

APPEAL STATEMENT

Erection of two modular buildings following demolition and removal of existing structures and change of use of site to flexible Class B2/B8/E(g) use.

Pitchkettle Farm, Goodboys Lane, Grazeley Green, Reading, RG7 1ND.

On behalf of Pitchkettle Investments Ltd.

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1. Introduction

1.1. This appraisal statement has been prepared on behalf of Pitchkettle Investments Ltd ("The Appellant") and relates to a planning appeal submitted pursuant to Section 78 of the Town and Country Planning Act 1990. It concerns an existing site known as Pitchkettle Farm ("The Appeal Site").

1.2. The appeal is submitted following the decision of West Berkshire Council dated 16th March 2023 to refuse an application for full planning permission for the following development proposal:

"Part retrospective erection of two modular buildings following demolition and removal of existing structures, and change of use of site to flexible Class B2/B8/E(g) use."

1.3. The application was submitted on 21st October 2021 and comprised a full set of drawings and Planning Statement setting out how the site previously existed and how it exists as proposed. As will be explained below, part of the application is retrospective, so the site as shown on the location plan is not the site as it appears today.

1.4. The planning application was allocated reference **21/O2710/FUL**. During the course of the application, an ecology report was submitted which confirmed no adverse impact to protected species as a result of the proposals. The Council determined the application via decision notice dated 16th March 2023, citing six reasons for refusal as follows:

"1) The site is poorly located and does not appear to have sufficient supporting infrastructure or opportunities for employees to reach the site by public transport, cycling and walking. The proposal would lead to intensification of employment generating uses which are not compatible with rural location. It has not been demonstrated it is imperative for business to take place in a rural setting and has not demonstrated how the business and future business would make a contribution to the rural economy. Thus, the proposal does not to comply with policies ADPP1, CS9 and CS10 of Core Strategy."

2) The proposal would represent an intensification of an urban commercial use of the site in a rural area and the modular buildings would appear alien in this rural landscape which is considered to cause unacceptable harm to the rural character and appearance of the area. It is considered that overall the proposal would not be acceptable in terms of location, scale and design and conflict with both CS14 and CS19 of West Berkshire Core Strategy 2006–2026.

3) A noise assessment has not been received as part of this application and this means there is insufficient information to conclude that the noise generated from the proposed flexible Class B2/B8/E(g) use will not have a harmful impact on residential amenity of occupier who live in the dwelling granted under 20/O1304/CERTE. The proposal does not comply with OVS5 of OVS6 the West Berkshire Local Plan 1991–2006 (Saved Policies 2007) or policy CS14 of the West Berkshire Core Strategy 2006–2026.

4) The proposal will significantly increase traffic in a remote rural location that has no pedestrian or bus routes and is accessible only by rural roads which are not

conducive to cycling. Accordingly, by virtue of the nature intensity and location of the development it would significantly increase traffic where the mode of travel can only reasonably be by the private car. There is a lack of information to demonstrate there will not be an increase in traffic along Goodboys Lane that is unsuitable for a significant increase in larger vehicles. An increase in larger vehicle would lead to a potential Highway Safety risk which would be harmful to road users. The proposal is therefore unsustainable and is contrary to Policies ADPP1, ADPP6, CS9, CS10 and CS13 of the West Berkshire Core Strategy 2006–2026, the Local Transport Network Plan for West Berkshire 2011–2026, and the National Planning Policy Framework.

5) It has not been demonstrated that the proposed development would be built with minimum standards of construction of BREEAM Excellent. As such the proposal is not compliant with Policy CS15 of the West Berkshire Core Strategy (2006–2026).

6) The application site is situated within the Detailed Emergency Planning Zone (DEPZ) surrounding the Burghfield Atomic Weapons Establishment (AWE). The use of the DEPZ in this context provides an area for development control consistent with the zone defined originally for emergency planning purposes. Off-site emergency arrangements are a requirement of the Radiation (Emergency Preparedness and Public Information) Regulations 2001 and are outlined within the AWE Off-Site Emergency Plan issue: July 2019. The purpose of the plan is to provide a detailed framework for all responding agencies to work to in order to facilitate the protection of the public and/or environment following an event involving an on-site accident at AWE Burghfield.

There is insufficient information to demonstrate that the proposed development would not result in an increase in population within the DEPZ. With no individual emergency plan in place the proposal would have an adverse impact on the SWE Off-Site Emergency Plan due to distance meaning that evacuation after a period of shelter would be necessary, and in terms of recovery implications in the longer term.

According to Policy CS8 of the West Berkshire Core Strategy proposals in the consultation zones will be considered in consultation with the ONR. In the interests of public safety, development in planning consultation of AWE Burghfield is likely to be refused planning permission by the Council where the Office for Nuclear Regulation (ONR) has advised against the development. Both the ONR and Emergency Planning Team advise against the development because insufficient information has been received and this mean they have not been able to give consideration to the specific impacts of the development on the Off-Site Emergency Plan. As such, the proposal conflicts with the NPPF and Policy CS8 of West Berkshire Core Strategy 2006–2026.

- 1.5. In view of the above, this Appeal Statement seeks to primarily address the main issues that remain in dispute between the principal parties and will also identify where it is considered that common ground exists in order to narrow down the issues remaining in dispute. In response to the third, fourth and fifth reasons additional information is submitted to specifically address these concerns in the form of a separate Written Representation on Transport Matters (Pegasus Group), an Acoustic Assessment (ACA Acoustics) and documents related to the energy efficiency of the building.

2. The Appeal Site Location and Description

- 2.1. The Appeal Site is located on the western side of Goodboys Lane to the south of Grazeley Green. It includes a vehicular access onto Goodboys Lane which previously lead to a number of dilapidated buildings forward of the main barn building. The main barn building remains however the other buildings were removed prior to the submission of the planning application; photographs of these are detailed at Appendix 1 of the Planning Statement¹.
- 2.2. The site is bordered to the south by Woodside Farm, which is operated from by Woodside Recycling. This business previously also operated from Pitchkettle Farm as has been confirmed by a Certificate of Lawfulness, but due to a reduction in the size of this business they ceased using Pitchkettle Farm. At the time of the application, they still used part of the barn, therefore this part of the site was excluded from the red line and edged in blue, however Woodside Recycling no longer have a presence at Pitchkettle Farm.
- 2.3. The site has been used as a commercial yard for more than 40 years, initially running skips, tyre recycling, waste processing, a scaffold yard and paper recycling which involved up to 30 lorries accessing the site per day. Whilst the current operations from the site are significantly less intense, this gives some useful context with regards historical activities at the site.
- 2.4. The site is otherwise bordered by woodland to the west, the highway to the east and fields to the north. It is located outside the settlement boundary but it not within the AONB, a flood zone or a conservation area, nor is it close to any listed buildings. It is however located within the inner consultation zone for the Burghfield Atomic Weapons Establishment (SWE).

¹ Pegasus Group, October 2021

3. Relevant Planning History

- 3.1. There are two historical planning applications concerning a mobile home for an agricultural worker which are not considered relevant due to the mobile home being located outside of the site. In any event, these applications have effectively been superseded by Certificate of Lawfulness application **20/01304/CERTE** for which a certificate was issued in September 2020, confirming that the mobile home has lawful use as an independent dwelling, it being demonstrated that it had been used as such for a period in excess of 10 years.
- 3.2. More relevant to the appeal proposals is application **20/01311/CERTE** which sought a Certificate of Lawfulness for *'Use of land for waste paper recycling business (Sui Generis Use) comprising of staff break out room, workshop, barn, staff car park and yard for storage of items ancillary to the primary use.'* The application covered the whole of Pitchkettle Farm, and the certificate was issued in October 2020 thereby establishing the current lawful position of the site.
- 3.3. In approving this certificate, the Council accepted certain facts with regards the use which are set out in their report:
- The yard has been used for the parking of vehicles in association with the waste paper recycling business. The yard has been used for storing items related to the waste paper recycling business, such as wheelie bins and waste paper containers.
 - There is an on-site staff break out room which the employees of the waste paper recycling business have used for 10 years.
 - There is an on-site workshop which has been used to fix vehicles and equipment associated with the waste paper recycling business for over 10 years.
 - There is a strip of land to the north of the site which has been used for staff parking for over 10 years.
 - The Barn has been used for activities which relate solely to the purposes of aiding the running of the waste paper recycling business.
- 3.4. Finally, there is a record of a certificate of lawfulness for a waste paper recycling business concerning Woodside Farm to the south (reference **01/00819/CERT**).

4. The Appeal Proposals

- 4.1. Since Certificate of Lawfulness ref. **20/01311/CERTE** was issued but prior to the planning application being submitted, the appellants removed the dilapidated buildings that were previously located towards the eastern boundary of the site and replaced these with two modern modular buildings. These are shown on the plans and elevations, and also on photographs contained at Appendix 2 to the Planning Statement.
- 4.2. The two modular buildings are referenced on the plans as Building A and Building B. Building A contains office space associated with Associated Industrial Control Solutions (AICS), an electrical engineering company owned by the appellants. The building has a width of 16.3m with a depth of 12.5m and a height of 3.9m. Building B is an ancillary workshop and storage area also associated with AICS which has a width of 9.1m, a depth of 5m and a height of 3.9m.
- 4.3. The use of these buildings by AICS falls under Class E(g) of the Use Class Order in providing both '*Offices to carry out any operational or administrative functions*' and '*Research and development of products or processes.*' The erection of Buildings A and B and their uses for Class E(g) purposes form the retrospective elements of the application.
- 4.4. The remainder of the appeal site is mainly hardstanding and includes part of the main barn with the area excluded from the application to remain in Sui Generis use. As set out above, Woodside Recycling no longer operate from Pitchkettle Farm however as this area was excluded under the planning application, it also has to be excluded under this appeal and assessed as such, however it is acknowledged that a further application will likely now be required to bring this under the same use as the remainder of Pitchkettle Farm, if the appeal is successful.
- 4.5. Historically there have been a number of structures on the surrounding hardstanding areas which have mainly been used for parking or storage in relation to the recycling business as acknowledged within the approval of the certificate application. The appeal scheme proposes to formalise these areas into a flexible mixed B2/B8 use which would enable the appellants to lease areas of the site to new businesses without the need for planning permission. Any operational development such as buildings or other structures would require further applications for planning permission, however if within the permitted uses classes then no further change of use would be required.
- 4.6. As such, the appeal seeks permission for a flexible mixed use of Use Classes B2, B8 and E(g) across the site together with retrospective planning permission for the two buildings referenced above. To be clear, the Class E(g) use relates to the modular buildings only with the remainder of the site proposed to be within a flexible B2/B8 use. The intention of the B8 use would be for long term storage, such as for caravans or self-storage, and whilst such a use could likely be carried out without any further permission, B2 uses would require additional buildings that would require permission therefore in this regard the application relates primarily to the principle of such a use, and that further permissions would be required in order to implement a B2 use.
- 4.7. The Class E(g) use that currently operates at the site has eleven employees. The development has come about due to a reduction in operations by Woodside Recycling who are now entirely based at Woodside Farm to the south. This included a reduction in eleven employees from being based at Pitchkettle Farm.



4.8. The appeal proposals are accompanied by the supporting documentation that was submitted at the time of the planning application. It is also accompanied by the following documents which were not originally submitted with the application but are submitted with the appeal specially to address certain reasons for refusal:

- Written Statement on Transportation Matters (Pegasus Group)
- Acoustic Assessment (ACA Acoustics)
- Building Regulations Compliance Report (Modular Space Solutions) with accompanying Output Document and Energy Performance Certificate

4.9. With regards latter of these, the address listed is not the site but the company who constructed the buildings; as the buildings are modular buildings they are all the same in terms of energy efficiency. These are submitted as an appendix to this statement, whereas the other documents are submitted separately.

5. Relevant Planning Policy

5.1. The reasons for refusal reference the following development plan documents:

- Core Strategy (July 2012)
- Saved policies of the West Berkshire District Local Plan

5.2. Reference is also made to the Local Transport Plan for West Berkshire (2011–2026). The National Planning Policy Framework (NPPF) is a material consideration for all planning applications but is only referenced within the fourth and sixth reasons for refusal. The following sections set out the policies and guidance that are considered relevant to the consideration of this appeal.

