ensure that the development will not have an impact on the AWE Off-Site Plan and therefore to protect employees and the emergency response team should there be a radiation emergency at AWE Aldermaston in accordance with Policy CS8 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required as it is essential to the future use of the site that acceptable measures can be put in place.

19. No individual unit shall be occupied until a comprehensive Emergency Plan for the site and that particular unit has been submitted to and approved in writing by the Local Planning Authority.

Upon occupation of the respective unit the approved measures within the Emergency Plans shall be implemented in full, shall be kept up-to-date by the unit operator and the site management/owners. Thereafter, the plans should be reviewed and amended as necessary and at least annually. The Local Planning Authority may at any time require the amendment of either/both plan(s) by giving notice pursuant to this condition. The Local Planning Authority may at any time require a copy of the then current Emergency Plan for the site which shall be submitted to the Local Planning Authority within 1 month of notice being given.

Reason: In order to ensure that the development as a whole and the individual units have integrated emergency plans in place in order to ensure that the application site as a whole will ensure a coordinated response with the site management and individual units such that the site as a whole will not have an impact on the AWE Off-Site Plan and will mitigate the risk to those people on the site in accordance with Policy CS8 of the West Berkshire Core Strategy 2006-2026.

20. No building shall be occupied until confirmation has been provided that either:
- (a) All water network upgrades required to accommodate the additional flows to serve the development have been completed; or
 - (b) A development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

21. No development shall commence until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been submitted in accordance with the Summary of Ecological Enhancements Version 21.06.21 and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:
- (a) Description and evaluation of features to be managed to include hard and soft infrastructure, boundary treatments and habitat enhancement and protection measures.
 - (b) Ecological trends and constraints on site that might influence management.
 - (c) Aims and objectives of management.
 - (d) Appropriate management options for achieving aims and objectives.
 - (e) Prescriptions for management actions.
 - (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - (g) Details of the body or organization responsible for implementation of the plan.
 - (h) Ongoing monitoring and remedial measures. Measures should be monitored in years 1, 3, 5, 10, 15, 20, 25 and 30.
 - (i) A phasing plan including green phasing so habitats are protected and enhanced in the best way possible and to allow for the planting to become well established before handover to any managing agent.

The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: A pre-commencement condition is required because the LEMP may need to be implemented during construction. This condition is required to ensure biodiversity enhancements are incorporated into the development in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

22. 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:
- (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.

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.

Reason: A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction. This condition is required to ensure biodiversity enhancements are incorporated into the development in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

23. If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 3 years from the date of the planning permission, the approved ecological measures secured through Conditions 21 and 22 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to (i) establish if there have been any changes in the presence and/or abundance of protected species and (ii) identify any likely new ecological impacts that might arise from any changes.

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

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

Reason: A pre-condition is required because the impacts on species will need to be managed during the construction process. This condition is required to ensure

biodiversity enhancements are incorporated into the development in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

24. The units hereby approved shall not be occupied until details of the electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. Each unit shall not be occupied until the electric vehicle charging points for that unit have been provided in accordance with the approved drawings. The charging points shall thereafter be retained and kept available for the potential use of an electric car.

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

25. No development shall take place until visibility splays of 2.4 metres by 89.0 metres to the north and 2.4 x 98.0 metres to the south have been provided at the access in accordance with drawing 14592-H-01 submitted on October 29th 2020. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

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

26. As a first development operation, the vehicular, pedestrian/cycle access and associated engineering operations shall be constructed to wearing course with the area within the junction radii completed with a tarmac surface in accordance with the approved drawing 14592-H-01 submitted on October 29th 2020. The access shall be constructed via Section 278 of the Highways Act 1980 or any other appropriate mechanism. No business unit shall be occupied until the access works have been completed in accordance with drawing 14592-H-01 submitted on October 29th 2020.

Reason: To ensure that the access into the site are constructed before the approved buildings in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

27. The units hereby approved shall not be occupied 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 for that unit have been provided in accordance with the approved details. The parking and/or turning space for each unit and any communal spaces shall thereafter be kept available for parking serving the development 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, 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).

