

# Notice of Meeting



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## Western Area Planning Committee Wednesday 24th April 2024 at 6.30pm

In the Council Chamber Council Offices  
Market Street Newbury

Planning applications **23/01361/FULMAJ** and **23/01577/FUL** have been deferred and will not be considered at this meeting. Both applications have been deferred to the next meeting of Western Area Planning Committee on Wednesday 22<sup>nd</sup> May.

This meeting will be streamed live here: [Link to Western Area Planning Committee broadcasts](#)

You can view all streamed Council meetings here: [Link to West Berkshire Council - Public Meetings](#)

If members of the public wish to attend the meeting they can do so either remotely or in person. Members of the public who wish to attend must notify the Planning Team by no later than 4.00pm on Tuesday 23 April by emailing [planningcommittee@westberks.gov.uk](mailto:planningcommittee@westberks.gov.uk).

### Members Interests

Note: If you consider you may have an interest in any Planning Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Tuesday 16 April 2024

### Further information for members of the public

Plans and photographs relating to the Planning Applications to be considered at the meeting can be viewed by clicking on the link on the front page of the relevant report.

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact the Planning Team on (01635) 519148 or email [planningcommittee@westberks.gov.uk](mailto:planningcommittee@westberks.gov.uk).

Further information, Planning Applications and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)

Any queries relating to the Committee should be directed to the Democratic Services Team by emailing [executivecycle@westberks.gov.uk](mailto:executivecycle@westberks.gov.uk).



**Agenda - Western Area Planning Committee to be held on Wednesday, 24 April 2024**  
(continued)

**To:** Councillors Patrick Clark (Chairman), Clive Hooker (Vice-Chairman), Adrian Abbs, Antony Amirtharaj, Phil Barnett, Dennis Benneyworth, Nigel Foot, Tony Vickers and Howard Woollaston

**Substitutes:** Councillors Carlyne Culver, Paul Dick, Billy Drummond, Denise Gaines and Stuart Gourley

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# Agenda

## Part I

Page No.

1. **Apologies for absence**  
To receive apologies for inability to attend the meeting (if any).
  2. **Minutes** 5 - 6  
To approve as a correct record the Minutes of the meeting of this Committee held on 19<sup>th</sup> December 2023. The Minutes from the previous meetings on 21<sup>st</sup> February and 20<sup>th</sup> March 2024 are not yet available. They will be provided at the next meeting.
  3. **Declarations of Interest**  
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
  4. **Schedule of Planning Applications**  
(Note: The Chairman, with the consent of the Committee, reserves the right to alter the order of business on this agenda based on public interest and participation in individual applications).
- (1) **Application No. and Parish: 23/01585/OUTMAJ - Sandleford Park West, New Warren Farm, Warren Road, Newbury** 7 - 124
- Proposal:** Outline application for the phased delivery of up to 360 dwellings; demolition of Warren House and other buildings; widening of Warren Road to provide access through to Andover Road to the west; emergency access via Kendrick Road; provision of open space; drainage, walking, cycling, green and other associated infrastructure, including 40% affordable housing provision. All matters to be reserved, except access into the site for vehicles, pedestrians and cycles along the Warren Road corridor.

**Agenda - Western Area Planning Committee to be held on Wednesday, 24 April 2024**

*(continued)*

**Location:** Sandford Park West, New Warren Farm, Warren Road, Newbury

**Applicant:** Donnington New Homes

**Recommendation:** To delegate to the Development Manager to GRANT OUTLINE PLANNING PERMISSION, subject to conditions and the satisfactory completion of a Section 106 Legal Agreement (or refuse outline planning permission if the S106 Legal Agreement is not completed).

- (2) **Application No. and Parish: 23/01361/FULMAJ - Land North of Spring Gardens, Andover Drove, Wash Water, Newbury (ITEM DEFFERED until next Committee on 22<sup>nd</sup> May)**

**Proposal:** The installation and operation of a solar farm with ancillary equipment including inverter and substation house, security cameras, deer fence, new highway access and landscaping scheme.

**Location:** Land North of Spring Gardens, Andover Drove, Wash Water, Newbury

**Applicant:** Calleva Community Energy Ltd

**Recommendation:** To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to conditions set out in 8.1 of the report.

- (3) **Application No. and Parish: 23/01577/FUL - Buildings and Land to the rear of Londis Stores High Street, Church lane, Chieveley (ITEM DEFFERED until next Committee on 22<sup>nd</sup> May)**

**Proposal:** Demolition Of Industrial Units And Pigsty, And Construction Of 4no. Residential Dwellings And Parking Provision (Pursuant To Refusal 22/00106/FULD).

**Location:** Buildings and Land to the rear of Londis Stores High Street, Church lane, Chieveley, Newbury

**Applicant:** Chesterton Commercial Group

**Recommendation:** To delegate to the Development Manager to GRANT PLANNING PERMISSION subject to conditions and a S106 agreement.



**Agenda - Western Area Planning Committee to be held on Wednesday, 24 April 2024**  
(continued)

**Background Papers**

- (a) The West Berkshire Core Strategy 2006-2026.
- (b) The West Berkshire District Local Plan (Saved Policies September 2007), the Replacement Minerals Local Plan for Berkshire, the Waste Local Plan for Berkshire and relevant Supplementary Planning Guidance and Documents.
- (c) Any previous planning applications for the site, together with correspondence and report(s) on those applications.
- (d) The case file for the current application comprising plans, application forms, correspondence and case officer's notes.
- (e) The Human Rights Act.

*Sarah Clarke.*

Sarah Clarke  
Service Director – Strategy & Governance  
West Berkshire District Council

If you require this information in a different format or translation, please contact  
Stephen Chard on (01635) 519462.



**West Berkshire**  
C O U N C I L

**DRAFT**

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

**WESTERN AREA PLANNING COMMITTEE**

**MINUTES OF THE EXTRAORDINARY MEETING HELD ON  
TUESDAY, 19 DECEMBER 2023**

**Councillors Present:** Clive Hooker (Vice-Chairman), Antony Amirtharaj, Phil Barnett, Patrick Clark, Heather Codling, Carlyne Culver and Tony Vickers

**Also Present:** Stephen Chard (Democratic Services Manager) and Sarah Clarke (Service Director (Strategy and Governance))

**Apologies for inability to attend the meeting:** Councillor Dennis Benneyworth and Councillor Howard Woollaston

**PART I**

**1. Election of the Chairman**

**RESOLVED that** Councillor Patrick Clark be elected Chairman of the Western Area Planning Committee for the remainder of the 2023/24 Municipal Year.

Councillor Carlyne Culver announced that she would be stepping down as a Member of the Planning Committee. This would be confirmed at the Extraordinary Council following this meeting. She gave thanks to officers for the support given to the Planning Committee.

Councillor Clive Hooker added his thanks to Councillor Culver for her time on the Planning Committee. He stated that her input would be missed.

*(The meeting commenced at 6.30pm and closed at 6.35pm)*

**CHAIRMAN** .....

**Date of Signature** .....

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# Agenda Item 4.(1)

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	23/01585/OUTMAJ Newbury Town	30 October 2023 <sup>1</sup>	<p>Outline application for the phased delivery of up to 360 dwellings; demolition of Warren House and other buildings; widening of Warren Road to provide access through to Andover Road to the west; emergency access via Kendrick Road; provision of open space; drainage, walking, cycling, green and other associated infrastructure, including 40% affordable housing provision. All matters to be reserved, except access into the site for vehicles, pedestrians and cycles along the Warren Road corridor.</p> <p>Sandleford Park West, New Warren Farm, Warren Road, Newbury</p> <p>Donnington New Homes</p>

<sup>1</sup> Extension of time agreed with applicant until 31 May 2024

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=23/01585/OUTMAJ>

**Recommendation Summary:** To delegate to the Development Manager to GRANT OUTLINE PLANNING PERMISSION, subject to conditions and the satisfactory completion of a Section 106 Legal Agreement (or refuse outline planning permission if the S106 Legal Agreement is not completed).