National Planning Policy Framework

5.3. The following sections and paragraphs of the NPPF are considered relevant to the proposed development.

Introduction

5.4. **Paragraph 2** confirms that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Achieving Sustainable Development

5.5. **Paragraph 7** confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. **Paragraph 8** explains that achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental) and that these are independent and need to be pursued in mutually supportive ways.

5.6. **Paragraph 9** clarifies that these are not criteria against which every decision can or should be judged. It goes on to state that planning decisions should play an active role in guiding development towards sustainable solutions but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area. **Paragraph 10** confirms the presumption in favour of sustainable development at the heart of the Framework,

5.7. **Paragraph 11** sets out the presumption in favour of sustainable development that is at the heart of the framework. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay. Where there are no relevant development plan policies, or the policies which are most important for the determination of the application are out of date, permission should be granted unless:

"i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole."

5.8. Footnote 7 to Paragraph 11 deals with the 'areas or assets of particular importance' and is read as a closed list. None of the designations referenced in Footnote 7 apply to the site.

5.9. **Annexe 1** to the NPPF deals with the issue of the consistency between existing development plan policy and national guidance at **Paragraph 219** which is relevant to considering whether policies are out of date, stating:

"However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer to policies in the plan to the policies in the Framework, the greater the weight that may be given)."

Determining Applications

5.10. **Paragraph 47** states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Supporting a Prosperous Rural Economy

5.11. **Paragraph 84** states that planning policies and decisions should enable the sustainable growth and expansion if all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings (our emphasis).

5.12. **Paragraph 85** states the following:

"Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well related to existing settlements, should be encouraged where suitable opportunities exist."

Promoting Sustainable Transport

5.13. **Paragraph 110** states that safe and suitable access to the site should be achieved for all users and that any significance impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree. It should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.

5.14. **Paragraph 111** confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe.

Achieving Well Designed Places

- 5.15. **Paragraph 126** states that good design is a key aspect of sustainable development, creates better places to live and work and helps make development acceptable to communities. Effective engagement between applicants, communities and local planning authorities is essential for achieving this.
- 5.16. **Paragraph 130** states that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but for the lifetime of the development. Developments should be visually attractive as a result of good architecture, layout and appropriate landscaping, and sympathetic to local character including the surrounding build environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change. Development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Conserving and enhancing the natural environment

- 5.17. **Paragraph 174** sets out that planning decisions should contribute to and enhance the local and natural environment by:
- "a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);***
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland..."***
- 5.18. There is no suggestion in the Officer's Delegated Report that the land is a site is within a valued landscape, is of any of biodiversity or geological value with any statutory status or that it comprises the best and most versatile agricultural land. The appeal site does not contain any trees or woodland.

The Development Plan

Core Strategy

- 5.19. **Policy ADPP1 (Spatial Strategy)** sets out that development in West Berkshire will follow the existing settlement pattern. Most development will be within or adjacent to the settlements contained within the settlement hierarchy and related to the transport accessibility of the settlement. The most intensive employment generating uses, such as offices, will be located in those town centre areas where the extent and capacity of supporting infrastructure, services and facilities is the greatest. The scale and intensity of development will be related to the site's accessibility, character and surroundings. Significant intensification of employment generating or other uses will be avoided within areas which lack sufficient supporting infrastructure, facilities or services or where opportunities to access them by public transport, cycling and walking are limited.

- 5.20. **Policy ADPP6 (The East Kennet Valley)** contains the area delivery plan policy for the East Kennet area, of which the site is a part. The policy is only contained within the fourth reason for refusal in respect of traffic and sustainability; in this context, the policy refers to improvements to public transport links and the accessibility of Mortimer Station together with opportunities being explored for the improvement of cycle links. The policy also protects existing employment areas and the character of existing settlements. It is not clear how the Council consider the development to be contrary to this policy as despite it being referred to within the Planning Policy and Conclusion sections of the Officer's Report, and referenced within the fourth refusal reason, no specific conflict is highlighted.
- 5.21. **Policy CS8 (Nuclear Installations)** sets out that residential development in the inner consultation zone is likely to be refused planning permission by the Council where the Office for Nuclear Regulation (ONR) has advised against development. All other development proposals will be considered in consultation with the ONR having regard to the scale of development proposed, its location, population distribution of the area and impact on public safety. Consultation is made where one or more additional person may live, work or shop on the site.
- 5.22. **Policy CS9 (Employment and the Economy)** directs business development to the employment areas, together with existing employment sites and premises. It also states that *'A range of types and sizes of employment sites and premises will be encouraged through the District to meet the needs of the local economy. Proposals for business development should be in keeping with the surrounding environment, not conflict with existing uses, and promote sustainable transport.'*
- 5.23. **Policy CS10 (Rural Economy)** states that proposals to diversify the rural economy will be encouraged, and that existing small and medium size enterprises within the rural area will be supported to provide local job opportunities and maintain the vitality of smaller rural settlements.
- 5.24. **Policy CS13 (Transport)** sets out that development that generates a transport impact will, amongst other things, be required to reduce the need to travel, improve and promote opportunities for healthy and safe travel, improve travel choice and facilitate sustainable travel, demonstrate good access to key services and facilities, minimise the impact on the environment and mitigate the impact on the local transport network. Development proposals may not need to fulfil each bullet point.
- 5.25. **Policy CS14 (Design Principles)** states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area and makes a positive contribution to the quality of life in West Berkshire. Good design relates not only to the appearance of a development, but the way it functions. Development shall contribute positively to local distinctiveness and sense of place.
- 5.26. **Policy CS15 (Sustainable Construction and Energy Efficiency)** requires all new non-residential development to meet the minimum standard of BREEAM Excellent from 2013.
- 5.27. **Policy CS19 (Historic Environment and Landscape Character)** states that in order to ensure the diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural and functional components of its character will be considered as a whole. Particular regard will be given to the sensitivity of the area to change, ensuring that new development is appropriate in terms of location scale and design in the context of the existing settlement form, pattern and character.

West Berkshire District Local Plan

- 5.28. **Policy OVS5 (Environmental Nuisance and Pollution Control)** states that the Council will only permit development proposals where they do not give rise to an unacceptable pollution of the environment. In order to minimise the adverse impact on the environment or loss of amenity proposals should have regard to a number of factors, including the installation of equipment to minimise the harmful effects of emissions, the hours, days or seasons of operations, and locating potential nuisance or pollution activities onto the least sensitive parts of the site or where the impacts can be best contained by physical or other appropriate measures.
- 5.29. **Policy OVS6 (Noise Pollution)** sets out that the Council will require appropriate measures to be taken in the location, design, layout and operation of development proposals in order to minimise any adverse impact as a result of noise generated. Proposals for noise sensitive developments should have regard to existing sources of noise, the need for appropriate sound insulation measures and noise exposure levels to sensitive uses such as housing.

Other Documents

Local Transport Plan for West Berkshire 2011-2026

- 5.30. The fourth reason for refusal contains reference to this document with regards to its highways impacts. The policies and strategies of the LTP provide a framework for delivering the transport vision, which has been developed in line with the vision and spatial policies contained in the Core Strategy. The LTP promotes sustainable development, reducing the need to travel and contributing to reducing climate change.

6. Case for the Appellant

- 6.1. In this section the Appellant will explain why it is considered that the appeal proposals represent sustainable development, and it will be shown that there are compelling reasons to justify the grant of planning permission in this case.
- 6.2. What the Appellant considers are the main issues from a planning policy perspective are discussed under the below headings.

Issue 1: The Principle of the Development

Issue 2: Design, Character and Appearance

Issue 3: Residential Amenity

Issue 4: Transport and Highway Safety

Issue 5: Sustainable Construction and Energy Efficiency

Issue 6: Impact on the DPZ and Emergency Planning

Issue 7: Other Matters

Issue 1: The Principle of the Development

- 6.3. It is acknowledged, as set out within the Planning Officer's delegated report, that policies within the Core Strategy – in particular Policies ADPP1 and CS9 – direct employment development to urban locations, including the Protected Employment Areas. The site is not within a Protected Employment Area and is located within the countryside.
- 6.4. Policy CS9 allows for business development outside the protected employment areas provided that they are compatible with uses in the area surrounding the proposals, and the capacity and impact on the road network and access by sustainable modes of transport. The Council considers that the proposal is not compliant with Policy CS9 due to its rural location and *'introduction of what appears to be intensifying of industrial uses in an unsustainable location.'* Although the Certificate of Lawfulness for the Sui Generis Use of the site in connection with a waste paper recycling business is acknowledged, this is not given any weight as a fallback position, and the Council considers that the proposal would bring additional people to the area in an unsustainable location.
- 6.5. Although Policy CS9 does, in the main, direct business development to the Council's employment areas, it does also allow for development to be accommodated within existing suitably located employment sites and premises. The existing lawful use of the site has been confirmed to be by a waste paper recycling business, which although within Sui Generis Use is clearly a business use. This remains a lawful fallback position for the site, regardless of the current occupancy of Pitchkettle Farm, and should therefore be given due weight. It is also relevant that there would be no restriction on the number of employees at the site, in the event that such a business was to lawfully re-establish itself at the site. Once these matters are considered, the site is given more support by Policy CS9 than the Council attribute to it.

- 6.6. Policy CS10 protects existing small and medium sites within rural areas, a description which the lawful use of the site is considered to fall under. The development does not result in the loss of such a site, contrary to this policy, rather a change of use to a different employment use. The policy requires that development does not negatively impact upon the rural economy, which a different business use would not do.
- 6.7. In applying this policy, the Council seem to suggest that that it should be demonstrated that the business needs to be in a rural location and have a connection to its locality. From the policy wording, it is not agreed that this is the case, however the mere presence of a business on an established employment site in the countryside would naturally contribute to the rural economy through workers utilising other local businesses for both the personal and business needs. In any event, it seems superfluous of the Council to utilise a policy that protects small and medium rural business, in order to restrict such a business.
- 6.8. However, and notwithstanding the above, it noteworthy that the Council refer only to their own policies within the reason for refusal 1, and not the NPPF. The Planning Statement submitted with the application drew attention to Paragraphs 84 and 85 of the NPPF, which under the heading '*Supporting a prosperous rural economy*' establish that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas. This does not place any restrictions on use classes within rural areas and accepts at Paragraph 85 that local businesses in such areas may need to be found beyond existing settlements, and in locations that are not well served by public transport.
- 6.9. It is therefore considered that the Council's strict application of Policies ADPP1 and CS9 is not consistent with the principles established by the NPPF. Whilst Policy CS9 is in itself not wholly inconsistent with the NPPF as it does allow for businesses outside of rural areas, restricting development on the basis of its location and public transport service is inconsistent with Paragraphs 84 and 85 of the NPPF. The Core Strategy was adopted in 2012 whereas the most recent NPPF was adopted far more recently in July 2021. As per Paragraph 219 of the NPPF, the identified conflict with Policy CS9 should not be given any weight as this is not consistent with Paragraphs 84 and 85 of the NPPF. This is also the case in respect of Policy ADPP1 with regards the principle of employment development in the countryside. In applying Policy CS10 in order to restrict a business on the basis of it not needing to be located in the countryside and not having a clear connection with the local area, the Council are also not giving any weight to Paragraph 84 and 85 of the NPPF as these paragraphs place no such restrictions on rural businesses.
- 6.10. It is considered that the development would fall under Paragraph 84(a) of the NPPF in proposing the sustainable expansion of a business in a rural area. The proposal utilises previously developed land in its entirety (which the Council agree with) and in this regard is considered sustainable as it does not require any expansion into the open countryside. Although the uses now proposed are different to that referenced under the Certificate of Lawfulness, as Paragraph 84(a) references '*all types of businesses*' it is not considered that a change of use is inappropriate as a matter of principle.
- 6.11. Whilst it is not argued that the site is well served by public transport, Paragraph 85 establishes that this does not mean that business development in such locations is necessarily unacceptable. As such, by requiring business development to be accessible by sustainable modes of transport, Policy CS9 is not consistent with the NPPF. In such circumstances, Paragraph 85 states that it is important to ensure that development does not have an unacceptable impact on local roads and encourages the use of previously

developed land. The impact on local roads is addressed via Issue 4 below, and it common ground that Pitchkettle Farm comprises previously developed land.

