

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/02779/COMIND Greenham	2 nd March 2021 ¹	<p>Section 73 variation of conditions 2 (plans), 3 (boundary treatments), 4 (hardscaping), 6 (BREEAM), 7 (external lighting), 9 (noise from services), 11 (sport England), 12 (travel plan), 13 (cycle and scooter parking), 17 (landscaping) and 24 (E V charging points) of approved 17/03434/COMIND -</p> <p>Construction of a new 1 FE single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school. Construction of bunds adjacent to the temporary and permanent access roads to prevent access from the roads to private land.</p> <p>Land South of Newbury College, Monks Lane, Newbury.</p> <p>Re-Format LLP ion behalf of West Berkshire Council</p>

¹ Extension of time agreed with applicant until 2nd July 2021

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/02779/COMIND>

Recommendation Summary: To **DELEGATE** to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the schedule of conditions (Section 8).

Ward Member(s): Councillor David Marsh, Councillor Tony Vickers and Councillor Adrian Abbs.

Reason for Committee Determination: This is a major application and West Berkshire Council is the applicant.

Committee Site Visit: 24th June 2021

Contact Officer Details

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1. Introduction

1.1 This application is made under section 73A of the Town and Country Planning Act 1990 (as amended) and seeks to vary conditions 2 (plans), 3 (boundary treatments), 4 (hardscaping), 6 (BREEAM), 7 (external lighting), 9 (noise from services), 11 (Sport England), 12 (travel plan), 13 (cycle and scooter parking), 17 (landscaping) and 24 (E V charging points) of permission 17/03434/COMIND that was granted on 16th March 2018.

1.2 The variations to the conditions seek to regularise the following changes to the previously approved scheme:

- Changes to the layout and boundary treatments approved under permission 17/03434/COMIND or by subsequent discharge of conditions applications, which include:
 - a reduction in the number of kiss and drop parking spaces from 13 to 7;
 - the introduction of a 2 metre tall fence between the playing pitch for the 1 form entry school and the expansion land that would be required should the school increase to a 2 form entry primary school;
 - increased areas of hard standing around the school, in particular to the west of the school building between the building and the playing field and to the east ;
 - provision of a 2.4 metre tall fence around the entire multi use games area (MUGA) in the south-eastern corner of the application site;
 - provision of 1.2 metre tall palisade/picket fencing around the early years area to the east of the school building;
 - provision of 0.4 metre tall knee rail to the front (northern boundary of the school site);
 - relocation of the cycle/scooter store from the north-eastern corner of the application site to within the application site, west of the building;
 - the replacement of 2 metre tall fence along the northern and western boundary in the north-western corner of the application site with a 1.1 metre tall post and rail fence;
 - provision of bollards to the front of the school between the kiss and drop parking and the footpath;
- Reduction in the BREEAM Level achieved from Excellent to Very Good;
- The introduction of lighting to the footpath between Newbury College and the future A339 link road.
- Submission of details in respect of mechanical plant to address condition 9 of permission 17/03434/COMIND.
- Submission of details in respect of the construction of the playing field and MUGA to address condition 11 of permission 17/03434/COMIND.
- Submission of Travel Plan to satisfy condition 12 of permission 17/03434/COMIND.
- Submission of cycle and scooter parking and storage spaces to satisfy condition 13 of permission 17/03434/COMIND.
- Submission of landscaping details to satisfy condition 17 of permission 17/03434/COMIND.
- Provision of alternative electric vehicle charging points system.

1.3 The application site comprises a 1 form entry primary school that has now been constructed (with sufficient space/facilities to expand to a 2 form entry primary school in the future if required). The application site is located to the south of Newbury College and east of an ancient woodland, High Copse. To the south of the application site is a balancing pond. An access road (link road from the A339 granted under permission 17/03434/COMIND) is currently under construction and is required by conditions 21 and 22 attached to permission 17/03434/COMIND to be completed within two years of the school opening and once completed the temporary vehicular access via Newbury

College is to be stopped up. To the east of the application site is an area of open space beyond which is the Household Waste Recycling Centre (HWRC).