**Ward Member(s):** Councillor Adrian Abbs  
Councillor David Marsh  
Councillor Patrick Clark

**Reason for Committee Determination:** 10+ objections

**Committee Site Visit:** 22<sup>nd</sup> April 2024

## Contact Officer Details

**Name:** Niko Grigoropoulos  
**Job Title:** Team Leader  
**Tel No:** 01635 519111  
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## 1. Introduction

- 1.1 The purpose of this report is for the Committee to consider the proposed development against the policies of the development plan and the relevant material considerations and to make a resolution as to whether to approve or refuse the application.
- 1.2 This application by Donnington New Homes (DNH) seeks outline planning permission with all matters reserved except for access, for the residential development of Sandleford Park West (SPW). An application for outline planning permission allows for a decision on the general principles of how a site can be developed. Outline planning permission is granted subject to conditions requiring the subsequent approval of one or more 'reserved matters'. Reserved matters are those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application, (i.e. they can be 'reserved' for later determination). These are access, appearance, landscaping, layout and scale. In this case, the applicant has chosen to provide full details of access for determination at this stage. In this context 'access' means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- 1.3 For the purposes of this application, SPW occupies the western-most portion of the Sandleford Strategic Site Allocation (SSSA), as allocated by Policy CS3 of the adopted West Berkshire Core Strategy. It comprises land at New Warren Farm with its farmhouse building and fields and the northern part of Brick Kiln Copse. In addition to New Warren Farm, the SPW application site also includes: i) the 'Warren Road corridor' and associated public right of way PROW NEWB/5/1; ii) five residential properties fronting this 'corridor'; as well as iii) a short stretch of Andover Road at and near its junction with Warren Road. Unlike the 2018 Sandleford Park West application, in this case the application site does not include the site of Sanfoin, i.e. the site at the rear of the Garden Close Lane. For the avoidance of doubt, Sanfoin lies outside the SSSA allocated land, albeit it is within the Newbury Settlement Boundary.
- 1.4 The description of the development proposed for this SPW application (23/01585/OUTMAJ), as amended, reads:
- “Outline application for the phased delivery of up to 360 dwellings; demolition of Warren House and other buildings; widening of Warren Road to provide access through to Andover Road to the west; emergency access via Kendrick Road; provision of open space; drainage, walking, cycling, green and other associated infrastructure, including 40% affordable housing provision. All matters to be reserved, except access into the site for vehicles, pedestrians and cycles along the Warren Road corridor.”*
- 1.5 As a result of the amended description above, with the exception of the current detailed access proposals along the Warren Road corridor, and the proposed emergency vehicle access via Kendrick Road, all other issues related to “access” are matters to be reserved.
- 1.6 This application follows the granting by the Secretary of State (SoS) of outline planning permission (20/01238/OUTMAJ) on 6th May 2022, at an appeal by Bloor Homes for the residential-led mixed-use development of the remainder of the SSSA, now known as Sandleford Park East (SPE). The descriptions of development for that and other related applications are provided in the Relevant Planning History section of this report.
- 1.7 This report sets out a short summary of relevant events leading to the submission of this application, relevant planning history, procedural matters, a description of the



application site and the proposals, summaries of the consultation responses and representations received and the relevant policy considerations. Detailed appraisals of the proposals are then undertaken under a whole range of relevant topics, which feed into the planning balance exercise, the conclusion and the officers' recommendation.

## 2. Sandleford – A Contextual Perspective and the ‘Single Application’ requirement

- 2.1 The adopted West Berkshire Core Strategy (July 2012) allocated the Sandleford Strategic Site Allocation (SSSA), by way of Policy CS3.
- 2.2 The strategic allocation was followed by the adoption of the original Sandleford Park Supplementary Planning Document (SPD) (September 2013). The primary purposes of the SPD were to:
  - guide future development and investment;
  - provide a planning framework for the site, setting out planning and design principles and requirements;
  - assist in delivering a comprehensive and sustainable development; and
  - help inform and engage the local community.
- 2.3 Post-SPD-adoption meetings with the landowners/developers gave rise to concerns that the development of the overall SSSA may not come forward in a comprehensive manner. In response the Council amended the Sandleford Park SPD (adopted March 2015), by including one additional development principle, S1, requiring a single planning application for the development of the whole of the Sandleford Park site, to ensure that the allocated site is comprehensively delivered, with timely provision of infrastructure.
- 2.4 The SPD requirement for a single application submission was also then included in policy GS1 (General Site Policy) of the adopted Housing Sites Allocations Development Plan Document (HSA DPD) (May 2017).
- 2.5 Notwithstanding the above (i.e. GS1 and S1), Bloor Homes and DNH nevertheless submitted separate outline planning applications for the development of their own sites, SPE and SPW, respectively, with associated developers' Memoranda of Understanding (MoUs).
- 2.6 The current Sandleford Park West application is not accompanied by a Memorandum of Understanding (MoU). In any event MoUs are not legally binding.
- 2.7 This 'single application' submission requirement of HSA DPD policy GS1 and of Sandleford Park SPD Development Principle S1 for the whole allocated site (SSSA) were tested at great length at the Bloor Homes' appeal inquiry. The Inspector acknowledged and concluded that *"this is not a requirement of either the Core Strategy or the emerging Local Plan. The proposal would deliver the necessary infrastructure in a timely manner and would not prejudice the development of the adjoining DNH site"* (Inspector's Report - IR para. 16.248). At the same time the Inspector found LPR policy SP16 *"makes it clear that the Site must be delivered to achieve comprehensive development"* (IR para. 16.222) and *"indicates the Council's intended direction of travel in relation to the SSSA"* (IR para. 16.223). As such neither the Inspector (IR para. 16.248) nor the SoS (Decision Letter DL para. 26) found *"that the failure to provide a single application for the entire allocation gives rise to any significant harm"*.

- 2.8 Furthermore, the emerging Local Plan Review (LPR) does not take forward HSA DPD Policy GS1 and the 'single application' requirement for allocated sites and the SSSA in particular, which sets the direction of travel. However, emerging LPR Policy SP16 requires that the comprehensive development of the SSSA remains a valid policy objective and an important requirement in the consideration of this application proposal.
- 2.9 As such, in the context of the SPE appeal decision and of the provisions of LPR Policy SP16, the requirement for a 'single application' submission for the whole of the SSSA has therefore been overtaken by events and is no longer a central / in-principle issue in the considering of any proposals for any part of the SSSA, including in relation to this application.
- 2.10 The 'single application' therefore is no longer a pre-requisite policy requirement in order to ensure the comprehensive development of the SSSA and delivery of the associated mitigation infrastructure.

### 3. Planning History

- 3.1 The table below outlines the relevant planning history of the application site and surrounding area. The entries normally refer to applications in New Warren Farm and SPW unless stated otherwise. (e.g other individual properties on Warren Road or Sandford Park East, or the whole SSSA)

Application	Proposal	Decision / Date
76/04308/ADD	Construction of house (East of the Burrows – i.e. Meadowside)	Application Approved 29/09/76
76/05041/ADD	Construction of new house (Enville House)	Application Approved 25/04/78
77/06625/ADD	Agricultural bungalow.	Application Refused 03/08/77
78/06948/ADD	Erection of an agricultural bungalow.	Application Approved 25/04/78
79/12083/ADD	Erection of dwellinghouse in connection with existing agricultural use.	Application Approved 18/06/80
80/13083/ADD	Erection of a barn.	Application Approved 13/06/80
80/12773/ADD	Erection of dwelling outbuildings and barn for agricultural use	Application Approved 18/06/80

81/15827/ADD	Erection of barn for agricultural use.	Application Approved 28/09/81
91/39018/ADD	Single replacement dwelling (Warren House)	Application Approved 24/07/91
92/41920/ADD	Replacement dwelling (Warren House)	Application Approved 14/12/92
93/42456/ADD	Replacement dwelling (Warren House).	Application Approved 07/04/93
06/02524/CERTE	Occupation of the dwelling house in breach of the agricultural occupancy condition contained within planning permission number 80/12773/ADD	Application Approved 18/12/06
07/00311/HOUSE	Proposed one and two storey extensions and alterations including remodelling of elevations and replacement of roofs. Proposed new garage block.	Application Approved 10/04/07
07/00731/FULD	Construction of 2 no. detached 5-bedroom houses with attached garage/garden and cycle store (Ashton House and Lynwood House to rear of the Burrows and Meadowside)	Application Approved 08/06/07
07/02195/FUL	Proposed erection of Agricultural Machinery Store	Application Approved 04/12/07
08/00873/HOUSE	Single storey garage block adjacent to existing house	Application Approved 09/07/08
08/01609/HOUSE	Amendments and refinements to the approved proposals application number 07/00311/HOUSE.	Application Approved 07/10/08
09/01606/FUL	New crop store, hard standing and farm track.	Application Withdrawn 22/10/09
12/00023/AGRIC	Crop Store	Application Required 26/01/12 (Not pursued)
12/03019/FUL	Retrospective change of use of part of livestock barn to B8 storage or distribution and change of use of remainder of livestock	Application Withdrawn 12/02/13