- 6.12. This support from the NPPF was not acknowledged by the Council in their decision, but in view of the Appellant should attract substantial weight.
- 6.13. Such an approach was supported by a previous Inspector at a site in the nearby Borough of Wokingham, known as Newlands Farm², which is included at Appendix 1. Whilst within a different Borough, this site and the Council's decision have a number of similarities with Pitchkettle Farm in that it was located in the countryside, and the Council relied on a policy³ which restricts uses in the countryside to 'rural or recreational enterprises' which places restrictions on commercial development in the countryside through their location and accessibility.
- 6.14. The development that was the subject of this appeal involved a change of use of previous agricultural buildings to General Industrial Use under Use Class B2 with the erection of two additional constructions. Therefore, there was no business use lawfully established at the site; at the time of the application the lawful use was agricultural.
- 6.15. Paragraph 16 of the appeal decision highlighted that it was common ground that the uses would not be for a rural or recreational enterprise, and Paragraph 17 found that visitors and employee's would rely heavily on the private car to access the site. This led to a conclusion at Paragraph 18 that the appeal site would not be suitable for the development proposed having regard to the locational and accessibility requirements of the Council's Core Strategy, including Policy CP11. However, Paragraph 19 then highlights the support for a prosperous rural economy and that sites may have to be found beyond existing settlements in locations not well served by public transport within Paragraphs 83 and 84 of the NPPF⁴. Paragraph 20 acknowledges that the NPPF '*establishes a more sympathetic approach to the location of economic activities in rural areas*' and found that the NPPF lent considerable support to the proposal. Substantial weight is attached to this matter, which is consistent with the Appellant's view above. Paragraph 21 then concludes that material considerations indicate a decision contrary to the development plan.
- 6.16. This appeal decision is a significant material consideration that should be afforded substantial weight in the consideration of the appeal, given the similar characteristics of the sites, the proposal for business development and the application by the Council of a policy that is not consistent with a more up to date NPPF. The Newlands Farm appeal proposed a B2 use across the whole site, which at 1.29ha was much larger than the appeal site and involved substantial agricultural buildings. The proposal does involve B2 uses in principle, but at the current time does not propose any additional buildings to accommodate such a use, with the only new buildings the modular buildings to be in Class E use. The Newlands Farm development also involved two sizeable extensions, and as a whole is considered to be a far more substantial operation than that proposed at Pitchkettle Farm. There was no requirement for development to have any connection with the rural location – as Policy

² Appeal Reference APP/XO360/W/20/3252447

³ Policy CP11 of the Wokingham Core Strategy

⁴ Now Paragraphs 84 and 85

CS10 does – nor was it considered imperative for this business to take place in a rural location.

- 6.17. Finally, the matter of location and opportunities for employees to reach the site by public transport, cycling or walking is also considered within the accompanying Written Statement on Transport Matters. It is concluded that the change in trip attracting characteristics arising from the appeal scheme will be immaterial in real terms and that the existing infrastructure is appropriate to serve it.
- 6.18. As such, to conclude with regards Issue 1, whilst it is considered that there is a degree of consistency between Policy CS9 and CS10 with the NPPF, the Council's application of these policies in the context of the proposal is entirely contrary to the principles established by Paragraphs 84 and 85 of the NPPF. The Council also give no weight to the fallback position established via a Certificate of Lawfulness, which if they had done may have led to a different conclusion with regards the compliance with the Core Strategy policies. The Newlands Farm decision has established that Paragraphs 84 and 85 should reduce weight given to local policies when these are not consistent, which leads to a conclusion that all types of business development in locations not necessarily well served by public transport are acceptable in principle. These conclusions undoubtedly have parallels with Pitchkettle Farm and are a significant material consideration. It is therefore considered that the location of this development on this site is acceptable as a matter of principle.

Issue 2: Design, Character and Appearance

- 6.19. Policy CS14 requires that development be of a high quality and sustainable design that respects and enhances the character and appearance of an area. Policy CS19 requires development to ensure that the diversity and local distinctiveness of the landscape character of the district is conserved and enhanced, having regard to the sensitivity to the area to change and ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.20. In respect of built form, the proposals involve the erection of two new modular buildings at the site, which have already been sited and for which retrospective permission is applied for. The remainder of the proposals involve use only, comprising a flexible B2 and B8 use but no further buildings are applied for at this stage and any further operational development would require further planning permission. As such, any impact on the character and appearance of the area is limited to that from the modular buildings and the use of the land.
- 6.21. Two photos are shown on Page 12 of the Planning Statement which highlight the site as it existed prior to the appellant taking ownership whilst it was still being operated under the terms of the Certificate of Lawfulness. In particular, the areas to the east and west of the barn building and also along the northern boundary were all covered by dilapidated buildings and ancillary storage. The buildings have all been removed and replaced with the modular buildings, whilst the remainder of the site in being used for parking and storage would have had a similar character to how the site is proposed to operate in the event that planning permission is granted.
- 6.22. The Planning Officer's report sets out how they consider that the two modular buildings are 'alien' to the area whereas they considered that the previous buildings blended into the rural landscape. Photographs of the previous buildings are included at Appendix 1 of the Planning Statement, and it is evident that a variety of building forms previously existed at the site which included brick structures, concrete blocks and lean-to's. Whilst it is

accepted that the proposed modular buildings are more modern in appearance, these buildings – which have a height of 3.9m – are far more ordered in respect of their design and location and are clearly an improvement over the previous situation. It also appears that modular buildings previously existed at the site, at least one such building being visible in the aerial photos, therefore the proposed modular buildings are characteristic of the site and do not represent an 'alien' addition.

- 6.23. The Officers Report states that the previous buildings had an agricultural appearance to them and blended into the landscape. This point is disputed; the previous buildings were not agricultural in appearance, and comprised a mix of structures with varying appearances, no consistent design character and no building materials traditionally associated with agricultural uses. The application proposes far less built form that previously existed, and it is not considered that the two single storey modular buildings proposed are prominent additions that have a significant impact on the character of the area. Furthermore, the appellant intends to plant new landscaping along the site frontage and as such would be happy to accept a landscaping condition to allow such planting to be formally secured.
- 6.24. Again, the Council do not appear to give much weight to the fallback position that was established via the Certificate of Lawfulness in their determination. Whilst they do acknowledge that the site has been cleared and tidied and that this has benefited the character and appearance of the area, they consider that the use of the site could intensify as a result of the proposals and that this would be harmful. This is relevant especially in the context of Policy CS19, which refers to such factors as the sensitivity of the area to change and ensuring that development is acceptable in the context of existing character. Given this fallback position, the site is not considered to be sensitive to change and it's lawful character is that of a commercial site.
- 6.25. The situation shown in the aerial photos shows an intensely used site with most of the ground covered by storage and other uses with only space for access remaining. As such it is not clear what further intensification could occur as a result of the proposals. Whilst the use would be formalised – and storage could occur across the site as a result – this would result in a similar appearance and intensity to how the site previously existed. Any new buildings to house industrial processes would require further planning permission and their impact would then be assessed at the appropriate time. Furthermore, as will be set out below, an increase in employees will need to be restricted due to other reasons, meaning that any further intensity will be automatically restricted.
- 6.26. Therefore, the only impacts on the character and appearance of the area that can be assessed at the current time are those from the modular buildings, and any outdoor uses over the rest of the site. The modular buildings are considered an improvement in comparison to the previous disputed buildings which were not agricultural in appearance, spread further across the site and were not made from traditional building materials. The proposed outdoor storage use would be very similar to how the site has previously operated, and as has been acknowledged by the Council the site as it currently exists is much tidier than as it previously existed.
- 6.27. It is therefore not considered that there has been any further impact to the rural character of the area in comparison to the previous situation, which remains a lawful fallback position. Any further intensification over what is currently proposed would require further planning permission. The proposed development would therefore accord with policies CS14 and CS19.

Issue 3: Residential Amenity

- 6.28. The site is bordered by a mobile home to the north of the site which is used for residential accommodation. The Council have accepted the use via an application for a certificate of lawfulness, therefore it is common ground that the use is lawful.
- 6.29. It is evident from the Officer's report that this issue relates to noise only; it being accepted that there would be no adverse impact on the mobile home through overlooking, overshadowing or loss of light. It is acknowledged that the application was not accompanied by a noise assessment, and the reason for refusal relates to there being insufficient information to make an assessment rather with regards to noise impacts rather than a fundamental concern.
- 6.30. The appeal is accompanied by an Acoustic Assessment (ACA Acoustics) in order for this issue to be robustly considered. Given that this assessment is submitted specifically in order to address a reason for refusal and that the Council will have an opportunity to comment as part of the appeal process, no party will be prejudiced by the acceptance of this document at this stage.
- 6.31. The Acoustic Assessment is based on a sound level survey that was carried out at the site in April 2023. This assesses the potential for impact from the B2 and B8 uses on the residential dwelling; the Class E(g) use being, by its nature, appropriate in proximity to residential uses.
- 6.32. The assessment confirms that the noise emissions from the use of the site for B2 or B8 uses will not be detrimental to the amenities of neighbouring residents. The assessment has taken the likely maximum sound levels given that no B2 or B8 operator exists at the site at present which takes account of noise generated from forklift loading and unloading operations.
- 6.33. The assessment also recommends that external activity beyond such operation is controlled via a condition which will restrict such activity unless a further noise impact assessment is carried out. The appellant is happy for such a condition to be imposed. Noise through additional activity will also be automatically controlled as uses that require additional buildings – which would be likely to result in further noise – will require a further permission and can therefore be assessed on their own merits in such an event.
- 6.34. The appeal therefore now provides sufficient information in order for the noise impacts of the development on the neighbouring mobile home to be appropriately assessed. It is concluded that, subject to the recommended condition, that the development would not result in a detrimental impact on residential amenity. It would therefore not be contrary to Saved Policies OVS5 and OVS6 of the West Berkshire Local Plan or the NPPF.

Issue 4: Transport and Highway Safety

- 6.35. This matter is primarily considered within the accompanying Written Statement on Transport Matters. The Statement takes into account the lawful fallback position of the site and the fact that no additional employees are proposed. It firstly analyses the highways impact of the lawful position of the site and the existing condition of the local highway network. It also establishes baseline traffic conditions for Goodboys Lane which were informed by three Automatic Traffic Count surveys, and using Personal Injury Collision data,

concludes that there are no highway safety concerns in the immediate vicinity of the site as existing.

- 6.36. The Statement then sets out the traffic impact of the proposed development. This has been informed by two separate surveys; a turning count survey at the site access in order to establish the impact of the existing Class E(g) use that is part of the proposal, and also the survey of a comparable site in order to establish the likely impact of the Class B8 use.
- 6.37. These surveys confirm that traffic numbers are low for both of the surveyed uses and neither the existing E(g) use or the proposed B8 use would have a material impact on existing levels of highway safety either in themselves or in comparison to the lawful fallback position of the site. Given the small number of trips associated with the use, this further demonstrates that the site is in an appropriate location for such as use and would not result in a material increase in trips by non-car modes.
- 6.38. As noted within the Statement, a B2 use has not been surveyed. This is because, as has been set out above, a B2 use would require buildings at the site and additional employees which, due to conditions that are recommended, would require a further planning permission. It is the applicant's intention to implement a B8 use rather than a B2 use, however if a B2 use was ever needed in the future, planning permission would be needed for this. There is therefore no need to survey B2 uses for the current proposal.
- 6.39. Given the insignificant levels of traffic that would result from the proposals and that the local highway is operating safely, it is therefore concluded that the development would not result in any adverse impact on highway safety. The development is therefore not contrary to Core Strategy Policies ADPP1, ADPP6, CS9, CS10 and CS13 in this regard nor the Local Transport Plan for West Berkshire. Attention is drawn to Paragraph 111 of the NPPF which establishes that development should only be refused on highways ground if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It has been established that this is not the case.