28. 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 development shall not be brought into use 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, 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).

29. No development shall take place until details of sustainable drainage measures to manage surface water within the site have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details before the development is occupied.

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018 which seeks to maximise the use of 'green SuDS' within a development;
- b) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than Greenfield run-off rates;
- c) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- d) Include run-off calculations, discharge rates and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- e) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- f) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines;
- g) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime;
- h) Include a Contamination Risk Assessment for the soil and water environment (assessing the risk of contamination to groundwater, develop any control requirements and a remediation strategy);
- i) Include measures with reference to Environmental issues which protect or enhance the ground water quality and provide new habitats where possible;
- j) Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e. stream, ditch etc);
- k) Show that attenuation storage measures have a 300mm freeboard above maximum design water level. Surface conveyance features must have a 150mm freeboard above maximum design water level;

- l) Include with any design calculations an allowance for an additional 10% increase of paved areas over the lifetime of the development;
- m) Provide details of catchments and flows discharging into and across the site and how these flows will be managed and routed through the development and where the flows exit the site both pre-development and post-development must be provided;
- n) Provide details of how surface water will be managed and contained within the site during any construction works to prevent silt migration and pollution of watercourses, highway drainage and land either on or adjacent to the site;
- o) Provide a post-construction verification report carried out by a qualified drainage engineer demonstrating that the drainage system has been constructed as per the approved scheme (or detail any minor variations thereof), to be submitted to and approved by the Local Planning Authority on completion of construction. This shall include : plans and details of any key drainage elements (surface water drainage network, attenuation devices/areas, flow restriction devices and outfalls) and details of any management company managing the SuDS measures thereafter;
- p) Provide details of how the existing culvert linking A340 with the existing on-site pond will be replaced and improved;
- q) Provide details of how the existing on-site pond will be improved both in terms of water quality (and where possible, quantity) and for habitat and biodiversity;
- r) Provide details of how the periphery of the site will be re-naturalised and enhanced to improve appearance and ecology of the site;
- s) Provide details to show how the development will prevent surface water from entering into the existing contaminated groundwater on site;
- t) Show how the built area of the development will encourage surface water runoff to be slowed down and cleaned through pervious paving and porous sub-base. SuDS measures such as tree pits will be provided throughout the site.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018). A pre-condition is necessary because insufficient detailed information accompanies the application; sustainable drainage measures may require work to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

The decision to grant Outline Planning Permission has been taken having regard to the policies and proposals in the National Planning Policy Framework, South East Plan 2006-2026, West Berkshire District Local Plan 1991-2006 (WBDLP) Saved Policies 2007, the Waste Local Plan for Berkshire, adopted 1998, the Replacement Minerals Local Plan for Berkshire 1991-2006 (incorporating the alterations adopted in December 1997 and May 2001) and to all other relevant material considerations, including Government guidance, Supplementary Planning Document; and in particular guidance notes and policies:

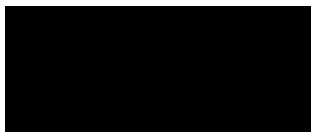
The reasoning above is only intended as a summary. If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.

INFORMATIVE:

- 1 The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.
- 2 The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "*Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority*". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met. A fee is required for an application to discharge conditions.
- 3 This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. 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.
- 4 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
- 5 The Asset Management team, West Berkshire District Council, Environment Department, Council Offices, Market Street, Newbury, RG14 5LD, or highwaysassetmanagement@westberks.gov.uk should be contacted to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made, allowing at least four (4) weeks' notice, to obtain details of underground services on the applicant's behalf.
- 6 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.
- 7 The attention of the applicant is drawn to the Highways Act, 1980, which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 8 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.

9 This Decision Notice must be read in conjunction with the terms of a Legal Agreement of the 22/09/2021. You are advised to ensure that you have all the necessary documents before development starts on site.