	barn to B1 Office use. Retrospective change of use of machinery store to B2 use.	
13/02478/FULC	Retrospective change of use of livestock barn and machinery store to B8 storage or distribution.	Application Approved 21/01/14 (Personal and Temporary)
17/00848/FULC	Retrospective continuation of use of livestock barn and machinery store as B8 storage or distribution, both continuing after expiry of planning permission (temporary) 13/02478/FULC.	Application Approved 09/08/17 (Temporary)
07/01631/HOUSE	Demolition of outbuilding and conservatory and erection of new two storey extension and replacement conservatory	Application Approved 14/09/07
08/00058/FULD	Alterations and extensions to existing dwelling to form 2 No. two bedroom cottages (Park Cottage)	Application Refused 05/03/08 Appeal Dismissed 10/09/08
08/01407/HOUSE	Alterations and two storey extension to Park Cottage	Application Approved 22/09/08
09/01501/FUL	Part demolition and 2 storey extension to Park Cottage and improvements to Warren Road.	Application Approved 07/10/09
11/00998/FULD	Alterations and extensions to existing dwelling to form 2 no. two-bedroom cottages (Park Cottage)	Application Approved 07/10/09
11/01621/COND1	Application for details reserved by Condition 2: Samples of planning permission 08/01407: Alterations and two storey extension. (Park Cottage)	Application approved 04/10/11
12/01719/COND1	Application for approval of details reserved by Condition 2 - Materials and Condition 4 - Layout of Turning Area of approved reference 09/01501/FUL. Part demolition and 2 storey extension to Park Cottage and improvements to Warren Road.	Application Approved 26/09/12
12/01960/FUL	Section 73: Variation of Condition 5 (Details of Maintenance or details of adoption as a public road) and 6 (Details of construction of new roadway in relation to trees) of planning permission 09/01501/FUL: To vary the wording to read 'Prior to commencement of road improvement works' (Warren Road and Park Cottage).	Application Approved 01/10/12

12/02444/XFUL	Renewal of approved planning permission 09/01501/FUL - Part demolition and 2 storey extension to Park Cottage and improvements to Warren Road.	Application Approved 28/11/12
13/01053/COND1	Application for approval of details reserved by Condition 3 – Cycle Store and Condition 4 – Temporary Parking and Turning of approved application – 11/00998/FULD	Application Approved 16/05/13
14/02416/FUL	Proposed improvements to Warren Road and create new access. Alterations (part demolition and two storey extension) to Park Cottage.	Application Approved 08/12/14
17/00919/COND	Application for approval of details reserved by condition (3) materials (4) tree protection, (5) tree protection, (6) arboricultural method statement, (7) landscaping, (8) suds, (9) road and footpath design and (10) highway adoption of approved application 14/02416/FUL - Proposed improvements to Warren Road and create new access. Alterations (part demolition and two storey extension) to Park Cottage.	Split Decision (all Approved, apart from condition 3 unable to confirm) 05/07/17
17/00158/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 new permanent access from the A339 to serve the allocated strategic housing site and form the permanent access to the school (Highwood Copse School)	Application Approved 30/06/17
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. (Highwood Copse School)	Application Approved 16/3/18
83/18884/ADD	Farm incorporating erection of 3 dwellings, country park, touring caravan site (Sandleford Park East)	Application Approved 14/11/83

14/01456/SCOPE	EIA Scoping request for the development of the Sandeford Strategic Site Allocation.	Response issued 20/08/14
15/02300/OUTMAJ	Hybrid planning application comprising: (1) Outline planning permission for up to 2000 new homes (C3); 80 bed extra care housing (C2); a local centre to comprise flexible commercial floorspace (Retail A1-A5 up to 2,150 sq m, business B1a up to 200 sq m) and community uses (D1), 2 No two form entry primary schools (D1), the formation of new means of access onto Monks Lane, Warren Road (to include part demolition of Park Cottage) and Newtown Road, Green Infrastructure comprising of the laying out of open space including a country park, drainage infrastructure, walking and cycling infrastructure and other associated infrastructure - with access only to be considered at this stage; And (2) Detailed proposal for 321 of those dwellings on parcel of land immediately South of Monks Lane. (Sandeford Strategic Site Allocation)	Application Refused 08/11/17
16/00097/PREAPP	Written Stage One and Meeting Stage Two: Proposed hybrid planning application: In outline up to 450 homes, a primary school, a children's drop-off parking facility, an indoor play facility for "Swings and Smiles", a 60 bed extra care facility, access from Warren Road and Emergency access from Kendrick Road, green infrastructure, pedestrian and cycle links, sustainable drainage and other infrastructure. In detail first phase of 50 homes, the design of "Main Avenue" from Andover Road via Warren Road to the Eastern boundary of new Warren Farm, and additional road and other infrastructure to serve the first 50 homes. (Sandeford Park West)	Stage 2 meeting held on 21 <sup>st</sup> June 2016 and Stage 1 response provided 24 <sup>th</sup> June 2016.
16/00106/OUTMAJ	Hybrid application seeks planning permission for: (1) Detailed proposal for 321 dwellings, associated means of access and green infrastructure (no matters reserved); (2) Outline proposal for a two-form entry primary school on a parcel of land immediately South of Monks Lane (all matters reserved). (Sandeford Park East Development Parcel North)	Application Refused 08/11/17
16/01136/SCOPE	EIA Scoping Request for the Development of New Warren Farm and Sanfoin (Sandeford Park West).	Response issued 20/06/16

16/03309/OUTMAJ	Outline planning permission for up to 1000 new homes (Use Class C3); an 80 bed care housing facility (Use Class C2) as part of the affordable housing provision; a new 2 form entry primary school (Use Class D1); a local centre to comprise flexible commercial floorspace (retail falling into use classes A1-A5 up to 2150 sq m and business falling into use class B1a up to 200 sq m); the formation of new means of access onto Monks Lane; new open space including the laying out of a new country park; drainage infrastructure; walking and cycling infrastructure and other associated infrastructure works. Matters to be considered: Access. (Sandleford Park East)	Application Refused 14/12/17
18/00764/OUTMAJ	Outline planning permission for up to 1,000 new homes; an 80 bed extra care facility as part of the affordable housing provision; a new 2 form entry primary school (D1); expansion land for Park House Academy School; a local centre to comprise flexible commercial floorspace (A1-A5 up to 2,150sq m, B1a up to 200sq m) and D1 use; the formation of new means of access onto Monks Lane; new open space including the laying out of a new country park; drainage infrastructure; walking and cycling infrastructure and other associated infrastructure works. Matters to be considered: Access. (Sandleford Park East)	Application Finally Disposed Of 18/9/20
18/00828/OUTMAJ	Outline application for up to 500 new homes, including 40% affordable, a 1 form entry primary school with land for its expansion to 2 form entry, replacement and/or expansion land for Park House Academy School, extra care elderly units as part of the affordable housing provision, access from Warren Road and emergency access from Kendrick Road, a recreational facility for families of children with special needs, green infrastructure including children's play areas and informal open space, pedestrian and cycle links through the site, sustainable drainage and other infrastructure. Matters to be considered: Access. (Sandleford Park West incl. Sanfoin).	Undetermined, in abeyance, intended to be withdrawn
19/02707/FUL	Improvements and enhancements to Warren Road to serve New Warren Farm following demolition of Park Cottage with associated landscaping and trees.	Application Withdrawn 18/09/20

20/01238/OUTMAJ	Outline planning permission for up to 1,000 new homes; an 80 extra care housing units (Use Class C3) as part of the affordable housing provision; a new 2 form entry primary school (D1); expansion land for Park House Academy School; a local centre to comprise flexible commercial floorspace (A1-A5 up to 2,150 sq m, B1a up to 200 sq m) and D1 use (up to 500sq m); the formation of new means of access onto Monks Lane; new open space including the laying out of a new country park; drainage infrastructure; walking and cycling infrastructure and other associated infrastructure works. Matters to be considered: Access.	Application Refused 13/10/20 Appeal Allowed 06/05/22
20/03041/FUL	Improvements and Enhancements to Warren Road including demolition of Warren House	Undetermined, in abeyance, intended to be withdrawn

- 3.2 Further to the Outline Planning Permission at the adjoining Sandleford Park East granted at appeal, the SPE developers are working towards submitting and discharging the requirements of various conditions in respect of pre-commencement issues and pre-Reserved Matters enabling works on site.