2. Planning History

2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision / Date
17/00158/COMIND	Construction of a new 1 F E single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a new permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school.	Application approved 30/06/2017
17/01990/COND1	Application for approval of details reserved by conditions 3 finish floor levels, 4 spoil, 17 arboricultural watching brief, 20 construction method statement, 27 parking and turning, 28 electric charging points, 29 route for construction vehicles, and 32 drainage of approved application 17/00158/COMIND - Construction of a new 1 F E single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a new permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school.	Split decision – part approved and part refused 27/09/2017
17/03434/COMIND	Construction of a new 1 FE single-storey primary school south of the existing Newbury College, with associated soft and hard landscaping. Construction of a temporary access to the school from the Newbury College site and a permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school. Construction of bunds adjacent to the temporary and permanent access roads to prevent access from the roads to private land.	Application approved 16/3/2018
18/01341/COND1	Application for approval of details reserved by Conditions 23 - Parking and Turning Areas, 25 - Construction Traffic Access, 30 - Fire Hydrants and 31 - Drainage Strategy of planning permission 17/03434/COMIND.	Application approved 18/7/2018

18/01939/COND2	Application for approval of details reserved by Condition (5) - Materials of planning permission 17/03434/COMIND.	Application approved 3/10/2018
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3. Procedural Matters

- 3.1 In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the local planning authority (LPA) must adopt a screening opinion on any application for Schedule 2 development to determine whether the proposal constitutes EIA development, and therefore whether Environmental Impact Assessment (EIA) is required as part of the application.
- 3.2 A screening opinion was adopted following the submission of the application, confirming that the proposal is not considered EIA development and that an Environmental Statement is not required.
- 3.3 The application was advertised in Newbury Weekly News on 10th December 2020. The site notice expired on 8th January 2021.
- 3.4 The development is not subject to Community Infrastructure Levy.

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Greenham Parish Council:	Object unless the travel plan is revisited in the light of the changed highway services and amended in line, with the wishes of the school sponsor, which is Newbury College.
Newbury Town Council:	Resolved that the Committee reject the proposal based on the new travel plan. The current arrangements should also be retained. Any travel plan needs to allow for a right turn from the A339 for south-bound traffic.
Sport England:	Object to variation of condition 3 (boundary treatment). Require justification for the proposed fence splitting the school site and crossing over the running track which is indicated as no longer being provided. Also require details of the construction and drainage for the MUGA, the hard surfaced play area in the south eastern corner of the school site in respect of condition 4 (hard standing). No objections to details submitted in respect of grass playing pitch (condition 11).
Sport England (following additional and	In respect to the fencing, I note what is said about the PD, however, the application is for variation of condition and we do not support this. I accept and respect the position of WBC planning department's position on this. Sport England would be

amended information):	<p>failing is its role to protect playing fields if we did not maintain our objection to the application for the variation of condition 3.</p> <p>It should be noted by the applicant, that given the shortages of playing field in WBC we will object to any use of the land which results in the loss of the playing field.</p>
WBC Highways:	Object to hardscaping and landscaping plans showing reduction in kiss and drop parking provision.
WBC Highways (following additional and amended information):	No objections. Concerns regarding increased parking on public highway.
WBC Waste Services:	No objections.
WBC Environmental Health:	No objections.
WBC Archaeology:	No further archaeological work is needed for this proposal.
WBC Housing:	No objections.
SPOKES:	No comments on this application.
Forestry Commission:	See standing advice regarding ancient woodland.
WBC Conservation Officer:	No objections.
Natural England:	No objections.
Ministry of Defence:	No objections.
Transport Policy:	Require amendments to travel plan to make it acceptable.
Transport Policy (following additional and amended information):	Recommend that the Travel Plan be approved and the relevant condition (12) be discharged
Ward Member:	No response received.
Thames Water:	No response received.

WBC Access Officer:	No response received.
WBC Drainage Officer:	No response received.
WBC Tree Officer:	No response received.
WBC Education Service:	No response received.
Berkshire Gardens Trust:	No response received.
Royal Berkshire Fire and Rescue Service:	No response received.
Thames Valley Police:	No response received.
WBC Planning Policy:	No response received.
WBC Ecologist:	No response received.
BBOWT:	No response received.
Woodland Trust:	No response received.

Public representations

- 4.2 1 representation has been received objecting to the proposal.
- 4.3 The full response may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:
- Access road to be used into the development at Sandleford;
 - No need for housing on greenfield site;
 - Lack of sufficient infrastructure;
 - Impact on biodiversity;
 - Application for a school already constructed.

5. Planning Policy

- 5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP2, CS5, CS13, CS14, CS15, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policy C1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).
- Policies OVS.5, OVS.6, TRANS.1 and ENV27 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- West Berkshire Local Transport Plan
- Greenham Parish Plan (2011).

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development;
- Impact on Parking Provision and Highway Matters;
- Alterations to Hardstanding, Boundary Treatments and Impact on Playing Pitch Provision;
- Reduction in the BREEAM Level;
- External Lighting;
- Noise from Services;
- Playing Pitch and MUGA Construction Details;
- Travel Plan;
- Cycle and Scooter Parking;
- Landscaping;
- Electric Vehicle Charging.