Decision Date :- 29th September 2021



Eric Owens
Service Director – Development and Regulation

TOWN AND COUNTRY PLANNING ACT 1990

Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions

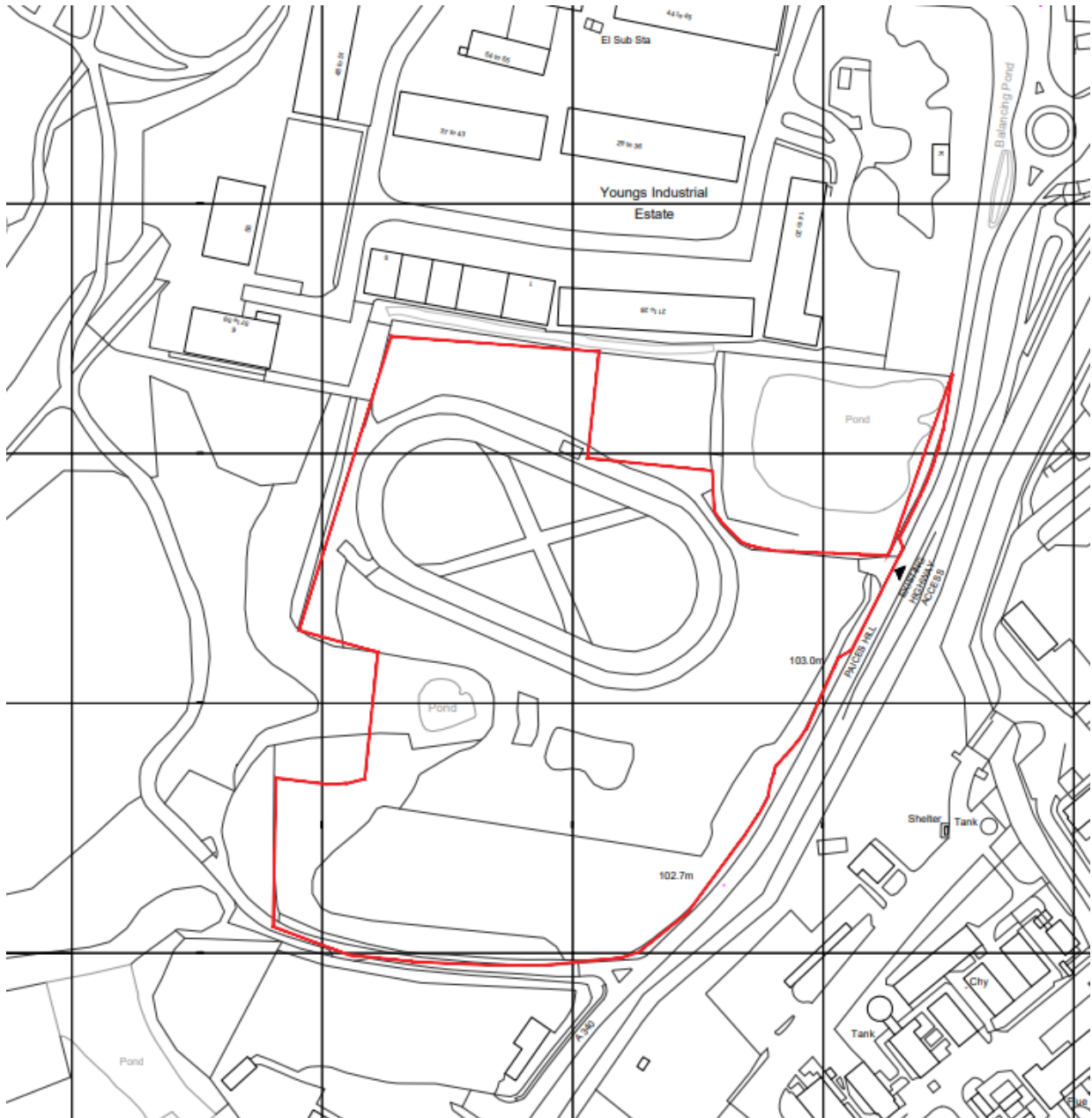
Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against the local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online using the Planning Portal at www.planningportal.co.uk.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Appendix 3



Site Location Plan (application reference 20/02527/OUTMAJ).