## 4. Legal and Procedural Matters

### *Environmental Impact Assessments (EIA)*

- 4.1 This application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 4.2 Following scoping requests, the Council provided scoping opinions to Bloor Homes in respect of the development of the whole SSSA in 2014 and to DNH in respect of the development of Sandleford Park West (incl. Sanfoin) in 2016, which sought to identify the issues to be considered in an Environmental Statement (ES) accompanying respective planning applications.
- 4.3 The nature and scale of this (reduced scale) application site and proposal (not including Sanfoin) exceeds the minimum thresholds for Environmental Impact Assessment (EIA), and the proposal has been deemed to be an EIA development. An EIA has been undertaken and reported in a submitted Environmental Statement (ES), which assesses the environmental effects of the proposals in a number of areas and it includes a number of appended assessments, such as:
- Transport Assessment
  - Framework Travel Plan
  - Construction Environmental Management Plan
  - Hydrology, Flood Risk Assessment and Surface Water Strategy
  - Utilities
  - Ecology
  - Landscape and Visual Impact Assessment



- Socio-Economic Impacts
- Mineral Resource Assessment
- Ground Conditions Assessment
- Air Quality Assessment
- Noise Impact Assessment
- Cumulative and Interactive Effects Assessment.

4.4 In addition, following the initial consultation, Officers asked the Applicant to consider as part of the Transport Assessment in the ES a baseline scenario, which includes the Bloor Homes' outline planning permission at SPE and to feed that into the ES. The Applicant in response reviewed their submission and as part of the Amended Pack they submitted an Addendum report to the ES, which includes the following updated assessments / submissions, which superseded the respective original submissions:

- Transport Assessment
- Air Quality assessment
- Noise Impact Assessment, as well as
- Flood Risk Assessment and Surface Water Drainage Strategy

4.5 The submitted ES as amended seeks to assess the likely significant effects on the environment, arising as a result of the proposed development within this application. The submitted ES as amended also considers the impacts resulting from the development of the whole of the SSSA, as part of the cumulative impacts of other development.

4.6 The original ES and the subsequent Addendum were advertised in the local press and also by way of site notices and the Secretary of State (Planning Casework Unit) and consultees were consulted / notified.

4.7 The ES together with the subsequent ES Addendum are considered to be in accordance with the Requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### ***Publicity***

4.8 Publicity has been undertaken in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's Statement of Community Involvement.

4.9 Both the original application submission (July 2023) and the subsequent amended pack submission (February 2024) were both publicised by way of:

- adverts posted in the local press (Newbury Weekly News); and
- site notices displayed at various locations along Warren Road, by the site and in the surrounding locality. They provided for a minimum of 30 days consultation period in each case.

4.10 The original submission and the amended pack were both publicised in respect of the fact that the application proposal:

- is accompanied by an Environmental Statement;
- is a major development;
- includes / affects a Public Right of Way; and
- is potentially within the setting of designated heritage assets (listed buildings).

- 4.11 A wide list of external and internal statutory and non-statutory consultees were consulted of the proposal, including the Secretary of State (the Planning Casework Unit) and were sign-posted to the submitted documentation which is available on the Council's website (Public access).
- 4.12 The original application submission was reported/included in the weekly list of applications received. Weekly lists are available on the Council's website and are publicised to Members, local Town/Parish Councils and other stakeholders.
- 4.13 In addition the Amended Pack was notified by email/letter to all third party respondents to the initial application consultation.

**Local Financial Considerations:**

- 4.14 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body. The table below identified the relevant local financial considerations for this proposal.

Consideration	Applicable to proposal	Material to decision
Community Infrastructure Levy (CIL)	Yes	No
New Homes Bonus	Yes	No
Affordable Housing	Yes	Yes
Public Open Space or Play Areas	Yes	Yes
Developer Contributions (S106)	Yes	Yes
Job Creation	Yes	Yes

**Community Infrastructure Levy (CIL)**

- 4.15 CIL is a levy charged on most new development within an authority area. The money is used to pay for new infrastructure supporting the development of an area by funding the provision, replacement, operation or maintenance of infrastructure. This can include roads and transport facilities, schools and education facilities, flood defences, medical facilities, open spaces, and sports and recreational areas. CIL will be charged on new residential development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).
- 4.16 CIL is however not charged at outline stage, but it is calculated and determined at reserved matters stage. This process is managed by the CIL Charging Authority (West Berkshire Council) and correspondence is sent to applicants separately, following the grant of any planning permission. More information is available at [www.westberks.gov.uk/cil](http://www.westberks.gov.uk/cil). As the application is made in outline, the likely CIL liability is not known.

- 4.17 In accordance with the CIL Regulations 2010 (as amended), the element of any development which is deemed affordable (in accordance with the West Berkshire Development Plan) will be eligible for relief from paying CIL.

### ***New Homes Bonus (NHB)***

- 4.18 New Homes Bonus payments recognise the efforts made by authorities to bring residential development forward. NHB is not considered to be a relevant material consideration in this instance but can be noted for information.

### ***Public Sector Equality Duty (PSED)***

- 4.19 In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The Council must have due regard to the need to achieve the following objectives:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 4.20 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- 4.21 The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have regard to and remove or minimise disadvantage. In considering the merits of this planning application, due regard has been given to these objectives.

- 4.22 There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

- 4.23 All new buildings within the development will be required to comply with Building Regulations which have their own criteria to apply for the design of buildings which also has due regard to the Act. The final design of this scheme would need to meet the Highways Authority's safety and access audit.

## ***Human Rights Act***

- 4.24 The development has been assessed against the provisions of the Human Rights Act, including Article 1 of the First Protocol (Protection of property), Article 6 (Right to a fair trial) and Article 8 (Right to respect for private and family life and home) of the Act itself. The consideration of the application in accordance with the Council procedures will ensure that views of all those interested are taken into account. All comments from interested parties have been considered and reported in summary in this report, with full text available via the Council's website.
- 4.25 It is acknowledged that there are certain properties where they may be some impact, which is sought to be mitigated by conditions. However, any interference with the right to a private and family life and home arising from the scheme, as a result of impact on residential amenity, is considered necessary in a democratic society in the interests of the economic well-being of the district and the wider area and is proportionate given the overall benefits of the scheme in terms of provision of much needed housing including affordable housing and associated employment.
- 4.26 Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## ***Listed Building Setting***

- 4.27 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
- 4.28 There are two Grade II listed Buildings namely Squirrel Cottage (or Kennell Cottage) and Warren Lodge (Presbytery) which are adjacent to the application site and there is potential for their setting to be affected by the development.
- 4.29 In addition, the application site forms part of the wider setting for the Grade I listed Sandleford Priory and its Grade II listed registered Park and Garden at some considerable distance to the east.
- 4.30 These matters are covered in the heritage assessment part of this report.

## ***Conservation Areas***

- 4.31 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. No conservation area is affected by the application proposals.

## **5. The Application Site**

- 5.1 The application site (Sandleford Park West - SPW) has an overall site area of 18.86 hectares. The submitted location plan red line shows that it includes:

- a large proportion of New Warren Farm, which comprises the New Warren Farmhouse and associated buildings (garage and barns), agricultural land / paddocks, the north portion of Brick Kiln Copse and other trees and hedgerows; the Warren Road corridor, including the adopted highway between Andover Road and just past Sunley Close and the unadopted track and footpath – public right of way PROW NEWB/5/1;
  - part of the public highway of Andover Road (in vicinity of its junction with Warren Road); as well as
  - five houses fronting the Warren Road corridor, namely: Park Cottage on the north side, and Warren House, Enville House, the Burrows and Meadowside on the south side, which the Applicant submits that they now control these properties.
- 5.2 The application site comprises the western part of the Sandford Strategic Site Allocation SSSA as it was adopted in the West Berkshire Core Strategy (July 2012) and included in the Sandford Park SPD (2015) and (its development area) identified as site NEW030 in the Housing Site Allocations Development Plan Document (HSA DPD) (2017) Newbury (South) Settlement Boundary Map.
- 5.3 Unlike earlier proposals, this SPW application site does not include the site of Sanfoin to the west, which is the site that abuts the rear of the properties at Garden Close Lane and referred to as site NEW103 in the Housing Site Allocations Development Plan Document (HSA DPD) (2017) Newbury (South) Settlement Boundary Map.
- 5.4 The SPW application site abuts:
- to the north:- Park House School;
  - to the west:- various residential properties, the Church of St Francis de Salles and Presbytery and also amenity grassland associated with Sanfoin;
  - to the south:- the Wildwoods residential property, the southern portion of Brick Kiln Copse and the remainder of the New Warren Farm field; and
  - to the east:- the ‘Bloor Homes’ part of the SSSA currently comprising agricultural land and the Gorse Covert woodland; the former will form Development Parcel Central of the outline planning permission for SPE.
- 5.5 The application site is located within the planning policy settlement boundary for Newbury, which was expanded to include the allocated land.
- 5.6 The application site is currently served by an access from the A343 Andover Road via Warren Road.
- 5.7 Warren Road comprises an adopted highway from the A343 Andover Road to a point just east of Sunley Close. From that point eastwards the existing road / track is unadopted and provides access to a number of properties, including:
- all the properties which form the application site (and also Lynwood House and Ashton House);
  - a driveway leading to St Francis de Sales’ Church and the Presbytery (Warren Lodge); and
  - a secondary access to Park House School.
- 5.8 To the east of the existing driveway access point to New Warren Farm, the track becomes a footpath; the two comprising public right of way PROW NEWB/5/1, which extends to the Bloor Homes’ site boundary and connects through to the western end of PROW GREE/9/1, which in turn runs through SPE all the way to the A339, at the agricultural vehicle access point opposite the entrance to St Gabriel’s School (Sandford Priory).