Principle of development

6.2 The school has been constructed and is substantially completed with the intention to open in the autumn. The access road is currently under construction. The principle of the development of a primary school and access road was established under the previous permissions (17/00158/COMIND and 17/03434/COMIND) and there has been no material change in policy or legislation since that would alter this position.

6.3 The principle of the development is therefore considered acceptable, subject to its compliance with other planning policies and material planning considerations.

Impact on Parking Provision and Highway Matters

6.4 As part of the amendments to the previously approved scheme, the development as built reduces the number of kiss and drop parking spaces within the school grounds from 13 to 7. This is as a result of the kiss and drop parking spaces on the northern side of the vehicle access route within the school grounds being removed and the landscaped area between the northern fence and the vehicular access being increased.

- 6.5 The applicants have advised that following a review of the previously approved kiss and drop arrangement with the Health and Safety Team at West Berkshire Council and the Academy Trust in charge of running the school concerns were raised over the ability to safely manage the previously approved arrangement.
- 6.6 The applicant considers that the previously approved arrangement would not enable parents to plan which side their children would be exiting the vehicle, as is the case experienced at other kiss and drop facilities in the District (Theale Primary School). Vehicles parking on the northern side of the vehicle access road through the school site could result in children exiting those vehicles into oncoming traffic or having to cross in front of oncoming traffic.
- 6.7 The applicant considers that the previously approved layout, combined with the fact that the children attending the school would be between 4 and 11 years of age, raises the risk of an accident occurring. Management of the kiss and drop process may reduce that risk but would require significant staff resourcing. As the school is planned to grow from the bottom upwards, with 30 pupils per year, in the first year there will be only three members of staff. The applicant considers that even with three members of staff it will be a challenge to manage a kiss and drop facility on the southern side of the access road only, let alone the northern side should that also be required.
- 6.8 The applicant has also advised that within the school gates, the legal safeguarding of children transfers from parents to the school. As such it is of concern that if the kiss and drop arrangement is installed in accordance with the previously approved scheme, the school will choose not to use it because of the risks and management issues.
- 6.9 As part of the previously approved scheme, the access road (link to A339) widens to 7 metres at the western end, beyond the access points to the school, for approximately 90 metres that enables approximately 18 vehicles to also park on the link road to drop/collect children without significantly encroaching on the movement of vehicles along the access road. That provision remains and would not be altered by this application.
- 6.10 The Highways Officer initially raised concern regarding the loss of the number of kiss and drop parking spaces. However, following the submission of additional information detailing the reasons for the proposed change, the Highways Officer raises no objections but remains concerned that parking on the highway may occur.
- 6.11 Having considered the points raised by the applicants and detailed above, it is considered that, on balance, the loss of 5 kiss and drop parking spaces within the school grounds due to health and safety concerns is acceptable and would not pose a significant risk to highway safety.

Alterations to Hardstanding, Boundary Treatments and Impact on Playing Pitch Provision

- 6.12 As part of this application the applicants are seeking amendments to the boundary treatments from that previously approved. Changes to the boundary treatment arrangements include:
- the introduction of a 2 metre tall fence between the playing pitch for the 1 form entry school and the expansion land that would be required should the school increase to a 2 form entry primary school;
 - provision of a 2.4 metre tall fence around the entire multi use games area (MUGA) in the south-eastern corner of the application site;
 - provision of 1.2 metre tall palisade/picket fencing around the early years area to the east of the school building;

- provision of 0.4 metre tall knee rail to the front (northern boundary of the school site);
- the removal of 4 metre tall sports fencing on the eastern side of the playing pitch;
- the introduction of 1.1 metre tall timber post and rail fence between the playing pitch and MUGA to restrict access from the south;
- minor alterations to the arrangement of timber post and rail fencing within the eastern part of the school grounds serving the early years area;
- the replacement of 2 metre tall fence along the northern and western boundary in the north-western corner of the application site with a 1.1 metre tall post and rail fence.

6.13 It is important to note that the school benefits from permitted development rights under the Town and Country (General Permitted Development) (England) Order 2015 (as amended) which enables them to erect fencing up to 2 metres in height within the school grounds without the need for planning permission.

6.14 Aside from the provision of a 2.4 metre tall fence around the entire MUGA in the south-eastern corner of the school grounds (the previously approved scheme only proposed a 2.4 metre tall fence to the southern and eastern boundaries of the MUGA), all other proposed amendments to the boundary treatments would be allowed under permitted development legislation.

