

**WESTERN AREA PLANNING COMMITTEE
ON 28TH MAY 2017**

UPDATE REPORT

Item No: (1) **Application No:** 17/00158/COMIND **Page No.** 49-80

Site: Land South of Newbury College, Monks Lane, Newbury, Berkshire

Planning Officer Presenting: Emma Nutchey

Member Presenting:

Parish Representative speaking: N/A

Objector(s) speaking: N/A

Supporter(s) speaking: N/A

Applicant/Agent speaking: Mr Greg Bowman – Education Development Officer
Mr Bill Bagnell – Property Services
Mr Andy Vernon – Kier Construction, Newbury

Ward Member(s): Councillor Billy Drummond
Councillor Jeremy Bartlett

Revised Recommendation:

To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8.1) of the report and the revised/additional conditions below.

Revised Conditions –

Condition 2: Plans

The development hereby approved shall be carried out in accordance with drawing title numbers:

- Site Location and Existing Site Plan drawing number PL 002 rev. 3 with respect to the Location Plan only. The Site Plan shown on this drawing is superseded.
- Proposed Site Plan drawing number PL003 rev. 5

- Proposed ground Floor drawing number PL004 rev. 1
- Roof Plan drawing number PL005 rev. 1
- Sections drawing number PL007 rev. 1
- Elevations drawing number PL006 rev. 1
- Proposed road layout drawing number 010 rev. A
- Site Sections PL010 rev. 1
- Tree Retention & Protection Plan drawing number LLD919/04 rev. 04
- Landscape Master Plan Strategy drawing number LLD919/03 rev. 13 with respect to boundary treatments only
- Site External Lighting Services Layout drawing number P15228-E97-00-01 rev. 12
- Hard Surface Treatments drawing number LLD919-05 rev. 01

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

Condition 16: Tree Protection (scheme submitted)

Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree retention and protection plan identified on approved drawing numbered LLD919/04 rev. 04. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.

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

Conditions 18: Tree retention (plan)

No trees, shrubs or hedges shown as being retained on tree retention and protection plan number LLD919/04 rev. 04 shall be pruned, cut back, felled, wilfully damaged or destroyed in any way without the prior consent of the local planning authority. Any trees, shrubs or hedges felled, removed or destroyed, or any that die, become seriously damaged or diseased within five years from completion of the approved development, shall be replaced with the same species in the next planting season unless the Local Planning Authority gives written consent for any subsequent variation.

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

Condition 19: Landscaping Scheme and Landscape Management Plan

Prior to the school being bought into use, a detailed Landscaping Scheme and accompanying Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include an implementation programme, management responsibilities and maintenance schedules for a minimum period of 5 years following the completion of the planting. The scheme shall also ensure that any trees, shrubs or plants that die, become seriously damaged or diseased within five years of this development shall be replaced in the following year by plants of the same size and species.

The Landscaping Scheme and Landscape Management Plan shall be implemented in full in accordance with the approved details and timescales.

Reason: A soft Landscaping scheme titled 'Landscape Master plan Strategy' has been submitted with the planning application. The basis of this scheme is acceptable however further details of the planting mix and management of the area between the woodland and the pitch are required in accordance with the objectives of the National Planning Policy

Framework and Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026.

Condition 20: Construction Method Statement

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The statement shall provide for:

- (a) The parking of vehicles of site operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials used in constructing the development
- (d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- (e) Wheel washing facilities
- (f) Measures to control the emission of dust and dirt during construction
- (g) A scheme for recycling/disposing of waste resulting from demolition and construction works
- (h) Delivery times to avoid Newbury college opening and closing times
- (i) A surface water drainage scheme and associated implementation plan for the road providing access for construction traffic.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).

Condition 23: Access to the school for the first two years

The school hereby approved shall not be brought into use until full details of the proposed access serving the school via Newbury College has been submitted to and approved in writing by the Local Planning Authority. The school shall not be brought into use until the proposed access serving the school via Newbury College has been provided in accordance with the approved details and then retained for this purpose at all times until it is required to be stopped up in accordance with condition 25.

Reason: To ensure that the access via Newbury College into the site is constructed before the approved buildings in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

Condition 24: Temporary turning areas along access road

Within one year of the school opening, details of the temporary turning areas at ends of the access road at each stage of the A339 access shall be submitted to and approved in writing by the Local Planning Authority. The turning heads shall be provided at each stage of completion of the access road in accordance with the approved drawing(s). The turning heads shall then be removed when required for further completions of the access road.

Reason: To provide suitable turning space in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Condition 25: Stopping up of initial access

Within one year of the school opening, details of a method for stopping up (to all motor vehicles) the temporary vehicular access serving the school via Newbury College, at a location

south of Newbury College, shall be submitted to and approved in writing by the Local Planning Authority. Such details shall ensure that access by pedestrians and cyclists is not impeded. Upon completion of the access road onto the A339, the temporary vehicular access serving the school via Newbury College shall be stopped up in accordance with the approved details.

Reason: In the interest of avoiding excessive traffic congestion upon the Monks Lane/Newtown Road Roundabout. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

Additional Conditions:

28. Electric Vehicle Charging Points

No development shall commence until full details of the location of electric charging points for plug-in vehicles and associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The school shall not be brought into use until the charging points have been delivered in accordance with the approved details and shall remain available for the purpose of charging electric vehicles in association with the school.

Reason: To ensure the development provides for the use of ultra low emission vehicles by users of the development. This condition is imposed in accordance with Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD and policies LTP SC3, LTP P3 and LTP K5 all of the Local Transport Plan for West Berkshire (2011-2026).