- 5.9 From the junction with the A343 Andover Road, the south side of Warren Road features a footpath with a narrow grassed verge, alongside close boarded fencing to the adjoining residential gardens. Beyond the turning for Sunley Close there is a section of mature hedgerow on the southern side of Warren Road followed by a driveway leading to St Francis de Sales' Church and other properties. Further along, the southern side of the Warren Road corridor comprises the residential dwellings, forming part of the application site, which are set back from the edge of the carriageway with grass verges along the front boundaries.
- 5.10 The north side of Warren Road has a strong verdant appearance with an avenue of well-established and mature TPO trees within the adjoining Park House School site, with a narrow grassed highway verge and under-storey hedgerow along the boundary with the school site.
- 5.11 The Warren Road corridor is largely level as is much of the development area within the New Warren Farm site, which is situated on the plateau rising above the Enborne River and its valley; the river forming the natural common boundary between West Berkshire Council and Hampshire County Council / Basingstoke District Council to the south. The horse-shoe shaped development area on the site surrounds and drains into the steep sides of Brick Kiln Copse in the middle, which in turn forms a valley with a watercourse along the lower part of its central spine that flows southwards into the Enborne.
- 5.12 All of the woodland and the other trees on the site are the subject of a tree preservation order (TPO).

## 6. The Application (SPW) Development Proposals

- 6.1 The Applicant (Donnington New Homes) presented their proposals for this application to a pre-application meeting with officers and also to a community engagement public drop-in exhibition event in May 2023.
- 6.2 The application documentation, including an Environmental Statement, was then finalised and submitted in early July 2023 with the following description of development:

*“Outline application for the phased delivery of up to 360 dwellings; demolition of Warren House and other buildings; widening of Warren Road to provide access through to Andover Road to the west; emergency access via Kendrick Road; provision of open space; drainage, walking, cycling, green and other associated infrastructure, including 40% affordable housing provision. All matters to be reserved except for access”.*

- 6.3 Following public consultation and the receipt of consultation responses and subsequent discussions with officers the Applicant prepared a number of revisions to various documents and plans in response to officers', consultees' and third parties comments in February 2024. The amended pack was also subject to a public consultation, with an amended application description clarifying particularly the issue of access:

*“Outline application for the phased delivery of up to 360 dwellings; demolition of Warren House and other buildings; widening of Warren Road to provide access through to Andover Road to the west; emergency access via Kendrick Road; provision of open space; drainage, walking, cycling, green and other associated infrastructure, including 40% affordable housing provision. All*

*matters reserved, except access into the site for vehicles, pedestrians and cycles along the Warren Road corridor.”*

- 6.4 The adjusted description means that (the Applicant considers that) this outline application (as amended) seeks to provide sufficient detail in respect of the proposals for access for all modes of traffic but only along the Warren Road corridor. However, other detailed proposals of access, for example, to SPE or to other adjoining sites or within the site itself, still remain a reserved matter, to be fully worked up, submitted and considered as part of the reserved matters submissions.
- 6.5 This application therefore seeks outline planning permission for the residential development of the western portion of the Sandleford Strategic Site Allocation, as allocated under Policy CS3 of the West Berkshire Core Strategy and proposes:
- to provide an all-vehicle access to connect SPW through to the remainder of the SSSA to the east (i.e. to SPE); and also
  - to upgrade the Policy CS3 requirement for an “additional sustainable transport link for pedestrians, cyclists and buses” to “be provided” “from Warren Road onto the Andover Road”, by providing an all-vehicle access to the west to serve both the application site, as well as, the whole of the SSSA; this is further to the preference set out in the Sandleford Park SPD (page 39) and also required by the emerging Local Plan Review strategic site allocation policy SP16 for Sandleford.
- 6.6 In respect of the detailed all-vehicle access (including buses) to the west, the Warren Road corridor will be 11m wide for most of its length from Andover Road at its western end to the point of access into New Warren Farm at its eastern end, which will be enabled by the removal of Warren House and the use of the north portion of its plot, along with parts of the front gardens of the other three houses immediately to the east; it will narrow down to a minimum of 6.75m by #1 Sunley Close and Oakhaven, providing an eastbound priority narrowing of 3.75m; it will include:
- a 3m wide shared foot and cycleway along the whole length of the north side;
  - a 2m wide footpath along the south side, with the exception of the narrowing;
  - dropped kerb crossings;
  - bollards to mark the footpath section of the NEWB/5/1 PROW to the east; and
  - junction and highway improvements at Andover Road, including a new signalised pedestrian and cycle crossing (TOUCAN).
- 6.7 In addition this outline application seeks the following:
- provision of up to 360 new homes (Use Class C3);
  - provision of 40% of the homes to be affordable of which, 70% for social rented units, 25% for first time buyers and 5% for shared ownership;
  - the removal of the two existing barn buildings, the garage building and other outbuildings from within the site of New Warren Farm;
  - the retention of the New Warren Farmhouse and its continued use as a single dwellinghouse (Class C3) (notwithstanding the note on the illustrative masterplan drawing about its conversion into flats, which should be ignored and be conditioned accordingly);
  - the retention and protection of the woodland on site (Brick Kiln Copse), along with a provision of a perimetric 15m buffer zone and a pedestrian route through;
  - drainage infrastructure including the provision of a scheme of SuDS within the development area as part of the Surface Water Drainage Strategy, with the objective to protect Brick Kiln Copse;
  - provision of other public open space and play areas;

- retention and protection of existing trees and hedgerows within the site and (adjoining) along the boundaries, but also removal of some hedgerows/trees (e.g. highway hedgerow along boundary with Park House School on Warren Road);
- provision of a landscaping planting scheme, including new trees and hedgerows infill, additional planting by the boundary to Warren Lodge (the Presbytery), a 20m wide native woodland buffer on adjoining blue land (same ownership) to the south of the site, and provision of an ivy framework along the boundary with Park House School on Warren Road to replace hedge;
- the demolition of Warren House and other building/s on that plot;
- emergency vehicle access via a lockable bollarded access onto Kendrick Road accessible to the emergency services;
- continued provision of access to Lynwood House and Ashton House and all other properties which currently have access off the Warren Road corridor; and
- walking and cycling infrastructure and other associated on-site infrastructure works.

6.8 Discussions with the applicant in respect of preparing a section 106 Legal Agreement (S106) have progressed considerably. A whole range of heads of terms (HoTs) have emerged to proportionately reflect in most instances the infrastructure requirements which are set out and addressed Section 106 Unilateral Undertaking (s106 UU) approved by the Bloor Homes' SPE upheld appeal. The SPW proposed proportionate HoTs are set out in a later section of this report and they have been taken into account in the assessment of the current proposals by officers and also in their recommendation.

6.9 The application documents submitted (and as amended) include a set of parameter plans for the site and also a detailed layout plan regarding Warren Road, as well as, other illustrative and indicative plans and combined plans. The combined plans seek to show the application proposals alongside the approved outline proposals for SPE. The illustrative plans and the combined plans are "illustrative" and are provided only for information purposes.

6.10 The Warren Road detailed plans that show proposed works along the Warren Road corridor will have to be conditioned to be implemented in "full accordance with". The parameter plans will have to be conditioned for the reserved matters for any development on the site to be "in substantial accordance with". Elements of other plans may also be conditioned. A number of other reports have also been submitted to support the application proposals. Most of those are appended to the Environmental Statement, which accompanies the application, but there are also a number of free-standing reports. Many of those will also have to be conditioned.