6.15 As part of the proposed amendments to the boundary treatments, a 2 metre tall green weldmesh fence is to be erected to the north of the marked playing pitch, separating the playing pitch from open land in the north-western corner of the school grounds. The parcel of land to be fenced off in the north-western corner of the school grounds as a result of this new fencing is only required should the school expand to a 2 form entry primary school in the future, as set out in the Design and Access Statement submitted for application 17/00158/COMIND.

6.16 Sport England have raised an objection to this particular proposed fencing as they consider it to split the playing field into two and impede the running track indicated on previous plans. Sport England consider that there is insufficient justification for the fence and note that no gate is proposed into the north west corner of the school grounds that is to be fenced off. Sport England advise that they consider the erection of the fence to indicate that the applicants are closing off playing field in preparation for the sale of the land after 5 years when Sport England is no longer a statutory consultee.

6.17 The objection from Sport England is noted, however, the fall-back position for the applicants is the ability to erect the fencing proposed without the need for planning permission under Town and Country (General Permitted Development) (England) Order 2015 (as amended). Furthermore, the area of land to be fenced off is only required in spatial terms should the school expand to a 2 form entry primary school in the future. Sufficient play provision for a 1 form entry primary school is provided by the existing playing pitch and areas for play outside of this parcel of land. As such it would be unreasonable to refuse the application on the basis of the objection from Sport England.

6.18 None of the proposed alterations to the boundary treatments give rise to concerns in respect of impact on the character and appearance of the area or neighbouring amenities and therefore are considered acceptable. Furthermore, the proposed changes to the hardstanding surrounding the school building are considered to be minor and would not detrimentally harm the character and appearance of the area.

Reduction in the BREEAM Level

- 6.19 The previous permissions granted imposed a condition requiring the school to achieve BREEAM Excellent in accordance with Policy CS15 of the Core Strategy and BREEAM pre-assessments at that time anticipated that Excellent would be achieved. A further subsequent design stage assessment achieved a certificate score of 70% which is the minimum score necessary to achieve BREEAM Excellent, providing no buffer.
- 6.20 However, during the construction of the school the contractors responsible for constructing the school went into administration, resulting in the loss of data relating to construction waste that were relied upon to demonstrate the attainment of BREEAM Excellent as required by condition 6 of permission 17/03434/COMIND. As such, credits relating to construction waste can no longer be achieved.
- 6.21 Therefore, the BREEAM level that is now able to be achieved for this development is Very Good. The applicants have reviewed whether it would be possible to increase other credits to compensate for the reduction in BREEAM attainment, however, it is shown that it would not be possible and therefore a score greater than Very Good can no longer be achieved.
- 6.22 It is unfortunate that BREEAM Excellent level can no longer be attained due to the administration of the previous contractor and this runs contrary to Policy CS15 of the Core Strategy. However, whilst this conflict with Policy CS15 occurs this must be considered against the Local Plan as a whole and the benefits of delivering a new school. Therefore an amendment to condition 6 to require the development to achieve BREEAM Very Good is, in this instance, considered acceptable.

External Lighting

- 6.23 This application seeks to introduce new lighting along the temporary vehicle route from Newbury College which, once the new A339 link road has been completed and brought into use, will be stopped up to vehicles but retained for use by pedestrians and cyclists only. Lighting in this location is sought to provide safe access for parents, children and others during the hours of darkness. Two types of lighting have been proposed along this route, bollard or column lighting. The bollard lighting design would comprise 19 bollards of 1.04 metres in height and one 5 metre tall column light. The column lighting only design would comprise 7 columns 5 metres tall.
- 6.24 The applicants consider that the column lighting solution only would be preferable due to the reduced risk of vandalism to those types of lights. It is considered that either solution for lighting this route would be acceptable and not introduce any significant detrimental impacts on the character and appearance of the area, neighbouring amenities or biodiversity. As such condition 7 of permission 17/03434/COMIND is recommended to be amended to enable either lighting option in this location to be erected.

Noise from Services

- 6.25 Condition 9 attached to permission 17/03434/COMIND required details of any plant or mechanical services to be submitted to and approved in writing by the Local planning Authority prior to their installation.
- 6.26 Details of the mechanical air handling plant and chillers have been submitted together with the necessary information regarding noise and have been assessed by the Environmental Health Officer who raises no objections.

- 6.27 The positioning of some of the mechanical plant located on the roof of the school building has altered from that previously approved and as a result amended elevation plans and an amended roof plan have been submitted.
- 6.28 The details of mechanical air handling plant and chillers and their amended locations on the building are not considered to detrimentally harm the character and appearance of the area or neighbouring amenities.