29. Construction Traffic Access

No development shall take place until full details of a route for construction vehicles via the existing Newbury College access into the site of the proposed school have been submitted to and approved in writing by the Local Planning Authority. As a first development operation, the route for construction vehicles shall be provided in accordance with the approved drawings.

Reason: To ensure that the access for construction traffic is provided in the interest of highway safety. This condition is imposed in accordance with the National Planning Policy Framework (March 2012) and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

30. Drainage scheme for the proposed access serving the school via Newbury College:

The access serving the school via Newbury College shall not be brought into use until a surface water drainage scheme for the proposed access serving the school via Newbury College has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate 'sustainable urban drainage' (SUDS) methods and attenuation measures, to restrict run-off from the site to no more than the equivalent greenfield rate, based on a 1 in 100 year storm plus 40% for possible climate change. The scheme shall also include measures to prevent any contamination from entering the soil or groundwater and an associated maintenance plan.

The approved drainage scheme shall be implemented in accordance with the approved details before the proposed access serving the school via Newbury College is first brought into use or in accordance with a timetable to be submitted to and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The drainage scheme shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding and to improve and protect water quality and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate

and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

31. Drainage scheme for permanent school access from A339:

Within one year of the school opening, a surface water drainage scheme for the proposed access into the site from the A339 to the western boundary shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate 'sustainable urban drainage' (SUDS) methods and attenuation measures, to restrict run-off from the site to no more than the equivalent greenfield rate, based on a 1 in 100 year storm plus 40% for possible climate change. The scheme shall also include measures to prevent any contamination from entering the soil or groundwater and an associated maintenance plan.

The approved drainage scheme shall be implemented in accordance with the approved details before the vehicular, pedestrian and cycle access via the A339 is first brought into use or in accordance with a timetable to be submitted to and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The drainage scheme shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding and to improve and protect water quality and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006).

32. Drainage scheme for the school

No development shall take place until details of sustainable drainage measures to manage surface water within the site of the new school building have been submitted to and approved in writing by the Local Planning Authority.

These details shall:

- a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards;
- b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels;
- c) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse (the attenuation basin) at no greater than Greenfield run-off rates;
- d) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- e) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- f) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;
- g) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines;
- h) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
- i) Include a SuDS management and maintenance plan for the lifetime of the development;
- j) Provide details of catchments and flows discharging into and across the site and how these flows will be managed and routed through the development and where the flows exit the site both pre-development and post-development;

- k) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the wider Newbury College site, existing school and businesses that currently outfall to the attenuation basin in order to demonstrate the basin has sufficient capacity to accept the additional run-off from the development site based on a 1 in 100 year storm +40% for climate change without creating flood risk downstream of the basin;
- l) Provide evidence to demonstrate that access to the attenuation basin is possible for any plant and machinery that may be required for future maintenance of the attenuation basin.

The above sustainable drainage measures shall be implemented in accordance with the approved details before the school hereby approved is first brought into use or in accordance with a timetable to be submitted to and agreed in writing with the Local Planning Authority as part of the details submitted for this condition. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

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

33. Works in accordance with Preliminary Ecological Appraisal and Bat Survey

The development hereby approved shall be carried out in accordance with the recommendations contained within the Preliminary Ecological Appraisal by RSK dated October 2016 and the Bat Emergence Survey by Lizard Landscape Architecture dated 26th May 2016.

Reason: To ensure the works do not impact on any protected species in the event they are found during construction works in accordance with Policy CS17 of the West Berkshire Core Strategy (2006-2026).

Informative to be added:

With respect to condition 20, Construction Method Statement (CMS), a CMS has been submitted however details of spoil removal and the creation of bunds are considered unacceptable. It also states that deliveries will take place between 7:30am and 6:00pm Monday to Friday. Highways require that deliveries are restricted to avoid school times and peak hours. A surface water drainage scheme is also required to be included under part (i) of the condition. As such a new CMS is required.

Matters of clarification:

- To clarify, the balancing pond to the south of the site is contained within the red line as per the Location Plan PL002 rev. 3.
- The Site Plan shown on drawing PL002 rev.3 is superseded by the drawing titled Proposed Site Plan drawing number PL003 rev. 5.

- With reference to page 52 of the report, the total number of comments received is 6.
- With reference to page 59 paragraph 6.3.3 and the impact of air quality on the school environment, survey work undertaken by Environmental Health shows that levels of Nitrogen Dioxide in the vicinity of the A339 in this area are well below the objective concentration. These measurements are taken 10m from the roadside of the A339. The proposed school site is approximately 166m from the roadside.
- With reference to page 64 paragraph 6.8.3 eDNA stands for Environmental DNA Survey. This is a new method for species monitoring in water bodies. Natural England has approved this method for determining the presence of Great Crested Newts and it gives a quick presence/absence result from a sample of water which is collected following a specific protocol.
- A 2m high weldmesh fence is proposed along the southern boundary separating the site from the balancing pond as per the drawing titled 'Landscape Masterplan Strategy' the implementation of which is secured by condition 5.
- With reference to page 66 paragraphs 6.9.8 reference is made to bat boxes to assist in mitigating the ecological impact arising from the loss of the tree. This tree has been the subject of a bat survey by Lizard Landscape Design and no evidence of bat roosting/commuting was found. The surveys therefore confirm no mitigation is necessary and therefore bat boxes do not form part of the proposal. These findings do not impact on the planning balance set out in section 6.13 of the report which concludes that the loss of the veteran tree will not result in adverse ecological harm. Notwithstanding this, the informative which seeks to retain as much of the tree stump as possible to provide for wildlife is retained. An additional condition, 33, is recommended to ensure that all works are carried out in accordance with the recommendations within the ecological surveys.