Issue 5: Sustainable Construction and Energy Efficiency

- 6.40. The appeal is accompanied by three documents that have been provided by the appellants; a Building Regulations Compliance Report and Output Document that references compliance with Building Regulations Part L and an Energy Performance Certificate. These are provided at Appendix 2. These were not submitted with the application however they are now submitted specifically to address the fifth reason for refusal; as with the above, the Council have the opportunity to comment on these as part of the appeal and as such are not prejudiced.
- 6.41. Policy CS15 relates to sustainable construction and energy efficiency. The supporting text to the policy explains that carbon reduction is a key issue for West Berkshire, and that sustainable construction and renewable energy generation can help in achieving emissions reduction. Cost implications of installing emissions reduction measures from the start of the development are less than if they were retrofitted afterwards, and the benefits derived from the end user in relation to reduced heating and fuel bills enhanced. The text also sets out how BREEAM is a well-established assessment tool for non-residential buildings, and as set out above Policy CS15 requires new non-residential buildings to be BREEAM Excellent.
- 6.42. Whilst the merits of Policy CS15 are not disputed, and the principle of transitioning to a low carbon future has long been enshrined in national planning policy, there are alternative

methods of measuring the sustainability of buildings to BREEAM, and using this one tool should not be the only way of assessing whether the development improves energy efficiency. In particular, the requirement for BREEAM in respect of modular buildings with a combined floor area of around 250m² seems onerous, and there are other ways to demonstrate their energy efficiency.

- 6.43. With regards the development site, the modular buildings that have been installed on the site have not been subject to a BREEAM assessment. However, the appellants have provided documents in order to demonstrate that the building is energy efficient and complies with the principles of Policy CS15.
- 6.44. The Building Regulations Compliance Report and Output Document demonstrate that the building complies with Building Regulations Part L. With regards to buildings other than dwellings, this relates to the conservation of fuel and power and contains energy and emission rates that buildings are required to comply with. The submitted documents serve to show that the building achieves the standards of energy efficiency required to comply with Part L using a range of measures.
- 6.45. Also submitted is an Energy Performance Certificate (EPC) which indicates the energy efficiency of the building fabric and the heating, ventilation, cooling and lighting systems. EPC's give a level of the efficiency from A-G, A being the most efficient. The building achieves level B, thereby demonstrating a good level of energy efficiency. It's rating is also the benchmark for similar new buildings of this type. The EPC is valid until February 2031.
- 6.46. These documents are government approved and demonstrate that the buildings achieve good levels of energy efficiency. The buildings have replaced dilapidated buildings that would clearly have been far less efficient than a modern modular building. As such, although the technical requirement of Policy CS15 has not been met, this is purely on a technicality due to a BREEAM assessment not being available. In terms of the main principles of Policy CS15, the development complies with the policy in proposing buildings that are demonstrably energy efficient and have achieved carbon reduction in comparison to the original buildings.
- 6.47. The appellant has also investigated the possibility of installing solar panels on the building which would have the potential to generate much of its required energy. These have not been installed at present due to the cost involved and obtaining planning permission not being a certainty, however this is the intention so if the Inspector considered a condition requiring these necessary to improve the sustainability credentials of the building, the appellant would have no objection.

Issue 6: Impact on the DEPZ and Emergency Planning

- 6.48. It is recognised that Policy CS8 requires that the Office for Nuclear Regulation (ONR) be consulted when one or more additional person may work in the Inner Consultation Zone for the Burghfield AWE. The planning application form confirmed that the lawful position for the site (i.e., that granted a Certificate of Lawfulness under application **20/O1311/CERTE**) was for eleven people to work at Pitchkettle Farm as part of the previous operation of the site by Woodside recycling. In reality, the number of people who previously were based at the site whilst working for Woodside Recycling when they operated across both Pitchkettle Farm and Woodside Farm was far more; the number eleven has been derived at by the reduction in employees that was made when Woodside Recycling reduced their operations and vacated Pitchkettle Farm.

- 6.49. The retrospective part of the proposed development (the Class E(g) use within the modular buildings) also has eleven employees; the appellant being careful not to exceed the number of previous employees due to the location of the site within the Inner Consultation Zone. This is the number of employees applied for under the application, and as such as proposed the number of proposed employees will not exceed that under the lawful fallback position, in compliance with Policy CS8.
- 6.50. It is appreciated that the remainder of the site is proposed to change use to a mixed B2/B8, however at this point such uses are purely speculative and no operators are lined up. In reality, due to the nature of these uses if the appellant leased out parts of the site for long term B8 storage use, then no additional people would work at the site however a B2 industrial use would be likely to require further employees.
- 6.51. As has been set out above, a B8 use of the land for long term storage would be unlikely to require any further permission as it would involve storage on the land rather than additional structures. It is also evident from aerial photos that the land has historically been used in this way by previous operators which is also confirmed by the Certificate of Lawfulness. It is recognised that a B2 use would be likely to require further employees, however such a use would also require additional buildings that would need a further planning permission. Even if an external operation was proposed, this would also require planning permission due through the condition recommended by the acoustic assessment.
- 6.52. The matter of additional employees within the Inner Consultation Zone would therefore be appropriately addressed under a future planning application. However, in order to provide comfort that no additional employees over the eleven proposed under this application could work at the site under the current appeal scheme, it is proposed that a condition be imposed placing a restriction on the number of employees at Pitchkettle Farm to 11. Any further operations that require additional employees would therefore require planning permission; as above, this is likely to be the case in any event, however a condition would ensure that this is secured regardless.
- 6.53. It is clear from the Officer's Report at the consultation responses from the Council's emergency planning team that the refusal reason is based on insufficient information being submitted with the application. It is appreciated that not all the detail contained within the above paragraphs was submitted at the time of the application; it being presumed that confirmation that the number of employees was not increasing would be sufficient. It is therefore now submitted that the additional detail contained within this statement together with the suggested condition is now sufficient to demonstrate that the development will not result in an increase in population within the DEPZ.
- 6.54. Reference is made within the Officer's Report and the sixth reason for refusal with regards an individual emergency plan. It is acknowledged that this would be required in the event of a proposal that increased the population, which would include additional employees. The development as currently proposed maintains the lawful position which includes eleven employees and as such has not necessitated the submission of a further emergency plan. The appellants have maintained the emergency plan that was in place for the previous occupiers, that being that in the event of alarm, all the windows will be shut, and they will await further instruction. Any application for planning permission for development that will include additional employees will require a more detailed, updated plan to be in place.

- 6.55. As set out, it is clear from the comments of the Council's Emergency Planning Team that the concern related to insufficient information rather than fundamental 'in principle' objections. A similar response was made by the Office of Nuclear Regulation themselves. Unfortunately, the appellants were not given any opportunity to submit additional information or clarify their proposals. Of particular note was the response dated 22nd December 2021 which asked for a discussion with regards to conditions that would hopefully allow the Emergency Planning Team to recommend a conditional approval. It is not known whether this discussion took place and certainly no conditions were ever suggested to the appellants, despite the application not being determined for a further fifteen months after this date. However, it does appear from this response that the matter could potentially be resolved through the use of conditions.
- 6.56. Prior to the submission of this appeal, an attempt was made to contact the Emergency Planning Team in order to see what further would be required in order to address their concerns. It was again confirmed that concerns were raised by conditions were an option to address these, however it appears that no further discussions took place. Both the initial consultation response and further correspondence are included at Appendix 3. It is expected that, as part of the appeal procedure, the Emergency Planning Team can either agree to or put forward conditions that would address this concern as this is an important stage that appears to have been missed during the consideration of the application. Whilst it is appreciated that the Council had other reasons to refuse the application, it would have been helpful to reach agreement on as many concerns as possible in order to narrow down the areas remaining in dispute at appeal.
- 6.57. As such, the appellant's position is that that it is anticipated that this is a matter that can be resolved through the provision of the additional detail above and by way of conditions through further consultation with the Emergency Planning Team. The appellants recognise the importance of this issue and wish to resolve the matter which will ensure that the development can proceed in accordance with Policy CS8.

Issue 7: Other relevant matters

- 6.58. Whilst the above topics cover those issues contained within the reasons for refusal, it is recognised that the Inspector could raise their own concerns beyond these. It is therefore important to set out those areas that are not under dispute between the main parties.
- 6.59. An Ecological Assessment (GS Ecology, 30 March 2022) comprising an Extended Phase 1 Habitat Survey, Protected Species Scoping Survey and Preliminary Bat Roost Assessment was submitted during the course of the application. This set out that any habitats on site are of limited ecological value, are not priority habitats and their loss would not have been a constraint to the proposals. The hedgerow along the front is a priority habitat and a condition is recommended to ensure that this continues to function as a hedge. The appellant is happy to agree to such a condition.
- 6.60. The previous buildings were considered to have negligible potential to roost bats, and the new buildings considered unsuitable for use by roosting bats. However the previous buildings may have been used by nesting birds and could have been disturbed when cleared; it is therefore recommended that six new bird boxes are installed. These can also be secured via condition.
- 6.61. The Council's Ecologist is in agreement with the report and recommends a number of conditions. The appellant has no issue with these.

- 6.62. The Tree Team did not object to the proposal but raised a concern with regards the extent of the red line boundary however this is only due to the size of the site and to highlight the area covered by the proposed change of use; it does not in any way permit built development across the whole site. A tree protection condition is recommended however as no further built development is proposed it is unclear what purpose this would serve. A landscaping condition is also recommended which the appellant is happy to agree to.
- 6.63. No objections were received from the Lead Local Flood Authority with regards flood risk and drainage; the site is all hardstanding as existing and no further built development beyond the modular buildings is proposed. The Officer's Report agrees that a Flood Risk Assessment is not required for the proposal but states that a drainage condition would be needed to ensure that adequate sustainable drainage measures are implemented on site. The appellant would have no objection to such a condition if the Inspector considered it necessary to make the development acceptable.
- 6.64. It is noted that four objections were received to the proposals however these do not raise any matters that have not been considered above. As such it is considered that all relevant material planning considerations have been addressed.

7. Planning Balance and Conclusion

- 7.1. The appeal proposals concern the change of use of an existing developed site to a flexible mixed use comprising Use Class B2, B8 and E(g) elements. The proposals are part retrospective, with the Class E(g) use already implemented through the addition of two modular buildings in place of previous dilapidated farm buildings. The B2 and B8 uses are speculative in the sense that the appellants do not yet have any operators in mind, however approval of the appeal scheme would establish the principle of such use classes in this location.
- 7.2. It is appreciated that further planning permission will likely be required for B2 uses, however the use of the site for long term storage purposes not related to the existing business on site under a B8 use would not require any further consent. Linked to this, the location of the site within the Inner Consultation Zone for the Burghfield AWE means that the application should not be permitting any development that results in additional employees at the site. As such, it is our view that a condition should be placed on any planning permission given to restrict the number of employees working at Pitchkettle Farm to eleven; this is the number of people previously employed at the site, and the number of people employed by the implemented Class E(g) use.
- 7.3. Such a condition would, in effect, restrict B2 industrial uses at the site unless they were outdoor and had no employees, a highly unlikely scenario. As this would mean that B2 uses would require further planning permission, this use has not been given full consideration in terms of its impact in respect of amenity and highway safety.
- 7.4. The acoustic assessment submitted with the application also recommends that development requiring any external activity beyond unloading or forklift movements is restricted by condition. This would also mean that either external or internal B2 uses would require a further planning permission, but the retrospective E(g) use or a long term outdoor B8 storage use would not. It is considered that such conditions, in addition to the detail provided above and within the acoustic assessment, address the third and sixth reasons for refusal.
- 7.5. Turning to the first reason for refusal, compelling reasons are set out as to why the development is appropriate in this location. The Council's application of policy is entirely contrary to the principles established via Paragraphs 84 and 85 of the NPPF and does not give any weight to the fallback position that has been established via a Certificate of Lawfulness.
- 7.6. The Newlands Farm appeal decision has established that Paragraphs 84 and 85 should reduce weight given to local policies when these are not consistent, which leads to a conclusion that all types of business development in locations not necessarily well served by public transport are acceptable in principle. These conclusions undoubtedly have parallels with the appeal scheme and as such are a significant material consideration. It is considered that the reasons put forward within the appeal scheme set out comprehensively why the development should be acceptable as a matter of principle.
- 7.7. The second reason for refusal concerns the impact on the character and appearance of the area, and our case remains similar to that set out within the original planning application; that the development has not resulted in any further impact on the character and appearance of the area in comparison to the lawful fallback position. A separate written

representation is submitted with regards the transport reason which concludes that there will be no adverse impact on highway safety as a result of the proposals, also taking into account that allowing the appeal would not allow a B2 use at the site.