Playing Pitch and MUGA Construction Details

- 6.29 Condition 11 of planning permission 17/03434/COMIND requires details of the construction and management plan for the playing pitches to be submitted to and approved in writing by the Local Planning Authority prior to the school being brought into use. Construction, drainage and management details for the playing pitch and MUGA have been provided and reviewed by Sport England who previously requested this condition and are considered acceptable.
- 6.30 Therefore, condition 11 can be amended accordingly to ensure the construction of the playing pitch and MUGA and their maintenance are in accordance with the approved details.

Travel Plan

- 6.31 Condition 12 of permission 17/03434/COMIND required the submission and approval of a travel plan for the school prior to the school being brought into use. A travel plan was submitted with this application and concerns were raised by the Transport Policy Officer who required amendments to that plan. Amendments were made to the travel plan accordingly and the revised travel plan has been agreed by the Transport Policy Officer.
- 6.32 Greenham Parish Council raised objections to the original travel plan advising that they considered the travel plan required amendment in light of the changed highway services and in line with the wishes of the school sponsor, Newbury College.
- 6.33 Newbury Town Council, as the adjacent parish council were also consulted and objected to the original travel plan submitted, requesting that the current arrangements would be retained and that any travel plan needs to allow for a right turn from the A339 for southbound traffic. The arrangement of the junction onto the A339 was approved under permission 17/03434/COMIND and is not a matter for consideration under the travel plan or this application.
- 6.34 Both Councils were re-consulted in respect of the revised travel plan submitted to which neither council has provided any comments.
- 6.35 The revised travel plan is considered acceptable and condition 12 can be amended accordingly to secure adherence to the revised travel plan.

Cycle and Scooter Parking

- 6.36 Condition 13 of permission 17/03434/COMIND required details of the cycle and scooter parking and storage to be submitted to and approved in writing by the Local Planning Authority prior to the school being brought into use. Plans submitted with permission 17/03434/COMIND indicated that the cycle and scooter parking would be located in the north-eastern corner of the school grounds, adjacent to the pedestrian entrance.
- 6.37 Details submitted with this application relocate the proposed cycle and scooter parking further within the school grounds, behind the internal secure 2 metre tall fencing, to the

west of the school building. The cycle/scooter parking provision would comprise a covered area of Sheffield type racks and a covered area of scooter racks.

- 6.38 The details are considered acceptable and are not considered to detrimentally harm the character and appearance of the area or neighbouring amenities.

Landscaping

- 6.39 Condition 17 of permission 17/03434/COMIND required details of a detailed landscaping scheme and management plan to be submitted to and approved in writing by the Local Planning Authority prior to the school being brought into use.
- 6.40 Detailed planting plans have been submitted. The Tree Officer was consulted on the application but no response has been received.
- 6.41 Having reviewed the planting details submitted together with the landscape management plan proposed your officers consider the submissions sufficient to ensure the appropriate landscaping and management for the development.
- 6.42 Therefore, the landscaping details are considered acceptable and condition 17 can be amended accordingly to ensure the provision and management of landscaping.

Electric Vehicle Charging Points

- 6.43 Details submitted in respect of electric vehicle charging for the previous permission (17/03434/COMIND) were secured by condition 17 attached to that permission and required the installation of an electric vehicle recharging system provided by POD Point.
- 6.44 Since that approval it has come to light that the POD Point charging system would have tied the school into a public register of charging points, which could bring the public into the school to use the chargers and thereby use up limited staff parking. It would also have required the school to manage the scheme. As such the applicants are now seeking approval for an alternative electric vehicle charging system and request that the condition is amended to accommodate an equivalent alternative system. No change to the number of electric vehicle charging points is proposed and having visited the site your officers can confirm that electric vehicles charging points for use by staff in the staff parking area have been erected, providing sufficient EV charging points in line with that previously approved.
- 6.45 Therefore, the electric vehicle charging condition can be amended accordingly to accommodate the alternative charging points installed.

7. Planning Balance and Conclusion

- 7.1 Aside from the reduction in BREEAM from Excellent to Very Good, the proposed amendments to the previously approved scheme and variations to the relevant conditions are considered to accord with the Development Plan.
- 7.2 The reduction in BREEAM from Excellent to Very Good, whilst not in accordance with Policy CS15 of the Core Strategy, is justified in this instance. The public benefit of the provision of a new school and the material consideration for the reason as to why BREEAM Excellent can no longer be achieved. Are considered to outweigh the conflict identified with Policy CS15.