6.11 Given that access along the Warren Road corridor is being determined at this stage, the application includes detailed plans that show the proposed works along the Warren Road corridor. The planning conditions on the outline permission must ensure that the development is carried out in full accordance with these details. The parameter plans and other drawings which the reserved matters of any development will have to be conditioned to be implemented in substantial accordance with (similarly to the requirements of the equivalent condition of the SPE outline planning permission) are as follows:

- Access and Movement Parameter Plan (drawing no. P20-2234\_15\_E\_01)
- Green Infrastructure Parameter Plan (drawing no. P20-2234\_DE\_17\_G)
- Building Heights Parameter Plan (drawing no. P20-2234\_DE\_16\_G)
- Land Use Parameter Plan (drawing no. P20-2234\_18\_E\_01)

6.12 In addition, some of the other plans, elements of which will be required to be in substantial accordance with through reference in conditions, are:



- Open Space Plan (Figure 8.23A Updated 11/04/2024)
  - Warren Road Landscape Strategy (drawing no. 8.22A dated 25/11/2023)
  - Indicative Landscape Masterplan (drawing no. 8.19C updated 14/11/2023)
  - Surface Water Drainage Strategy (drawing no. 6730/512A Updated 09/11/2023).
- 6.13 The detailed layout plan which the works along the Warren Road corridor should be in full accordance with:
- Proposed 6m wide Warren Road Scheme drawing no. 5011406\_RDG\_ C0003C last updated on 26/01/2024.
- 6.14 The following illustrative drawings are useful to visualise the proposed layout including within the wider context:
- Illustrative Masterplan (drawing no. P20-2234\_11\_B).
  - A set of combined illustrative Parameter and other Plans showing SPW & SPE.
- 6.15 A number of stand-alone reports were submitted in addition to the various reports and assessments that accompany the Environmental Statement (referred to earlier in this report), including:
- Planning Statement dated 30/06/2023 and this was supplemented / updated by an extensive cover letter submitted with the Amended Pack dated 30/01/2024, which provides additional comment and information
  - Design and Access Statement
  - Arboricultural Impact Assessment, including Tree Protection Plan
  - Landscape Strategy
  - Energy statement
  - Lighting Statement
  - Updated Bat Survey
- 6.16 The contents of the submitted application plans and reports have been considered by officers in their assessment of the proposal and will be referred to in this Officers' report as required and necessary.
- 6.17 As an aside, in order to provide clarity and for the avoidance of doubt, the part updating of only some of the plans / documents, has introduced a small number of minor inconsistencies, which however are not material in the context of the outline nature of the proposals. It is considered that these matters can be addressed by appropriate conditions and as part of the reserved matters. It is worth noting in a similar vein that officers brought to the SPE appeal Inspector's attention a large number of discrepancies with the appeal plans and documents. However, the Inspector considered in her report (IR para. 16.244) that "many relate to points of detail in relation to matters that would need to be considered as part of the reserved matters. Overall, I do not consider the various inconsistencies noted by the Council to have implications for my conclusions".

## 7. Consultation

### *Statutory and non-statutory consultation*

- 7.1 The table below summarises the consultation responses received during the consideration of the application, in response to both the original submission and to the Amended Pack. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

<p><b>Newbury Town Council:</b></p>	<p>Objection to the original submission and repeated in response to the amended pack.</p> <p>Comment: The sole proposed access point to the site, Warren Road, runs alongside Park House School, is opposite a day nursery and is less than 30 metres from Falkland primary school. It is also next to one church, and opposite another. A Sainsbury's filling station and supermarket and the main entrance to Park House School are close by. This generates a lot of daily activity involving hundreds of children, and a large amount of traffic, particularly at school pick-up and drop-off times. There are already long queues of cars along Andover Road at these periods, from the Monks Lane junction onto the north, to Gorselands to the south. The road network is already stretched to capacity. It is incredulous that the extra traffic generated by this development would not make the problem worse, during both construction of the site and beyond. The huge increase in traffic will generate pollution, which represents a risk to the health and wellbeing of children. It will make local roads less safe. Kendrick Road is not fit for purpose as an emergency access route. (Officer's comments – these matters are considered in the respective traffic/transport and air quality sections of this report). Even the Inspector at the Bloor Homes appeal said that Warren Road was unsuitable. (Officers' Response – The Inspector, in considering the SPE proposal as a stand-alone application, did not find it would prejudice the development of SPW).</p>
<p><b>Greenham Parish Council:</b></p>	<p>Objection to the original submission and repeated in response to the amended pack.</p> <p>They resubmitted the same comments that they made in relation to the Bloor Homes application for SPE 20.01238/OUTMAJ, namely: lack of a single planning application for the whole of the allocated site in accordance with Principle S1 of the Sandford Park SPD to ensure that the site is developed as a coherent whole (Officer's comment: dealt with in section 3 and section 12); the Sandford allocation should be reconsidered as part of the revised Core Strategy and Local Plan Review process and any application for development should be deferred pending completion of that review and regarded as premature until the review is completed (Officer's response – this application needs to be assessed and determined); the submitted Transport Assessment is deficient in several respects and more needs to be done to maximise the number of trips undertaken by sustainable modes of transport (Officer's comment see Traffic / Transport section); development is likely to result in deterioration of the ancient woodlands on site contrary to the NPPF and should provide buffers of at least 50 metres around ancient woodlands (Officer's comment - There is no ancient woodland on the SPW site); the ecological mitigation and management plan needs to include monitoring of the ancient woodlands indicator plant species and breeding bird populations and provide fenced boardwalks only on all accesses through woodlands (noted); application fails to conform with West Berkshire Council's Environmental Strategy; concerned that wildlife surveys are neither up to date nor exhaustive; lack of sufficient attention to sustainability to maximise benefits of solar energy. (Officer's Response – these matters are addressed in the respective sections of the report).</p>

	<p>Request conditions should the application be approved securing: a light controlled junction at the western access and priority for bus egress from the estate, all cycling and walking infrastructure to be designed in accordance with LTN1/20 and the emerging LCWIP, provision of safe pedestrian and cycle crossings at double roundabout at A343/Monks Lane, construction traffic to be directed via the new A339 access, delivery of the local centre before 500 homes are occupied, provision of ponds or wetlands areas, full compliance with all aspect of affordable housing provision set out in West Berkshire Council's Planning Obligations SPD December 2014. (Noted)</p> <p>Objecting to Warren House being demolished to provide the proposed emergency access. It is not justified due to it being a historic building. (Officer's response It does not provide emergency access, that is provided along Kendrick Road to the south. Warren House is not a historic building, it is late 20<sup>th</sup> C,)</p>
<b>Basingstoke and Deane Council:</b>	No objection - Comment from Basingstoke DC submitted by Hampshire CC – See comment from Hampshire below in this report.
<b>Planning Policy:</b>	No objection in principle to this outline proposal on part of the Sandleford Strategic Site Allocation. The proposal will have to be assessed against relevant development plan policies and the adopted Sandleford Park SPD. The emerging LPR is due to be considered at an EiP and its policies only carry limited weight, but show the direction of travel.
<b>Active Travel England</b>	<p>In relation to the original submission Active Travel England (ATE) provided extended comments including concerns where they made suggestions and in summary they focused on:</p> <p>Onsite active travel infrastructure</p> <ul style="list-style-type: none"> <li>• Segregated walking and cycling paths within the proposal site</li> <li>• Speed limits within the proposal site</li> <li>• Securing connections to Sandleford Park East</li> <li>• Walking and cycling access from Kendrick Road</li> <li>• Additional internal north/south links</li> </ul> <p>Offsite active travel infrastructure</p> <ul style="list-style-type: none"> <li>• Warren Road segregation and layout</li> <li>• Andover Road segregation and related upgrades</li> </ul> <p>Also clarifications were sought re the Travel Plan.</p> <p>ATE recommended: <i>“Deferral: ATE is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue”</i>. They indicated that they discussed their thoughts with the Council’s Highways officer WSP and also the Applicants’ Transport consultant. ATE advised that <i>“An ATE deferral isn’t an objection, it just gives the applicant an opportunity to address my comments. ATE doesn’t have powers of direction, so we can’t refuse an application, our response should just form part of your decision making process”</i>.</p> <p>In response to the Amended Pack submission ATE acknowledged and welcomed a number of their points being taken into account and clarified/addressed, including a 20mph speed limit design and active</p>