- 7.8. Finally, information is submitted which demonstrates that, although not subject to a BREEAM assessment, the buildings are energy efficient and have achieved carbon reduction in comparison to the buildings they replaced. As such the development accords with the principles of Policy CS15. It is the future intention of the appellant to increase the sustainability credentials of the development further through the introduction of solar panels, and we would be happy for these to be secured via condition.
- 7.9. As such the appeal has provided a comprehensive response to each of the six reasons for refusal, either within this document or separate submission documents. It is considered that each of the matters has been robustly addressed and that there are compelling reasons why planning permission should not be withheld.
- 7.10. As set out above, Paragraph 11 of the NPPF confirms that where the policies that are most important for the determination of the application are out of date, permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impact of doing so would significantly and demonstrably outweigh the benefits. To summarise:
- The Council's application of Policies ADPP1, CS9 and CS10 is inconsistent with the NPPF, therefore these policies should be considered out of date in the context of this proposal in accordance with Paragraph 219 of the NPPF.
 - There are no policies in the NPPF that protect areas or assets of particular importance that provide a clear reason for refusing the development proposed.
 - There are no adverse impacts that would significantly and demonstrably outweigh the benefits.
- 7.11. Policies ADPP1, CS9 and CS10 in concerning the location of employment development are considered to be the policies that are most important for the determination of the application. Therefore, whilst the appellant's primary position is that the development provides for a policy compliant scheme, in the event that the Inspector finds some level of harm it is considered that this is also a case where the 'tilted balance' applies. The development would provide economic benefits in re-using an established employment site, ensuring that existing jobs remain available, and would also provide some environmental benefits through the landscaping and ecology enhancements required.
- 7.12. There are no adverse impacts that would significantly and demonstrably outweigh these benefits. Whilst the Inspector may find some harm through the development not complying with Policy CS15, it is not considered that these adverse impacts would 'significantly and demonstrably' outweigh the benefits, in the event that the tilted balance is applied.
- 7.13. In either event, it is therefore respectfully requested that the Inspector **allows** the appeal, thereby granting planning permission for the development.



Appendix 1 – Newlands Farm Appeal Decision



Appeal Decision

Site visit made on 24 November 2020

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2021

Appeal Ref: APP/X0360/W/20/3252447

Newlands Farm, New Bath Road, Twyford RG10 9RY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Belcher Farms against the decision of Wokingham Borough Council.
 - The application Ref 191788, dated 1 July 2019, was refused by notice dated 14 November 2019.
 - The development proposed is retrospective change of use of buildings and land from agricultural use to general industrial use (Class B2) and erection of two additional constructions.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of buildings and land from agricultural use to general industrial use (Class B2) and erection of two additional constructions at Newlands Farm, New Bath Road, Twyford RG10 9RY, in accordance with application Ref: 191788, dated 1 July 2019 and subject to the conditions in the attached schedule.

Procedural Matters

2. In allowing the appeal, I have removed the word 'retrospective' from the description because it is not an act of development.
3. The appeal site is located within Flood Zones 2 and 3. Accordingly, planning permission was refused in part due to concerns in relation to flood risk. However, the appeal has been accompanied by a Flood Risk Assessment and both the Environment Agency and the Council have since confirmed that their previous objections on this matter no longer stand. Based on the evidence before me, I have no reason to disagree with these conclusions and consequently, I have assessed the appeal on this basis.

Main Issues

4. The main issues are:
 - i) the effect of the proposal on highway safety;
 - ii) the effect of the proposal on the character and appearance of the surrounding area; and
 - iii) whether the appeal site is suitable for the development proposed, having regard to the locational and accessibility requirements of local policy.

Reasons

Highway safety

5. The original application was not accompanied by specific evidence in relation to highway matters. Accordingly, the Council's officer report and subsequent refusal reason on this matter related to a number of concerns. However, the appeal has been supplemented by a document titled 'Written Representation on Traffic and Transportation Issues' (TTI). In response, the Council have since confirmed that their concerns now relate to the following matters: parking provision; cycle parking; and specific concerns in relation to the junction between Loddon Drive and New Bath Road.
6. Having regard to parking provision, it is noted that to achieve the required 40 spaces, these would be smaller bays than required by the Council. Despite this, the suggested bays would remain usable and due to the extensive hardstanding on the site, I am satisfied that the appeal site would make suitable provision for car parking. I also note that concerns in relation to cycle parking could be resolved through the use of a suitably worded planning condition and based on the evidence before me, I have no reason to disagree.
7. The access driveway to the appeal site is located off New Bath Road, a main arterial road between Reading and Maidenhead with a 60mph speed limit. The TTI document provides detailed evidence in relation to visibility and access arrangements. It confirms that good visibility can be achieved in both directions, a matter supported by my own observations on site. Vehicle tracking drawings within the TTI also confirm that large vehicles can adequately enter and exit the site. It is noted that turning right into the site would require vehicles to enter an existing area of hatching on the road, however, no evidence has been submitted to confirm that this would be harmful to highway safety or that it would impact upon existing traffic movements.
8. The evidence submitted does not provide a specific plan showing the junction geometries or modelling for all time periods. However, no compelling evidence has been submitted to confirm why this information is necessary, or what it would add to the assessment of the appeal. In the absence of substantive evidence in relation to this point, and on the basis of the evidence that is before me, I have no reason to consider that the junction would not operate in a satisfactory and safe manner, including in relation to pedestrian movements.
9. Accordingly, for the reasons identified above, I conclude that the proposal would not harm highway safety. It would therefore comply with Policies CP1, and CP6 of the Wokingham Borough Local Development Framework, Adopted Core Strategy, Development Plan Document (2010) (CS), Policy CC07 of the Wokingham Borough Development Plan, Adopted Managing Development Delivery Local Plan (2014) (MDD) and Policy P3 of the Borough Design Guidance Supplementary Planning Document (2012) (SPD). Taken together, these seek amongst other things, sustainable development which does not cause highway problems, and which provides appropriate parking.

Character and appearance

10. Based on the evidence before me, the buildings on the appeal site were approved for an agricultural use and as a consequence, have an agricultural

form and appearance. The proposal would introduce some additional modest built form however, this would be sympathetic in form and appearance to the existing buildings. Accordingly, I am satisfied that this element would not harm the character and appearance of the area.

11. The proposed use would not primarily be agricultural in nature and as observed on site, it introduces large elements of external storage. This includes shipping containers, skips, timber, and large vehicles. In addition, large areas of the site are given over to hardstanding for associated car parking and vehicular movements. The result of this is that the site coverage of the proposed use is more expansive, and as a consequence, visually very different to the authorised agricultural use. Despite this, through the use of palisade fencing, the storage areas are contained and generally relate well to the buildings with which they are associated.
12. As acknowledged by the Council, the appeal site is well screened from New Bath Road due to the presence of a dense belt of mature trees between the site and the adjacent highway. Accordingly, when viewed from the east, south, and west, the appeal site and its associated buildings and external storage have no effect on the character and appearance of the area.
13. The site coverage can be better appreciated when viewed from the north, particularly from Loddon Drive and the associated public footpath. However, when viewed from this area, the site is seen against the backdrop of the mature trees and the surrounding countryside. Due to the scale of the proposed use and the low-lying nature of the site coverage, in the context of the mature landscaping and established countryside, I find that the site is subordinate to the verdant surroundings. Accordingly, I am satisfied that the proposed use would not demonstrate an excessive encroachment or expansion into the countryside. Instead, it would represent a well-contained use that would not detract from the surrounding openness.
14. Consequently, I conclude that the proposal would not harm the character and appearance of the surrounding area. It would therefore accord with Policies CP1, CP3 and CP11 of the CS, Policies CC03 and TB21 of the MDD, and Policies RD1, NR1, NR2, NR9, NR10, NR12 and P2 of the SPD. Taken together, these seek amongst other things, sustainable development which does not lead to excessive encroachment from original buildings, and which protect landscape character.

Suitability

15. The appeal site is located beyond any settlement boundaries and consequently, it is located within the countryside. Policy CP11 relates to proposals outside development limits with an aim to protect the separate identity of settlements and maintain the quality of the environment. Amongst other things, the policy requires such proposals to contribute to diverse and sustainable rural enterprises within the borough.
16. The proposal would seek to introduce a general industrial use (Use Class B2) across the site, and it is common ground between the parties that it would not be for a rural or recreational enterprise. Accordingly, in this regard, the proposed use would conflict with the requirements of Policy CP11 of the CS.

17. In relation to accessibility, based on the evidence before me, the site is located 550m from the nearest bus stop, and approximately 1km from other bus stops which offer a more frequent service. Additionally, the site is removed from other services for employees, and over 2km from the Twyford Railway Station. The combination of these distances is such that employees at the site and any visitors would be highly reliant upon the private motor vehicle for journeys to and from the site. The distance to the Railway Station would be cyclable, and I accept that such travel choices are not uncommon. However, it would introduce a barrier that could discourage use of the train, and simply because it is a journey that could be carried out on a bike, this does not result in the site being highly accessible. Accordingly, based on the evidence before me, I find that the location of the site and its restricted accessibility would result in visitors and employees relying heavily on the private motor vehicle to access the site.
18. As a consequence, having regard to the locational and accessibility requirements of the CS, I conclude that the appeal site would not be suitable for the development proposed. It would therefore fail to comply with Policies CP1, CP6, CP9 and CP11, which taken together seek amongst other things, sustainable development in the countryside, and in locations which minimise the distance people need to travel.

Planning Balance

19. The re-use of the buildings would enable the growth and expansion of businesses within the rural area with the consequence of providing employment at the site. Accordingly, the proposal would generate economic and social benefits. The Framework seeks to support a prosperous rural economy and Paragraph 83 confirms that policies should enable the sustainable growth and expansion of all types of business in rural areas. Paragraph 84 also confirms that policies and decisions should recognise that sites in rural areas may have to be found beyond existing settlements and in locations that are not well served by public transport.
20. Accordingly, the Framework establishes a more sympathetic approach to the location of economic activities in rural areas, acknowledging that in certain circumstances, less desirable sites from a locational point of view need not be discouraged. Despite the locational and accessibility shortcomings identified above, I find that the Framework lends considerable support to the proposal and consequently, I attach substantial weight to this matter. Moreover, having regard to the Framework, the approach within the CS is not entirely consistent with up-to-date national policy. Consequently, I find that this reduces the weight that I attach to the relevant policies in the CS and the conclusions identified above.
21. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The support provided by the Framework is a significant material consideration to which I attach substantial weight. Accordingly, despite the reservations in relation to the location and accessibility of the appeal site, based on the evidence before me, I find that material considerations indicate a decision contrary to the development plan.

Other Matters and Conditions

22. The ongoing use runs contrary to existing conditions on the authorised use. However, the proposal seeks permission for an alternative use and consequently, I have determined it on its own merits. I also note the concerns in relation to flood risk. However, based on the evidence before me, the Environment Agency have suitably scrutinised the proposal and I have no reason to disagree with their findings.
23. The proposal will generate noise, however, in the context of the existing traffic noise and the authorised use, I have no reason to conclude that this will be to a harmful level. In addition, I have no compelling evidence before me to suggest that the proposal will increase the risk of fly-tipping. In any event, this is a matter that would be controlled outside of the planning system.
24. The proposal would result in a minor loss of agricultural land. In this regard, I note the requirements of Paragraph 170 of the Framework, but I am satisfied that the economic and other benefits of the proposal would suitably compensate for the small loss.
25. In light of my findings set out above, condition 1 is necessary to establish the approved drawings and condition 2 is necessary in the interests of reducing flood risk. Conditions 3, 4 and 5 are necessary in the interests of highway safety and to promote alternative means of travel to and from the site.
26. Condition 6 is necessary to ensure a suitable landscaping scheme and condition 7 is necessary to ensure appropriate bin storage facilities are provided across the site. Finally, condition 8 is necessary to ensure that the storage uses remain sensitive to the site.
27. Where appropriate, a trigger has been used to require information to be submitted within one month of this decision. This is because the use is ongoing and therefore the submission of necessary information should not be unduly delayed. I have also not attached a condition to control the hours of use at the site. This is because I am satisfied that the site is suitably removed from neighbouring properties so as to not cause unacceptable levels of noise.