- 7.3 The Highways Officer's concerns regarding the reduction in kiss and drop parking provision are acknowledged. However, the school is currently only permitted as a 1 form entry school and further permission would be required to expand the school to a 2 form entry primary school. Should additional kiss and drop parking spaces be required at that stage they can be dealt with under a future application for expanding the school to 2 form entry.
- 7.4 Sport England's concerns regarding the fencing off of land are noted. However that land is not required for a 1 form entry school and the fencing proposed can be installed under permitted development rights.
- 7.5 Therefore, the application as amended is considered acceptable subject to the variation of conditions as set out in section 8 below.

8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed below.

Conditions

1.	<p>Approved Plans</p> <p>The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:</p> <ul style="list-style-type: none"> • Site Location and Existing Site Plan drawing number PL 002 rev. C; • Landscape Proposals General Arrangement drawing number 1967-TF-00-00-DR-L-1001 Rev 13; • Proposed Ground Floor drawing number PL004 rev. 1; • Roof Plan drawing number 18026-RFT-00-01-DR-A-0202 Rev CR2; • Sections drawing number PL007 rev. 1; • Elevations drawing number 18026-RFT-00-ZZ-DR-A-0300 Rev CR2; • Elevations drawing number 18026-RFT-00-ZZ-DR-A-0301 Rev CR2; • Proposed Road Layout Signals drawing number PL011-27599-010 rev. B; • Site Sections Plan drawing number 1967-TF-00-00-DR-L-5001 Rev 6; • Site Sections Plan drawing number 1967-TF-00-00-DR-L-5002 Rev C02; • Tree Retention & Protection Plan drawing number LLD919/04 rev. 04; • Boundary Plan drawing number 1967-TF-00-00-DR-L-1003 Rev 04; • External Lighting Plan drawing number 180730/001/E08; • Hard Landscape and Fencing Plan drawing number 1967-TF-00-00-DR-L-2001 Rev 10; • Hard Landscape and Fencing Plan drawing number 1967-TF-00-00-DR-L-2002 Rev 04; • Hard Landscape and Fencing Plan drawing number 1967-TF-00-00-DR-L-2003 Rev 02; • Foul and Surface water Drainage (Sheet 1 of 3) drawing number 101:1 rev. P3; • Foul and Surface water Drainage (Sheet 2 of 3) drawing number 101:2 rev. P1; • Foul and Surface water Drainage (Sheet 3 of 3) drawing number 101:3 rev. P1. <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
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2.	<p>Boundary Treatments</p> <p>The school hereby approved shall not be bought into use until the boundary treatments, to include external boundaries around the site and internal boundaries within the site, have been erected in accordance with the details shown on drawing numbers 1967-TF-00-00-DR-L-1003 Rev 04, 1967-TF-00-00-DR-L-2001 Rev 10, 1967-TF-00-00-DR-L-2002 Rev 04 and 1967-TF-00-00-DR-L-2003 Rev 02. The boundary treatments shall thereafter be retained in accordance with the approved details.</p> <p>Reason: The boundary treatments are an important element in the design of the scheme. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
3	<p>Hardstanding</p> <p>The school hereby approved shall not be bought into use until the areas of hard standing have been constructed in accordance with the details shown on drawing numbers 1967-TF-00-00-DR-L-2001 Rev 10, 1967-TF-00-00-DR-L-2002 Rev 04 and 1967-TF-00-00-DR-L-2003 Rev 02. The areas of hard surfacing shall thereafter be retained in accordance with the approved details.</p> <p>Reason: The areas of hardstanding are an important element of the design of the scheme. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
4	<p>BREEAM</p> <p>Evidence confirming that the development achieves a BREEAM Education rating of Very Good shall be submitted to the Local Planning Authority. The evidence required shall be provided in the following formats and at the following times unless otherwise agreed in writing by the Local Planning Authority:</p> <ol style="list-style-type: none"> 1) Evidence of Submission to the BRE for a Post Construction Final Certificate shall be provided within 8 weeks of Occupation of the building. 2) A copy of the Final Certificate certifying that BREEAM Very Good has been achieved for the development, shall be provided within 12 Months of Occupation of the building. <p>Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS15 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
5	<p>External Lighting</p> <p>The school hereby approved shall not be bought into use until the external lighting to be used around the school and on the access road has been installed in accordance with drawing number 180730/001/E08 and either, drawing number D41196(003)/PMU/A (bollard lighting) and datasheet Deco 2.0, or, drawing number D41196(003)/PMU/A/RF (column lighting) and datasheet Viva-City Pro. No external lighting shall be installed on the building or across the site except for that expressly</p>

