

Appendix 4

Council officers response to representations received from second round of consultation. Council Report 6 December 2018.

1 **Thames Water.** Propose a condition about water infrastructure be inserted into the LDO.
Response –agreed to the extent that an informative to this effect can be included in Appendix B.

2—**MCHLG, Historic England, Highways England, the EA and HCC** –no objections. Accordingly no further action is required.

3— **BBOWT.** An increase in biodiversity is required on the LDO site.

Response--The extant planning permission does not require such a net gain nor does the extant policy over the GBP area. There has already been significant planning ecological gain achieved on the Common. In addition the Design guidance as amended will assist local biodiversity. Para 170 [d] in the NPPF does seek this but see s188 of the 2008 Planning Act.

A new condition is required regarding light sensitive boundaries to be extended around the whole of the GBP boundary.

Response –this is not accepted since for example street lighting is still required on the south boundary adjacent the A339.

Reptile surveys should include areas outside those of existing ecological importance which may in the future become acceptable for reptile habitats.

Response. This relates to condition 4 in Appendix B. This is considered too onerous in the context of the LDO.

A CEMP is required as a condition in Appendix B.

Response. Officers consider that the ecological conditions already set out in Appendix B are sufficient to address any future ecological impacts on the GBP. In addition a CEMP is required for each development [condition 12].

4—**Natural England.** Require a CEMP condition on the grounds that vehicles may encroach onto the adjacent SSSI ie the Common.

Response—This is physically not possible as no part of the LDO designation lies on the Common, and in any event it would be nonsensical to route vehicles here. Not accepted. However condition 12 in Appendix B does relate to a CEMP.

5—Planning policy.

Why does the LDO designation not follow the Policy ECON6 line on the LP proposal map?

Response—Policy ECON 6 was based upon the red line application site area for the original pp in 1997. The LDO boundary serves a different purpose and in updating the boundary excludes [for example] the listed buildings as it is required to do. It also excludes land that will not be developed upon—but may still be owned by the Trust—which of course is irrelevant in planning terms. There is thus no need for the LDO boundary to be consistent with the ECON6 boundary and so CS9.

How will the new schemes that are approved be monitored over time?

Response--The monitoring point is well made. Each notification will be registered and suffixed with a number by Registration and a floor space figure will be noted. The specific use class is also identified. This will have to be monitored in the normal way through the employment AMR.

Concerned that the LDO does not conform entirely to the extant Development Plan base in terms of ECON6 and CS9.

Response. The Planning Act of 2004 removes the need for LDOs to precisely achieve such policies on the ground. However officers consider the LDO does largely replicate the thrust of ECON6 and CS9.

A number of detailed comments made which have been examined and incorporated into the LDO text where appropriate.

6—Greenham Parish Council. Mainly objecting on traffic grounds.

Response—the point noted but the lack of objection from HCC and WBDC highways is recognised. In addition the LDO has a cap on floor space which is that permitted under the outline permission 145585.

Can LED technology be used in eg lighting as a condition?

Response--Specific LED technology not reasonable as a planning condition. Condition 1 in the design guidance will assist in controlling lighting. In addition the LDO will apply a lighting condition 10 as well in Appendix B.

Other requests relate to conditions being unreasonable as per the NPPF tests.

Can a park and ride be proposed in the LDO?

Response—whilst this may be looked at in another context, it is not the function or purpose of the LDO to identify such facilities.

The location of the site is not sustainable.

Response-- Accepted in purely locational terms, but the re use of the Park as a brown field site for the employment uses noted is highly sustainable and encouraged in the NPPF .

BREEAM excellent has been deleted from the LDO as a condition .Should be retained.

Response. Notwithstanding the remit of policy CS15 in the WBCS, it is considered that the very good standard is sufficient on the site, given that many of the “points” achievable in BREEAM depend upon location which cannot be altered for the GBP.

The travel plan is woefully inadequate for the Park and should be improved given its poor location in terms of accessibility.

Response. Noted. However it is not considered that the prime purpose of the LDO is to enhance accessibility, and indeed the policy position and the extant planning permission do not require such travel plans.

7—Kingsclere Parish Council.

Concerned about the increased impact of traffic on the A339 which will affect the parish to its detriment .Other significant developments in Basingstoke will also impact the A339 corridor. Cross border working should be taken into account in the production of the LDO.

Response. Noted, but the LDO is not the means to address this given that the LDO does not involve any increase in floor space above the original outline permission. In addition HCC as highway authority has not objected to the LDO.

8—Local residents. [3 Number].

Will existing development be able to re-apply under the new LDO and so remove existing conditions on eg working hours?

Response—No. The LDO designation does not remove other planning legislation. So an application to relax conditions will still need to be made under s73, s73A or s96A of the Principal Act of 1990. The LDO text will be amended to reflect this point.

Should mezzanine floors be controlled by condition?

Response—whilst a good suggestion in principle, since the 1990 Act does not take such internal additions within the meaning of development, this cannot be controlled by condition.

Standard conditions regarding noise, lighting and odour control should be more rigorous in order to protect local amenity

Response—accepted. Appendix B has been further revised to reflect these points, and also includes contaminated land.

Should the LDO control demolition?

Response –it is not possible to control the demolition of commercial non listed buildings not in a conservation area via condition as this does not comprise development. However the proposed CEMP condition will manage the impacts of demolition.

The history of the base should show that far more community benefits should arise, in terms of the public expenditure which has gone on over the past years.

Response The point is not entirely understood. It is the case that the Trust as a Charity has given significant donations to local communities over the 21 years since its inception. Not relevant to the LDO designation however. Is it not a planning issue.

Why is some land outside the LDO designation but still provides a valid purpose in eg landscaping?

Response--all land outside the LDO, but within the Trust ownership will be subject to normal planning controls. Is such land has a normal level of planning control that if it were inside the LDO—hence the point of the objector is not well made.

The LDO will cause potentially more visual harm particularly on the north plateau given the building heights permitted.

Response -- It is possible that new building will eventually have a greater visual impact on the Common than [eg] the extant Pro Logis planning permission. This however is the ultimate point of the Council in adopting the LDO. ie the NPPF of 2018 in para 51 notes that LDOs can still be adopted where the impacts will be acceptable ie it accepts that impacts will occur. The Council must provide a planning balance in the issue.

The Heritage statement should be amended to note the Victorian date of the dwelling Goldfinch Hollow.

Response. This is an error and it will be corrected. There is no material consequence for the LDO.

Landscaping on LDO boundaries should be protected via condition.

Response—the Design Guide is considered to provide adequate protection for local amenity.

The LDO removes the rights of local residents to object to developments at the Park in the future, and it does not contain adequate substitutes for such protection.

Response. Noted. The LDO by its very nature is a streamlined planning process which does in effect remove the potential for comments to be made via an application. However the range of conditions and the limitations set out in the LDO thresholds, plus the design guidance are all taken to be sufficient to protect local amenity in this regard. The LDO is made in the context of an extant planning permission across the whole site for employment development as well.

The Council is providing lip service to objectors concerns.

Response. Not accepted. The Council has undertaken 2 rounds of public consultation in 2018, and has taken on board many of the views of correspondents. It is concluded that the LDO is a well conceived and robust planning document which will serve not only the Trust and District well, but will protect local residents in addition. A number of conditions have been revised to respect the above amenity position as well.

9—Councillor Macro.

Considers that the total amount of potential floor space in B8 in the permitted use tables should be restricted, since the HGV impact on the local network would be severe otherwise.

Response. This is accepted. A cap of 76,000m² will be placed in the relevant table.