Conclusion

28. For the reasons identified above, the appeal should be allowed and planning permission be granted.

Martin Chandler

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) This permission is in respect of the unnumbered and undated Site Location Plan and the plans numbered P19-0392_02 Rev A and P19-0392_03 Rev A, dated 12 August 2019 and received by the Local Planning Authority on 3 September 2019 and the site plan numbered P19-0392_01 Rev A, dated 12 August 2019 and received on 10 September 2019. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.
- 2) The development shall be carried out in accordance with the submitted flood risk assessment, reference 48087/4001, prepared by Stantec and dated May 2020 and drawing 48087/4001/002, Newland Farm Floodplain Storage Analysis, dated 12 May 2020. The mitigation measures shall be fully implemented within 3 months of the date of this permission and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
- 3) Within one month of the date of this planning permission, details of secure and covered bicycle storage for staff and visitors shall be submitted to and approved in writing by the local planning authority. The cycle storage shall be implemented in accordance with such details as may be approved within one month of the date of the agreement of the cycle details and shall be permanently retained in the approved form for the parking of bicycles and used for no other purpose.
- 4) Within one month of the date of this planning permission, the parking and turning space shall be provided in accordance with the approved plans numbered P19-0392, Figure 6, dated 23 April 2020. The vehicle parking and turning space shall be retained and maintained in accordance with the approved details and shall remain available for the parking of vehicles at all times and the turning space shall not be used for any other purpose other than vehicle turning.
- 5) Within one month of the date of this planning permission, the visibility splays shown on the approved drawing number P19-0392, Figures 2 and 3, dated 20 April 2020 shall be formed and maintained cleared of any obstruction exceeding 0.6m in height at all times.
- 6) Within one month of the date of this planning permission, a scheme of landscaping enhancements along the northern and eastern boundaries of the site shall be submitted to and approved in writing by the local planning authority. It shall specify species, planting sizes, spacing, numbers and locations trees/shrubs to be planted as well as existing trees or shrubs.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s). Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the occupation of the buildings in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species or otherwise as approved in writing by the local planning authority.

- 7) Within one month of the date of this planning permission, details of bin storage facilities and collection arrangements shall be submitted to and approved in writing by the local planning authority. The bin storage shall be permanently so-retained and used for no purpose other than the temporary storage of refuse and recyclable materials.
- 8) No materials, plant, machinery, containers or equipment shall be stored on the site outside buildings except where specified on a plan that is first submitted to and approved in writing by the local planning authority within one month of the date of this planning permission.



Appendix 2 – Building Regulations Compliance Report, Output Document and Energy Performance Certificate

Building Regulations Compliance Report Approved Document L2A (2016) As Built *Supporting information*



Issued for

Client JCPSA Modular Space Solutions

Project Office Building
Address OFFICE BUILDING
 Pitchkettle Farm
 Goodboys Lane
 Grazley Green
 READING
Postcode RG7 1ND

Issue Date 30th August 2023

Document History

Version	Date	Description
1.0	09/02/2021	Issued to client
1.1	30/08/2023	Updated to As Built
Project Reference		ACP2021-002
Building Reference		

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1 Executive Summary

A carbon calculation under the requirement of Building Regulations Part L 2016 is to ensure that a building design meets the targets set under the Building Regulations and Energy Performance of Buildings Directive (EPBD).

The design is based upon the floor plans and fabric data provided by JCPSA plus the as designed light fittings and HVAC systems.

This report is an as built stage report.

In order to undertake the carbon emissions assessment for compliance with building regulations an approved tool, iSBEM V5.6.b, has been used.

The outcome of the assessment was the generation of the following performance for the Office Building:

Building	Comparison with 2016 Building Regulations		
	TER	BER	EPC
Office Building	20.2	20.2	B / 29

This indicates that as currently designed the building will achieve compliance with Building Regulations L2A (2016).

Note: In line with the transitional arrangements for Building Regulations this building has been assess against the 2016 Part L Building Regulations as initial planning and building control application was initiated prior to 15th June 2021 when the revised regulations came into force.

2 Introduction

The client engaged the services of Acreshort Consulting to assess the proposed Office Building.

Address OFFICE BUILDING
 Pitchkettle Farm
 Goodboys Lane
 Grazley Green
 READING
Postcode RG7 1ND

The purpose of the assessment was to provide an as built stage Part L assessment and Energy Performance Certificate rating in accordance with the requirement of the Building Regulations and the Energy Performance in Buildings Directive. The report will also highlight areas any areas of non-compliance with suggested modifications to allow the building to pass building regulations.

This report defines the methodology undertaken to produce the documentation with a view to enable focus upon energy efficiency.

2.1 Building Overview

The Office Building is of a modular construction from standardized units which are were newly constructed for this project. It comprises of a set of office accommodation together with welfare facilities arranged over a single floor.

Lighting is provided via LED fittings with presence detection controls through.

Heating is provided to the offices, and meeting rooms via air source heat pumps. The remainder of the areas utilise direct electric fan / convector heaters.

Localised ventilation is provided to the toilets with other spaces being naturally ventilated.

Localised point of use DHW storage systems are provided to support the toilets, and kitchenette.

This report is based on the information provided / sourced from manufacturers together with a number of assumptions where information is not to hand. The assumptions are detailed later in this document.

2.2 Methodology

The methodology was to gather information from provided specifications and drawings and provide reasonable assumptions for other missing information.

2.3 Assessor Details

Under the requirements of the Energy Performance of Buildings Directive (EPBD) an Energy Performance Certificate (EPC) is to be issued by an accredited Energy Assessor.

The Lead Energy Assessor in the production of the compliance report and energy certificate covered under this report is as follows:

Adrian Sweetman IEng, ACIBSE
Acreshort Consulting
120 The Croft

2.4 Conventions applied

The basis of the assessment was collation of data from plans and manufacturer's data. Data was sourced on the following basis:

- client provided data
- data sourced from external suppliers or their web sites on the internet
- minimum performance data from Non-Domestic Building Services Compliance Guide
- defaults were used from the SBEM database where no other data was available

The following list the defaults / assumptions and reasons that were used:

1. External walls – U Value provided by client
2. Internal walls – U Value developed based upon properties of construction materials, data sourced from standard construction material U-Value Tables
3. Roof – U Value calculated from build specification
4. Floor – U Value calculated from build specification
5. Window - U Value from manufacturers data
6. Doors – U Value from manufacturers data
7. DHW – efficiency assessed as generated by direct electric systems with associated storage losses.
8. Heating – heat pump performance from manufacturers data, convector and downflow system efficiencies from the SBEM library
9. Lighting – based on light fitting proposed
10. Ventilation - based on manufacturers extract fan data
11. Air permeability – default of 15m³/hr for buildings < 500m²

2.5 Limitations Affecting the Assessment

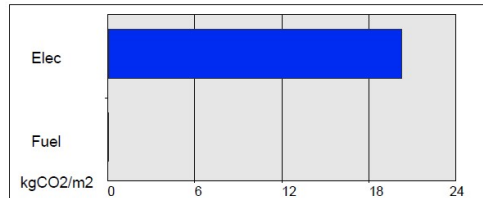
The assessment is limited in accuracy due to:

1. the methods used as described above;
2. the assumption that the heating / cooling efficiencies are as given on the suppliers web sites.
3. the correctness of information supplied from other suppliers
4. the accuracy of transposing data to inputs within iSBEM 5.6.b
5. the correctness of the SBEM Library and Inference data used;
6. the SBEM algorithms for energy use, carbon dioxide emissions and report generation within SBEM 5.6.b and;
7. the multiplying effects of any combination of the above limitations;

3 Results of the assessment

The charts below show outputs generated for the building through energy modeling. The detailed BRUKL Output Document may be found in Appendix A.

The total useful floor area of the Office Building was calculated from plans provided by the client at 189m².

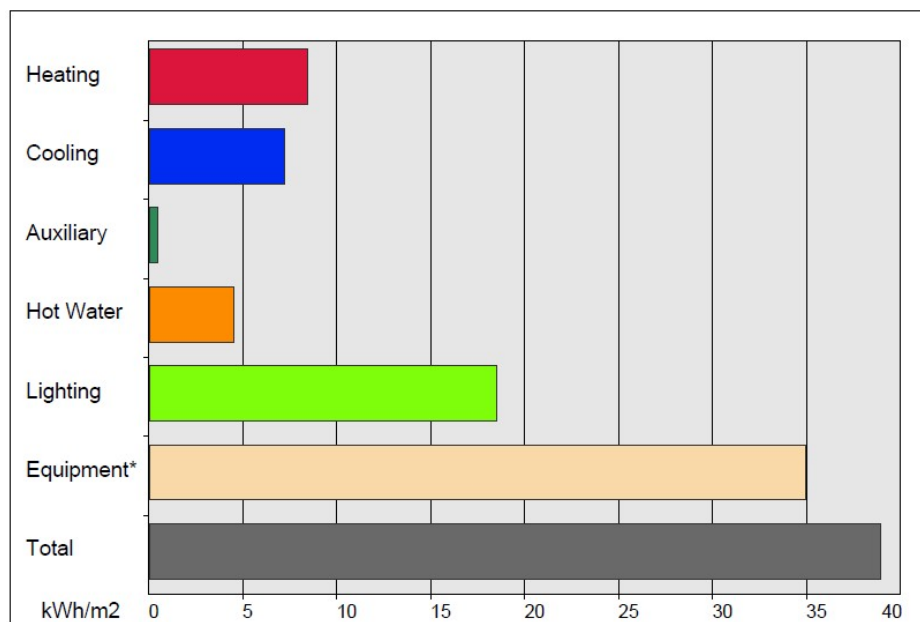


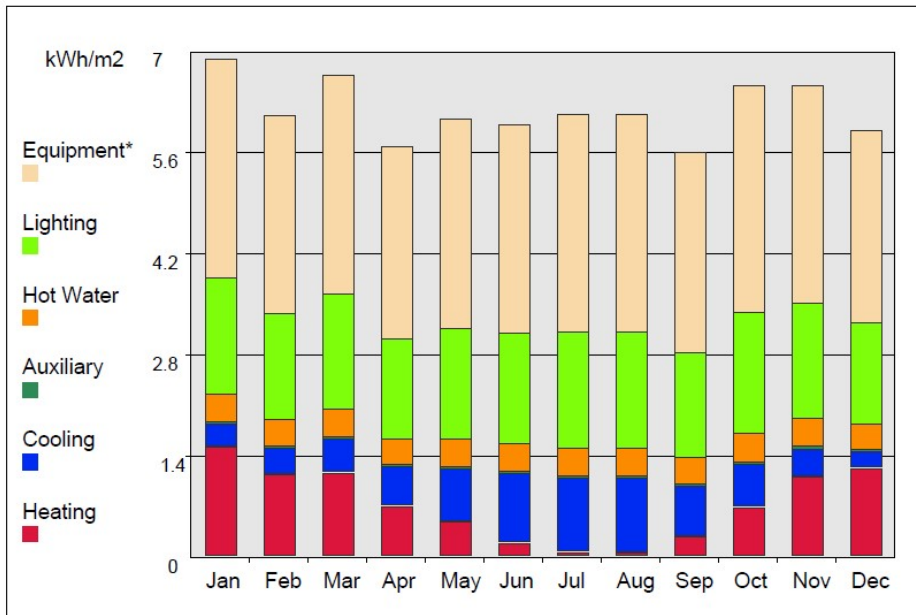
0 kgCO2/m2 displaced by the use of renewable sources.