	<p>authorised by the approval of details as part of this condition. The approved external lighting shall thereafter be retained.</p> <p>Reason: To have regard to the setting of the development and to protect the amenity of neighbouring occupiers and wildlife. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) and Supplementary Planning Document Quality Design (June 2006).</p>
6	<p>Contamination</p> <p>Should any unforeseen contamination be encountered during the development, the developer shall inform the Local Planning Authority immediately. Any subsequent investigation/remedial/protective works deemed necessary by the Local Planning Authority shall be carried out to agreed timescales and approved by the Local Planning Authority in writing. If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the Local Planning Authority upon completion of the development.</p> <p>Reason: In order to protect the amenities of futures users of the site in accordance with Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and the guidance within the National Planning Policy Framework.</p>
7	<p>Mechanical Plant</p> <p>The school hereby approved shall not be brought into use until the mechanical air handling plant and chillers have been installed in accordance with the following details:</p> <ul style="list-style-type: none"> • Attenuator Drawings dated 3/6/2020; • Hall AHU Summary Fan Data Sheet; • i-Max Chiller Heat Pumps; • Kitchen Extract Summary Fan Data Sheet; • Kitchen Supply AHU Summary Fan Data Sheet; • Maxa i-HP Data Sheet; • Maxa i-HP Performance Tables; • MSY-TP35V Comms Room System data sheet; • MTS001-ASHP-AC data sheet; • Noise Assessment dated 12th June 2020; • PLA-ZM50 Cassette IT Suite System; • Roof Plant Layout Plan drawing number LO-Y34-R1-50-01 Rev C1. <p>Noise resulting from any other plant, machinery or equipment to be installed shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142, at a point one metre external to the nearest noise sensitive premises.</p> <p>Reason : In the interests of the amenities of neighbouring occupiers in accordance with Policy OVS5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) and Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.</p>
8	<p>Construction Hours of Work</p> <p>No construction works shall take place outside the following hours: 7.30 am to 6.00 p.m. on Mondays to Fridays 8.30 am to 1.00 p.m. on Saturdays and no work shall be carried out on Sundays or Bank Holidays.</p>

	<p>Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.</p>
9	<p>Playing Field Construction</p> <p>The school hereby approved shall not be brought into use until the playing field and MUGA within the school site have been provided in accordance with drawing numbers HWC-MAC-DR-L(90)100 Rev C01, HWC-MAC-DR-L(90)101 Rev C01, HWC-MAC-DR-L(90)102 Rev C02, HWC-MAC-DR-L(90)103 Rev C02, HWC-MAC-XX-XX-RP-L1000 and 1967-TF-00-00-DR-L-4001.</p> <p>The playing field and MUGA shall thereafter be provided and maintained in accordance with the approved details.</p> <p>Reason: To ensure the quality of the pitches is satisfactory, in accordance with Policy CS18 of the West Berkshire Core Strategy 2006-2026 and the guidance within the National Planning Policy Framework.</p>
10	<p>Travel Plan</p> <p>The Travel Plan received on 26th May 2021 shall be implemented as approved on commencement of the use as a school and its provisions shall continue to be implemented thereafter.</p> <p>Reason: To ensure the efficient function of the site and to promote sustainable forms of transport. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
11	<p>Cycle and Scooter Parking</p> <p>The school shall not be brought into use until the cycle and scooter parking and storage spaces have been provided in the location shown on drawing number 1967-TF-00-00-DR-L-1003 in accordance with drawing numbers SK00714 Rev A and BXMW-SJ-1.02[A] and the spaces shall be retained for this purpose at all times.</p> <p>Reason: To ensure that there is adequate and safe cycle and scooter storage spaces within the site. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
12	<p>Tree Protection</p> <p>Protective fencing shall be implemented and retained intact for the duration of the development in accordance with the tree and landscape protection scheme identified on approved drawing number LLD919/04 rev. 04. Within the fenced areas, there shall be no excavations, storage of materials or machinery, parking of vehicles or fires.</p> <p>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.</p>

13	<p>Arboricultural Watching Brief</p> <p>The development (including site clearance and any other preparatory works) shall be carried out in accordance with the Arboricultural Supervision 'Watching Brief', dated 12th July 2017 produced by Lizard Landscape Design and Ecology and Supplementary letter reference - LLD1220/KM/14.08.2017.</p> <p>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.</p>
14	<p>Tree Retention</p> <p>No trees, shrubs or hedges shown as being retained on the Tree Retention & Protection Plan (drawing 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.</p> <p>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.</p>
15	<p>Landscaping</p> <p>The Landscaping Scheme shall be implemented in full in accordance with drawing numbers 1967-TF-00-00-DR-L-3002 Rev 05, 1967-TF-00-00-DR-L-1005 Rev 01 and 1967-TF-00-00-DR-L-3001 Rev 04 including the planting of a wildflower mix on the proposed bunds and will be managed and maintained in accordance with the Landscape Management Plan (ref: 1967-TF-00-ZZ-RE-L-8001).</p> <p>Reason: To ensure an acceptable landscaping scheme is implemented and managed and maintained 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.</p>
16	<p>Construction Management Plan</p> <p>The demolition and construction works shall incorporate and be undertaken in accordance with the approved Construction Management Plan and addendum dated February 2018.</p> <p>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, Policy CS14 of the West Berkshire Core Strategy 2006-2026 and Supplementary Planning Document Quality Design (June 2006).</p>