	<p>travel access provision along Kendrick Road and the Warren Road proposals are acceptable due to the available width. They are under the impression that access is not a Reserved Matter (Officers' response: Access is not a Reserved Matter only along the Warren Road corridor, but all other access matters including within the site is a Reserved Matter)</p> <p>They provided further detailed comments / concerns / suggestions in relation to segregated walking and cycling paths within the proposed site to be considered by the Design Code, Andover Road Active Travel arrangements, and the Travel Plan. (Officers' Response – As explained in the Transport Section, these details will be considered at reserved matters stage)</p>
<p><b>Environment, Energy and Climate Change Officers</b></p>	<p>No in-principle objections to this outline stage.</p> <p>Officers welcome the detailed fabric first approach and encourage the developer to take advantage of this approach to optimise the energy efficiency of the development and set a residual baseline in which the zero carbon targets will be based on. The original application submission includes a Target Emissions Rate (TER) of 58% as the baseline, which is not the residual energy figure as required by policy) and would not achieve a zero carbon reduction and does not meet the policy zero carbon target/requirement.</p> <p>Notwithstanding, at this Outline planning stage, it is expected the development to be policy CS15 compliant to demonstrate the strategic direction being pursued by the proposed development. Once individual parcels are brought forward, we would expect further detail and updated calculations to be provided at the Reserved Matters stage demonstrating continued compliance with Policy CS15. At this Outline planning stage, we welcome the submission of an updated or new Energy Statement with amended calculations in line with policy CS15.</p>
<p><b>Hampshire County Council:</b></p>	<p>No objection (in response to the Transport Assessment in the Amended Pack). It is noted that National Highways have not raised any objections to the proposals. The proposed residential two-way trip rates of 0.510 and 0.530 are deemed acceptable, resulting in a projected development trip generation of 184 and 191 trips during weekday AM and PM peak hours, respectively. No issues have been identified concerning the proposed trip assignment and distribution. The baseline forecasts for future years appear not to have accounted for the anticipated increase in traffic stemming from the recently approved (on Appeal) Land at Watermill Bridge development – BDBC application ref. 21/03394/OUT. However, including the traffic generated by this development in the baseline scenario would lower the overall development impact in terms of the predicted percentage increase in trips on the local highway network within the Hampshire district. Consequently, there are no inherent concerns with the 2031 forecast base traffic flows. For the A343 within Hampshire, the amended Transport Assessment predicts a 1% increase in traffic generation attributable to the entire Sandford Park allocated site. This impact diminishes when considering the Application Site traffic in isolation. Therefore, it is accepted that the proposals are unlikely to materially affect the operation of the A343. The Transport Assessment also anticipates percentage impacts on the A339 and</p>

	<p>the B4640, with considerably higher figures, including a 9% increase on the A339 and up to a 17% increase on the B4640. While these increases are deemed significant, they pertain to the entirety of the Sandleford Park development. Considering the Application Site independently and taking into account likely vehicle routing via the A343, the impact on the A339 and B4640 is deemed unlikely to be material.</p> <p>Overall, there are no objections to the proposals.</p>
<b>Highways Officer:</b>	<p>No objection subject to conditions and mitigation secured via a S106 Legal Agreement.</p> <p>The Local Highway Authority commissioned their consultants WSP to provide an independent response covering highways and transport aspects for this planning application. This has been received and feeds into the Transport and Highways section of this report. It has been reviewed by the Highways officer who supports its conclusions that no objection should be raised to the planning application on highways and traffic grounds. It is not considered that with all the proposed highway improvements and mitigation that there would be any severe traffic impact from this proposal. The proposed pedestrian and cycle route improvements are also supported.</p>
<b>Transport Policy Officer:</b>	<p>No objection to both the application proposals, subject to conditions and S106 mitigation measures in relation to pedestrian and Cycle linkages within the site, the SSSA and surrounding routes, taking account of the Sandleford Park SPD and the LCWIP. The detailed Transport Policy comments are set out in the sections of the report dealing with Sustainable/Active Travel and Public Transport and Travel Planning. In relation to the latter, notwithstanding the submitted Framework Travel Plan, a comprehensive Travel Plan for the whole of the SSSA to be developed and implemented by the Council would be preferred. The development should contribute to such a combined Travel Plan.</p>
<b>National Highways (previously Highways England)</b>	<p>NH have not objected to either the application proposals (both the original and as amended) in respect of potential impacts on the Strategic Road Network (SRN) in this case the A34. In order to ensure the safe and efficient operation of the SRN NH have recommended that conditions are attached to any planning permission requiring a Construction Traffic Management Plan and a Frame Travel Plan. In addition, NH made reference to planning advice in relation to sustainability.</p>
<b>Public Rights of Way Officer:</b>	<p>Not raising objections to the proposals. Commented that Newbury Footpath 5/1 forms part of the access to this site, running eastwards from the western boundary of the property 'Oakhaven'. The historic width of this footpath averages about 8m, and would be taken in by the proposed new roadway and shared footway/cycleway along the northern side, and the proposed pedestrian footway along the southern side. This historic width has been taken from the boundary-to-boundary measurement as shown on old maps, it is a presumption of highway (footpath) width which is rebuttable. The roadway would replace a public footpath and as such there needs to be adequate provision for pedestrians. At present, pedestrians are entitled to use the whole 8m width extent and this right would remain, albeit with the introduction of vehicles along the roadway and cyclists along the</p>

	<p>shared footway/cycleway. It will be important to provide dropped kerbs where the footway/cycleway and footway cross existing roadway edges. Bollards appear to be proposed where the continuation of Footpath 5/1 eastwards joins the section proposed to become a roadway. The design of these bollards must be approved and formally authorised by the WBC Public Rights of Way Team. Dropped kerbs will also be needed where pedestrians may wish to continue along the extension of Footpath 5/1 from both the new footway/cycleway and the footway. A crossing of the road from the footway would be desirable. Please note that an approved development does not have to be serviced by an adopted public highway, although it is desirable for this to take place. Should it be the outcome that the roadway is not adopted, then in planning terms we would need an assurance about who will maintain the roadway in the future.</p>
<b>Ramblers' Association:</b>	<p>Objection raised by the West Berks Group of the Ramblers' Association on the following grounds: The plan for the proposed 6m wide Warren Road scheme is woefully inadequate and does not contain any information as to how the existing Right of Way will be incorporated safely into the widening of the road. There are details in the planning statement but these need to be drawn onto the plan. To achieve what is being proposed the whole character of this area will be considerably altered and it is difficult to understand how this will be an improvement to the Rights of Way network. The Ramblers Association are disappointed to note that there are no proposals for additional definitive Rights of Way that would enhance the footpath network. This could easily be achieved by creating a path south of footpaths Newbury 5/Greenham 9, a bridge over the River Enborne, and then connect into the Hampshire footpath network West of Oakleaze Farm.</p>
<b>Natural England:</b>	<p>No Response received.</p>
<b>Environment Agency:</b>	<p>No objections. Separately to and not affecting Planning, the Environment Agency advises the Applicant that some of their activities may require the Environment Agency's consents, permits or licences in their role as a regulatory body. They suggest that the Applicant either consults their website or contacts them directly to establish the position.</p>
<b>WBC's Ecologist (including WSP)</b>	<p>No objections to the proposals as updated in the Amended Pack, subject to conditions to be dealt with at reserved matters.</p> <p>WSP, were appointed by the Council as its consultants to review the initial submission on this application inter alia on matters of ecology and provide a consultee response. Their detailed comments are contained in the Ecology section of the report. WSP advised that most matters can be dealt with by way of pre-commencement and other conditions. However, they requested that prior to determination of the application further information / clarification is provided in respect of matters relating to i) Greenham and Crookham Commons SSSI; ii) BNG; iii) bat assessments and iv) associated proposed compensation in mitigation of the loss of the bat roosts at Warren House (building B17).</p> <p>The Amended Pack seeks to deal with these matters. The submission was reviewed by the Council's Senior Ecology Officer who concludes</p>