Building area is 189.26 m2

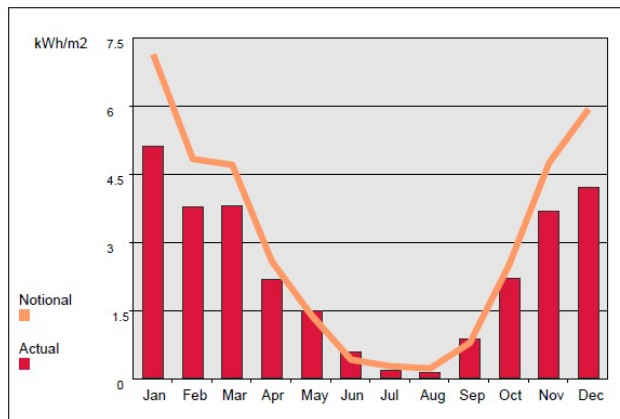
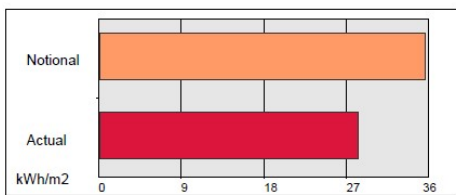
Actual Energy Consumption by End Use Activity

Based upon the design information the overall energy consumption in kWh/m² is calculated as shown in the charts below based upon overall use and seasonal variance.

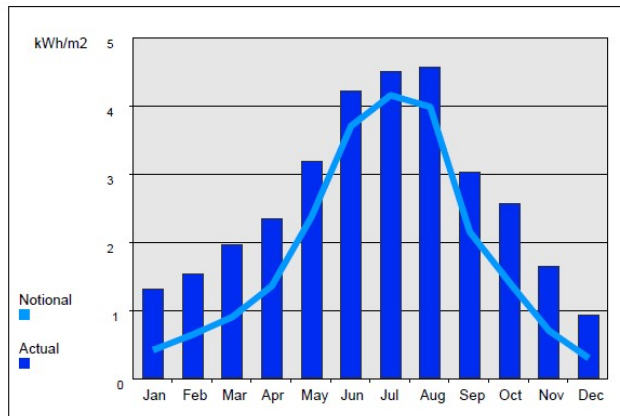
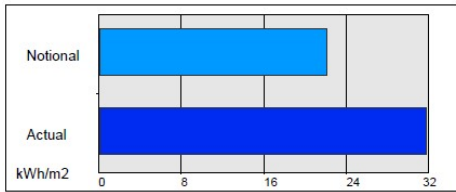




Annual Heating Demand



Annual Cooling Demand



Charts are representative of the energy model and constructed into predicted actual using stock sector information.

(*) Equipment consumption is shown within the graphs although they are not considered within the CO₂ emissions calculation to generate the rating.

4 Analysis of assessment

The following is a detailed analysis of areas of non-compliance with building regulations together with suggested improvements that, if implemented, would allow compliance to be achieved.

4.1 Issues affecting compliance

As currently designed the building meets the requirements of Part L2A (2016) Building Regulations.

The actual designed carbon dioxide emissions (BER) is equal to or less than the target carbon dioxide emissions (TER), the respective figures for this building are:

TER	20.2 KgCO ₂ /m ² /annum
BER	20.2 KgCO ₂ /m ² /annum
EPC	B / 29

5 Disclaimer

Whilst we/the author have taken reasonable steps to ensure that the information contained within this document is correct, you should be aware that the information contained within it may be incomplete, inaccurate or may have become out of date. Accordingly we/the author make no warranties or representations of any kind as to the content of [this document] or its accuracy and accept no liability whatsoever for the same including for errors or omissions in it. Any person makes use of this document at their own risk.

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Appendix A

BRUKL Compliance Report

Appendix B

Energy Performance Certificate

Project name

Modular and Portable

Office Building

As built

Date: Wed Aug 30 09:25:55 2023

Administrative information

Building Details

Address: OFFICE BUILDING, Pitchkettle Farm, Goodboys Lane, Grazeley Green, READING, RG7 1ND

Certification tool

Calculation engine: SBEM

Calculation engine version: v5.6.b.0

Interface to calculation engine: iSBEM

Interface to calculation engine version: v5.6.b

BRUKL compliance check version: v5.6.b.0

Certifier details

Name: Adrian Bruce Sweetman

Telephone number: 07962447123

Address: 120 The Croft, Trowbridge, BA14 0RW

Criterion 1: The calculated CO₂ emission rate for the building must not exceed the target

CO ₂ emission rate from the notional building, kgCO ₂ /m ² .annum	22.2
Target CO ₂ emission rate (TER), kgCO ₂ /m ² .annum	22.2
Building CO ₂ emission rate (BER), kgCO ₂ /m ² .annum	22.2
Are emissions from the building less than or equal to the target?	BER =< TER
Are as built details the same as used in the BER calculations?	Separate submission

Criterion 2: The performance of the building fabric and fixed building services should achieve reasonable overall standards of energy efficiency

Values which do not achieve the standards in the Non-Domestic Building Services Compliance Guide and Part L are displayed in red.

Building fabric

Element	U _a -Limit	U _a -Calc	U _i -Calc	Surface where the maximum value occurs*
Wall**	0.35	0.22	0.22	"z0/05 WC1/n"
Floor	0.25	0.14	0.18	"z0/07 WC3/f"
Roof	0.25	0.11	0.11	"z0/05 WC1/c"
Windows***, roof windows, and rooflights	2.2	0.79	0.89	"z0/02 Open Plan Office/s/g.1"
Personnel doors	2.2	1.42	1.5	"z0/02 Door 2"
Vehicle access & similar large doors	1.5	-	-	"No external vehicle access doors"
High usage entrance doors	3.5	-	-	"No external high usage entrance doors"

U_a-Limit = Limiting area-weighted average U-values [W/(m²K)]U_a-Calc = Calculated area-weighted average U-values [W/(m²K)]U_i-Calc = Calculated maximum individual element U-values [W/(m²K)]

* There might be more than one surface where the maximum U-value occurs.

** Automatic U-value check by the tool does not apply to curtain walls whose limiting standard is similar to that for windows.

*** Display windows and similar glazing are excluded from the U-value check.

N.B.: Neither roof ventilators (inc. smoke vents) nor swimming pool basins are modelled or checked against the limiting standards by the tool.

Air Permeability	Worst acceptable standard	This building
m ³ /(h.m ²) at 50 Pa	10	15*

* Buildings with less than 500 m² total useful floor area may avoid the need for a pressure test provided that the air permeability is taken as 15 m³/(h.m²) at 50 Pa.

Building services

The standard values listed below are minimum values for efficiencies and maximum values for SFPs. Refer to the Non-Domestic Building Services Compliance Guide for details.

Whole building lighting automatic monitoring & targeting with alarms for out-of-range values	NO
Whole building electric power factor achieved by power factor correction	<0.9

1- Downflow

	Heating efficiency	Cooling efficiency	Radiant efficiency	SFP [W/(l/s)]	HR efficiency
This system	1	-	-	-	-
Standard value	N/A	N/A	N/A	N/A	N/A
Automatic monitoring & targeting with alarms for out-of-range values for this HVAC system					NO

2- AC052RXADKG

	Heating efficiency	Cooling efficiency	Radiant efficiency	SFP [W/(l/s)]	HR efficiency
This system	3.37	3.05	-	-	-
Standard value	2.5*	2.6	N/A	N/A	N/A
Automatic monitoring & targeting with alarms for out-of-range values for this HVAC system					NO

* Standard shown is for all types >12 kW output, except absorption and gas engine heat pumps. For types <=12 kW output, refer to EN 14825 for limiting standards.

3- AR09TXHQBWKXEU

	Heating efficiency	Cooling efficiency	Radiant efficiency	SFP [W/(l/s)]	HR efficiency
This system	4	3.05	-	-	-
Standard value	2.5*	2.6	N/A	N/A	N/A
Automatic monitoring & targeting with alarms for out-of-range values for this HVAC system					NO

* Standard shown is for all types >12 kW output, except absorption and gas engine heat pumps. For types <=12 kW output, refer to EN 14825 for limiting standards.

1- Default HWS

	Water heating efficiency	Storage loss factor [kWh/litre per day]
This building	1	0.016
Standard value	1	N/A

Local mechanical ventilation, exhaust, and terminal units

ID	System type in Non-domestic Building Services Compliance Guide
A	Local supply or extract ventilation units serving a single area
B	Zonal supply system where the fan is remote from the zone
C	Zonal extract system where the fan is remote from the zone
D	Zonal supply and extract ventilation units serving a single room or zone with heating and heat recovery
E	Local supply and extract ventilation system serving a single area with heating and heat recovery
F	Other local ventilation units
G	Fan-assisted terminal VAV unit
H	Fan coil units
I	Zonal extract system where the fan is remote from the zone with grease filter

Zone name	SFP [W/(l/s)]										HR efficiency	
	ID of system type	A	B	C	D	E	F	G	H	I	Zone	Standard
	Standard value	0.3	1.1	0.5	1.9	1.6	0.5	1.1	0.5	1		
z0/05 WC1		0.3	-	-	-	-	-	-	-	-	-	N/A
z0/06 WC2		0.3	-	-	-	-	-	-	-	-	-	N/A

Zone name	SFP [W/(l/s)]										HR efficiency		
	A	B	C	D	E	F	G	H	I				
ID of system type	0.3	1.1	0.5	1.9	1.6	0.5	1.1	0.5	1			Zone	Standard
Standard value	0.3	-	-	-	-	-	-	-	-	-	-	-	N/A
z0/07 WC3	0.3	-	-	-	-	-	-	-	-	-	-	-	N/A

General lighting and display lighting		Luminous efficacy [lm/W]			General lighting [W]
Zone name		Luminaire	Lamp	Display lamp	
Standard value		60	60	22	
z0/08 WC Lobby		-	88	-	18
z0/09 Store		88	-	-	10
z0/05 WC1		-	58	-	33
z0/06 WC2		-	58	-	41
z0/07 WC3		-	58	-	17
z0/01 Entrance		-	88	-	36
z0/02 Open Plan Office		88	-	-	802
z0/03 Meeting 1		88	-	-	188
z0/04 Meeting 2		88	-	-	106

Criterion 3: The spaces in the building should have appropriate passive control measures to limit solar gains

Zone	Solar gain limit exceeded? (%)	Internal blinds used?
z0/01 Entrance	N/A	N/A
z0/02 Open Plan Office	NO (-41.5%)	NO
z0/03 Meeting 1	N/A	N/A
z0/04 Meeting 2	N/A	N/A

Criterion 4: The performance of the building, as built, should be consistent with the calculated BER

Separate submission

Criterion 5: The necessary provisions for enabling energy-efficient operation of the building should be in place

Separate submission

EPBD (Recast): Consideration of alternative energy systems

Were alternative energy systems considered and analysed as part of the design process?	YES
Is evidence of such assessment available as a separate submission?	NO
Are any such measures included in the proposed design?	YES

Technical Data Sheet (Actual vs. Notional Building)

Building Global Parameters

	Actual	Notional
Area [m ²]	189.3	189.3
External area [m ²]	527.6	527.6
Weather	SWI	SWI
Infiltration [m ³ /hm ² @ 50Pa]	15	5
Average conductance [W/K]	104.95	195.03
Average U-value [W/m ² K]	0.2	0.37
Alpha value* [%]	21.8	18.14

* Percentage of the building's average heat transfer coefficient which is due to thermal bridging

Building Use

% Area	Building Type
	A1/A2 Retail/Financial and Professional services
	A3/A4/A5 Restaurants and Cafes/Drinking Est./Takeaways
100	B1 Offices and Workshop businesses
	B2 to B7 General Industrial and Special Industrial Groups
	B8 Storage or Distribution
	C1 Hotels
	C2 Residential Institutions: Hospitals and Care Homes
	C2 Residential Institutions: Residential schools
	C2 Residential Institutions: Universities and colleges
	C2A Secure Residential Institutions
	Residential spaces
	D1 Non-residential Institutions: Community/Day Centre
	D1 Non-residential Institutions: Libraries, Museums, and Galleries
	D1 Non-residential Institutions: Education
	D1 Non-residential Institutions: Primary Health Care Building
	D1 Non-residential Institutions: Crown and County Courts
	D2 General Assembly and Leisure, Night Clubs, and Theatres
	Others: Passenger terminals
	Others: Emergency services
	Others: Miscellaneous 24hr activities
	Others: Car Parks 24 hrs
	Others: Stand alone utility block

Energy Consumption by End Use [kWh/m²]

	Actual	Notional
Heating	13.57	19.14
Cooling	5.79	5.12
Auxiliary	0.42	0.52
Lighting	18.47	18.61
Hot water	4.46	2.65
Equipment*	34.88	34.88
TOTAL**	42.71	46.04

* Energy used by equipment does not count towards the total for consumption or calculating emissions.