17	<p>Access Contribution</p> <p>Prior to the new access from the A339 being brought into use, the applicant shall enter into a Legal Agreement to secure a contribution of £142,872 towards highways mitigation works.</p> <p>Reason: To ensure adequate mitigation to accommodate additional traffic on the A339. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.</p>
18	<p>Stopping Up of Temporary Access Road to Vehicles</p> <p>Upon completion of the access onto the A339, the existing vehicular access serving the school via Newbury College shall be stopped up to all vehicles at a location south of Newbury College.</p> <p>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 and Policy CS13 of the West Berkshire Core Strategy 2006-2026.</p>
19	<p>A339 Link Road</p> <p>Within two years of the school opening, the vehicular, pedestrian and cycle access via the A339 and associated engineering operations shall be constructed in accordance with the approved drawings.</p> <p>Reason: To ensure that the A339 access into the site is constructed before the school intake increases beyond an acceptable level capable of being served via the Newbury College access in the interest of highway safety and 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 and Policy CS13 of the West Berkshire Core Strategy 2006-2026.</p>
20	<p>Vehicle Parking and Turning</p> <p>The use of the school hereby approved shall not commence until the vehicle parking and turning spaces/areas have been provided in accordance with drawing number 1967-TF-00-00-DR-L-1001. The parking and/or turning space shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.</p> <p>Reason: To ensure the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would adversely affect road safety and the flow of traffic. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026 and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>
21	<p>Electric Vehicle Charging Points</p> <p>The school hereby approved shall not be brought into use until the electric vehicle charging points have been delivered in accordance with the EV Charging points data sheets received 13th February 2018 or equivalent and shall remain available for the purpose of charging electric vehicles in association with the school at all times.</p>

	<p>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).</p>
22	<p>Construction Traffic Access</p> <p>The development hereby approved shall be undertaken in accordance with the Construction Management Plan Rev G and Addendum, together with the email from Michael Thurlow dated 13th July 2018.</p> <p>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 and Policy CS13 of the West Berkshire Core Strategy 2006-2026.</p>
23	<p>Drainage Strategy</p> <p>The school hereby approved shall not be brought into use until the drainage measures set out in drawing numbers 101:1 Rev P3, 101:2 rev P1 and 101:3 Rev P1 and the 'Impact Study on Existing Attenuation Basin' produced by Archibald Shaw as well as the Sewage Impact Study produced by Thames Water have been implemented in full.</p> <p>The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.</p> <p>Reason: To ensure that surface water and waste 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, Policies CS5 and CS16 of the West Berkshire Core Strategy 2006-2026, and Part 4 of Supplementary Planning Document Quality Design (June 2006).</p>
24	<p>Access Road SuDS</p> <p>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.</p> <p>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.</p> <p>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</p>

	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).
25	<p>Ecology</p> <p>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.</p> <p>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.</p>
26	<p>Fire Hydrants</p> <p>The school hereby approved shall not be brought into use until the fire hydrants, or other suitable emergency water supplies have been implemented in accordance with drawing number P15228-ELE-XX-XX-DR-ME-96001 Rev P1 and shall be retained thereafter.</p> <p>Reason: There are no available public mains in the area to provide a suitable water supply in order to effectively fight a fire. The fire hydrants are required to protect the amenities of future occupants of the application site and adjacent land in accordance with Policy CS14 of the West Berkshire Core Strategy 2006-2026.</p>

Informatives

1.	This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has worked proactively with the applicant to secure and accept what is considered to be a development which improves the economic, social and environmental conditions of the area.
2.	The decision to grant planning permission has been taken because the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area, amenities of neighbouring properties, ecology, trees, flooding and drainage. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service or the Council website.
3.	All bats are protected by The Wildlife and Countryside Act 1981 (WCA) (as amended) & The Conservation of Habitats and Species Regulations 2010. Should you find bats during development, all work must stop until advice has been sought from Natural England. Their local contact number is 0300 060 3886.
4.	The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Health and Licensing Manager.

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| 5. | In relation to Tree T02, the applicant is asked to give consideration to retaining the trunk of the tree on site in as large a section as possible to allow it to decay naturally for the local wildlife. |
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