** Total is net of any electrical energy displaced by CHP generators, if applicable.

Energy Production by Technology [kWh/m²]

	Actual	Notional
Photovoltaic systems	0	0
Wind turbines	0	0
CHP generators	0	0
Solar thermal systems	0	0

Energy & CO₂ Emissions Summary

	Actual	Notional
Heating + cooling demand [MJ/m ²]	255.15	239.47
Primary energy* [kWh/m ²]	131.12	126.63
Total emissions [kg/m ²]	22.2	22.2

* Primary energy is net of any electrical energy displaced by CHP generators, if applicable.

HVAC Systems Performance

System Type	Heat dem MJ/m2	Cool dem MJ/m2	Heat con kWh/m2	Cool con kWh/m2	Aux con kWh/m2	Heat SSEFF	Cool SSEER	Heat gen SEFF	Cool gen SEER
[ST] No Heating or Cooling									
Actual	262.8	4.9	0	0	0	0	0	0	0
Notional	284	6.6	0	0	0	0	0	---	---
[ST] Other local room heater - fanned, [HS] Room heater, [HFT] Electricity, [CFT] Electricity									
Actual	152.4	20.6	52.9	0	12.2	0.8	0	1	0
Notional	274.5	44.3	93.1	0	14.8	0.82	0	---	---
[ST] Split or multi-split system, [HS] Heat pump (electric): air source, [HFT] Electricity, [CFT] Electricity									
Actual	153.7	116.9	13.6	7.5	0	3.14	4.33	3.37	6.1
Notional	147.9	72.9	16.9	5.6	0	2.43	3.6	---	---
[ST] Single room cooling system, [HS] Heat pump (electric): air source, [HFT] Electricity, [CFT] Electricity									
Actual	159.7	49.7	11.9	3.1	0	3.73	4.47	4	6.3
Notional	189.3	81.9	21.6	6.3	0	2.43	3.6	---	---

Key to terms

Heat dem [MJ/m2]	= Heating energy demand
Cool dem [MJ/m2]	= Cooling energy demand
Heat con [kWh/m2]	= Heating energy consumption
Cool con [kWh/m2]	= Cooling energy consumption
Aux con [kWh/m2]	= Auxiliary energy consumption
Heat SSEFF	= Heating system seasonal efficiency (for notional building, value depends on activity glazing class)
Cool SSEER	= Cooling system seasonal energy efficiency ratio
Heat gen SSEFF	= Heating generator seasonal efficiency
Cool gen SSEER	= Cooling generator seasonal energy efficiency ratio
ST	= System type
HS	= Heat source
HFT	= Heating fuel type
CFT	= Cooling fuel type

Key Features

The Building Control Body is advised to give particular attention to items whose specifications are better than typically expected.

Building fabric

Element	U _{i-Typ}	U _{i-Min}	Surface where the minimum value occurs*
Wall	0.23	0.22	"z0/05 WC1/n"
Floor	0.2	0.12	"z0/01 Entrance/f"
Roof	0.15	0.11	"z0/05 WC1/c"
Windows, roof windows, and rooflights	1.5	0.74	"z0/02 Open Plan Office/s/g"
Personnel doors	1.5	1.1	"z0/02 Door 1"
Vehicle access & similar large doors	1.5	-	"No external vehicle access doors"
High usage entrance doors	1.5	-	"No external high usage entrance doors"
U _{i-Typ} = Typical individual element U-values [W/(m ² K)]		U _{i-Min} = Minimum individual element U-values [W/(m ² K)]	
* There might be more than one surface where the minimum U-value occurs.			

Air Permeability	Typical value	This building
m ³ /(h.m ²) at 50 Pa	5	15

Energy performance certificate (EPC) recommendation report

OFFICE BUILDING
Pitchkettle Farm
Goodboys Lane
Grazeley Green
READING
RG7 1ND

Report number
3968-2436-1909-3610-1033

Valid until
29 August 2033

Energy rating and EPC

This property's current energy rating is B.

For more information on the property's energy performance, see the EPC for this property.

Recommendations

Make these changes to improve the property's energy efficiency.

Recommended improvements are grouped by the estimated time it would take for the change to pay for itself. The assessor may also make additional recommendations.

Each recommendation is marked as low, medium or high. This shows the potential impact of the change on reducing the property's carbon emissions.

Changes that pay for themselves in more than 7 years

Recommendation	Potential impact
Consider installing building mounted wind turbine(s).	Low
Carry out a pressure test, identify and treat identified air leakage. Enter result in EPC calculation.	Medium
Consider installing a ground source heat pump.	Medium
Consider installing PV.	Low

Property and report details

Report issued on 30 August 2023

Total useful floor area 189 square metres

Building environment Air Conditioning

Calculation tool CLG, iSBEM, v5.6.b, SBEM, v5.6.b.0

Assessor's details

Assessor's name Adrian Bruce Sweetman

Telephone 07962 447123

Email adrian.sweetman@acreshortconsulting.co.uk

Employer's name Acreshort Consulting

Employer's address 120 The Croft, Trowbridge, Wiltshire, BA14 0RW.

Assessor ID LCEA119940

Assessor's declaration The assessor is not related to the owner of the property.

Accreditation scheme CIBSE Certification Limited

Energy performance certificate (EPC)

OFFICE BUILDING
Pitchkettle Farm
Goodboys Lane
Grazeley Green
READING
RG7 1ND

Energy rating

B

Valid until: **29 August 2033**

Certificate number: **9207-3600-3519-5875-9800**

Property type

B1 Offices and Workshop businesses

Total floor area

189 square metres

Rules on letting this property

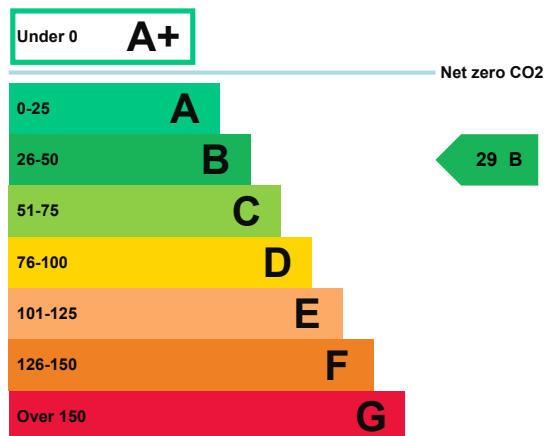
Properties can be let if they have an energy rating from A+ to E.

Energy rating and score

This property's current energy rating is B.

Properties get a rating from A+ (best) to G (worst) and a score.

The better the rating and score, the lower your property's carbon emissions are likely to be.



Who to contact about this certificate

Contacting the assessor

If you're unhappy about your property's energy assessment or certificate, you can complain to the assessor who created it.

Assessor's name	Adrian Bruce Sweetman
Telephone	07962 447123
Email	adrian.sweetman@acreshortconsulting.co.uk

Contacting the accreditation scheme

If you're still unhappy after contacting the assessor, you should contact the assessor's accreditation scheme.

Accreditation scheme	CIBSE Certification Limited
Assessor's ID	LCEA119940
Telephone	020 8772 3649
Email	epc@cibsecertification.org

About this assessment

Employer	Acreshort Consulting
Employer address	120 The Croft, Trowbridge, Wiltshire, BA14 0RW.
Assessor's declaration	The assessor is not related to the owner of the property.
Date of assessment	30 August 2023
Date of certificate	30 August 2023



Appendix 3 – Consultation Response and Correspondence with the Emergency Planning Team

From: Emergency Planning
Sent: 22 December 2021 16:49
To: Alice Attwood
CC: Planapps
Subject: RE: Consultation on Planning Application 21/02710/FUL Pitchkettle Farm Goodboys Lane Grazeley Green Reading RG7 1ND

Hi Alice,

We have some concerns around this application and would like to have a discussion about some conditions that would hopefully allow us to put forward an approval with conditions.

I'll send an invite for a meeting in the new year to discuss as I'm now on leave until Tue 4th January.

Kind regards,

Amy

-----Original Message-----

From: Planapps
Sent: 15 November 2021 10:49
To: Emergency Planning <EmergencyPlanning@westberks.gov.uk>
Subject: Consultation on Planning Application 21/02710/FUL Pitchkettle Farm Goodboys Lane Grazeley Green Reading RG7 1ND

Please see attached

From: [Emergency Planning](#)
To: [Michael Ruddock](#)
Subject: Re: Application 21/02710/FUL - Pitchkettle Farm
Date: 14 August 2023 08:31:59
Attachments: [image420009.png](#)
[Outlook-eh2mddb.png](#)

Good Morning

I have had a quick look at the application and noted that , from our point of view concerns were being raised with options of conditions etc. However, we never did receive anything. It may be possible that the information you provide and a robust emergency plan may make a difference but since the decision has been made I have asked the planning team what the options are before doing more work on this. I would therefore expect them to get back to you in due course.

Going forward can I also ask that all communications go via the Development management service rather than to emergency planning directly in order that they are fully up to date with any DM queries.

Regards

Carolyn

Duty Emergency Planning Officer

Tel: 01635 503 535 | EmergencyPlanning@westberks.gov.uk (office hours only)



From: Michael Ruddock <Michael.Ruddock@pegasusgroup.co.uk>

Sent: 08 August 2023 11:31

To: Emergency Planning <emergencyplanning@westberks.gov.uk>

Subject: Application 21/02710/FUL - Pitchkettle Farm

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Good morning,

I am instructed to submit an appeal against the Council's refusal of the above application. One of the reasons for refusal relates to the impact on the DEPZ and Emergency Planning related to Burghfield AWE.

I have become aware of comments made by the Emergency Planning team during the course of the application which unfortunately I was not made aware of. It looks to me like to refusal recommendation was due to a insufficient information rather than fundamental concerns – so it was a shame we were not given the opportunity to address these. I can see from responses online that four issues were highlighted, namely:

- Number of employees
- Site activities
- Building Structures
- Any emergency plans

In respect of these:

- The number of employees currently at the site is 11, which is the same as the previous use.

These are all employed in the office building. The application/appeal does propose additional uses, but if these resulted in any further employees they would likely require planning permission. For example, using the site for storage would not result in any one further working at the site, but an industrial use would – however this would necessitate further structures that would need planning permission. My suggestion here is that we ask for a condition restricting any further uses at the site that result in employees working from the site in addition to the current situation, would this address the issue?

- The only site activity at the moment is the office use with 11 employees. The application seeks regularisation of this use but also storage/industrial uses on other parts of the site. Storage uses would not require any employees, and we're now suggesting that further industrial uses would require planning permission.
- The only building structures proposed as part of this application are two modular buildings in connection with the office use. Any further buildings would require planning permission.
- The applicant does have an emergency plan in place, which in the event of an alarm is to shut all the windows and await further instruction. They would of course be happy to firm this up into something more detailed if required.

I am not expecting a further full consultation response, but some 'in principle' comments on the above would be really helpful. If any further information would assist, please let me know.

Kind regards

Michael Ruddock

Principal Planner

E Michael.Ruddock@pegasusgroup.co.uk

M 07970 261497 | **DD** 01285 708187 | **EXT** 1047 | **T** 01285 641717

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Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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