	<p>that there are no objections and advises that all matters are agreed in principle at this outline application stage and should be submitted in further detail at the reserved matters stage and secured by conditions. At this outline planning stage, the development is policy CS17 compliant and should continue to demonstrate this strategic direction being pursued by the development. Once individual parcels are brought forward, further detail should be provided at the reserved matters stage demonstrating continued compliance with policy CS17. The development should make a proportionate contribution towards the Greenham and Crookham SSSI in mitigation of the potential increased pressure. As to BNG, as the application was submitted prior to the 12<sup>th</sup> February 2024 there is no legal requirement for a BNG assessment or a 10% net gain in biodiversity to be secured. A whole range of conditions are proposed to deal with biodiversity mitigation and enhancements. The detailed comments of the consultation response are contained in the relevant sections of the report.</p>
<p><b>Nature Space (re Great Crested Newts)</b></p>	<p>No Objection. They are satisfied with the submitted 2023 ecological report which states that “<i>Previous surveys in 2011, 2015 and 2019 of the on-site and nearby ponds found no evidence of great crested newt presence. Surveys in 2023 confirmed the continued absence of great crested newts. ... It is concluded that Great Crested Newts are absent from the site and accordingly, the site is of negligible importance to Great Crested Newts, and of no more than site level importance to other amphibian species</i>”; and they agree that if this development was to be approved, it is unlikely to cause an impact on great crested newts and/or their habitats. But usually for a site of this nature (size and on-site waterbodies) would recommend follow up surveys at reserved matters to ensure Great Crested Newts have not colonised the site, although they are unclear as to the proportionality of such a requirement.</p>
<p><b>Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT):</b></p>	<p>Objection (in response to the original consultation) on the following grounds:</p> <p>Application does not provide adequate evidence of a net gain in biodiversity or that it would provide 10% BNG. A BNG calculation should be submitted for analysis and comment before this application is decided especially as site is described as semi-improved grassland with a range of wildflower species which are potentially indicative of Other Neutral Grassland. It is important that BNG is provided in perpetuity. ideally on site or otherwise compensation off-site . (Officers’ response – Agreed that this application does not provide BNG, but as it was submitted prior to 12.2.2024 the legal BNG requirement does not apply to it, so this is not a valid reason to resist it).</p> <p>Brick Kiln Copse Local Wildlife Site needs to be protected by a 15 metre buffer semi natural buffer. Would welcome further proposals for woodland connectivity. (Officers’ response- Amended pack and updated Landscape Masterplan and Green Infrastructure Plan confirm 15m woodland buffer from edge of woodland as per the SPE appeal decision requirement. Also a 20m wide native woodland green link is now proposed between Brick Kiln Copse and Gorse Covert just to the south of the site, providing habitat connectivity.</p>

	<p>Mitigation for Increased Recreational Pressure on SSSI is required which the application as submitted did does not address. It should be addressed through a planning obligation. (Officers' response – Applicant has agreed to a planning obligation of a £40k commuted sum contribution towards the SSSI as requested by the Countryside Manager).</p>
<p><b>Countryside Service:</b></p>	<p>No objection. The development will result in increased pressure on the G&amp;C Commons SSSI and it should therefore make a reasonable contribution in mitigation to existing efforts to promote considerate access at the SSSI, this includes;</p> <ul style="list-style-type: none"> <li>• Additional seasonal staff during critical bird breeding season</li> <li>• Updated and ongoing provision of interpretative materials</li> <li>• Physical works on site, e.g. repairs to paths and car parking</li> <li>• Upgraded physical 'furniture' i.e. benches, litter provision, signs</li> <li>• Funds towards existing ecological and habitat improvements so as to try to improve the robustness of the landscape, and create space for key species</li> <li>• Request for a £40k commuted sum towards the SSSI, which the applicant has accepted.</li> </ul>
<p><b>Forestry Commission:</b></p>	<p>Only comments provided to both the original and Amended Pack in near identical submissions - as a Non-Ministerial Government Department, they do not provide an opinion supporting or objecting to planning applications. (Officer's comment - The FC comments are generic and many of them are not directly applicable to the circumstances of the application proposal). The most up to date comments are included below</p> <p>The planning authority should consider the following policy and guidance as part of their decision-making process for this application.</p> <p>1. Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 180(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In considering the impacts of the development on Ancient Woodland, Ancient and Veteran trees, the planning authority should consider direct and indirect impacts resulting from both construction and operational phases. Impacts can be caused by activities outside of areas designated as ancient woodland (e.g. within buffer zones), or within open areas of ancient woodland, which can result in loss or deterioration of ancient woodland. Refer to Natural England and Forestry Commission joint Standing Advice for Ancient Woodland and Ancient and Veteran Trees. (Officers' Response – Neither Brick Kiln Copse, nor Gorse Covert are ancient woodland unlike other woodlands within SPE, there are no ancient trees on this site and there is a possibility of veteran trees along the PROW NEWB/5/1, which a condition requires more information about but proposal does not seek to affect them).</p> <p>2. Existing trees should be retained wherever possible, and opportunities should be taken to incorporate trees into development.</p>



	<p>3. Commenting generally about BNG importance and opportunities</p> <p>4. Tree felling may require a felling licence from the Forestry Commission.</p>
<b>Woodland Trust:</b>	No response
<b>Landscape Consultant:</b>	<p>Not objecting to the outline proposals in principle as originally submitted. The Council's commissioned Landscape Consultant's detailed assessment is set out in the Landscape / Visual Impact / Green Infrastructure section of this report. The landscape assessment takes into account the site's allocation and that the future development of the area is underpinned by the Sandford Park SPD and in this context and the outline permission granted for Sandford Park East at appeal, it concludes that where the proposed changes arising to landscape character and visual matters result in any identified concerns in the landscape response should be addressed through careful design at reserved matters stage.</p>
<b>Tree Officer (including SPW):</b>	<p>No objection on arboricultural grounds.</p> <p>The original application was reviewed by the Council's consultants SPW on behalf of the Tree Officer in respect of the submitted Arboricultural Impact assessment (AIA) and Tree Protection Plan (TPP). They advised that the majority of the submitted AIA is accepted as a reasonable record of the baseline arboricultural features present on site, and the impacts of Proposed Development are assessed following the recommendations in BS 5837. They identified two points of uncertainty in relation to buffer zones and veteran trees and advised that these matters can be resolved through their suggested conditions.</p> <p>The WBC Tree officer, agreed with the assessment and suggested conditions and confirmed that the veteran trees are situated along the PROW and also proposed additional habitat connectivity could be encouraged between Brick Kiln Copse and Gorse Covert in the landscaping proposals. This could be best achieved to the south of the site and that this . There may be a balance between this aspiration and that of allowing views within and without.</p>
<b>Berkshire Gardens Trust:</b>	<p>Raised concerns in response to the original application as follows:</p> <p>Warren Road line of mature trees – need to ensure to the satisfaction of the tree officers that these will not be adversely impacted (otherwise they would object).</p> <p>PROW NEWB/5/1 suggest pulling housing further away from the tree line to create a 25m buffer of open space to separate the historic route from housing.</p> <p>West of Gorse Covert – Care should be taken to retain the unspoilt nature of the historic view from Sandford Priory. The southern edge between Gorse Covert and Brick Kiln Copse should be planted with a minimum of a 10m wide mixed tree and hedgerow band along the field boundary.</p> <p>In relation to the Amended Pack they note the following:</p>

	<p>Warren Road – No further comment.</p> <p>The PROW – they note that housing has been pulled further slightly away from the tree line but are disappointed that a wider buffer of open space has not been achieved.</p> <p>West of Gorse Covert – pleased to see reduction to the proposed height of the development to two storeys on the southern edge and the provision of a 20m wide woodland buffer within the blue line land to the south. Continued management will be essential to ensure good growth.</p>
<b>Historic England:</b>	HE wishes to offer no comments on the basis of this application.
<b>Conservation Officer:</b>	<p>No objections, subject to suggestions for additional screen planting re setting of heritage asset/s. They consider the Environmental Statement section on Archaeology and Cultural Heritage appropriately identifies the relevant heritage assets within the proximity of the site, considers their significance and the contribution made by their setting, and their sensitivity to change, in line with NPPF and Local Plan policy, PPG and Historic England guidance. Their detailed comments are set out as part of the scheme assessment in the Conservation section of this report.</p>
<b>WBC Archaeologist:</b>	<p>No in-principle objection to the original proposal and to the Amended Pack subject to a condition to secure a programme of archaeological investigation prior to, and possibly during, the excavation of the foundations of the development and any related groundworks such as for drainage, infrastructure and landscaping. A systematic metal detector survey is likely to be an appropriate initial technique. More detailed archaeological comments included in the respective section of this report.</p> <p>As to the impact of the development on upstanding buildings; though the demolition of some existing late 20th century and early 21st century buildings is also proposed (Warren House, two agricultural buildings and a garage), these are not considered to be of great significance, and therefore there is no objection. Park Cottage in Warren Road is of some historic interest, but it is proposed to be retained.</p> <p>In response to the Amended Pack the Archaeologist maintained their earlier comments</p>
<b>Sport England:</b>	<p>No objections subject to securing contributions towards the provision/improvement of off-site sport facilities.</p> <p>Raised objections to the original application in the absence of proposals for on-site sport facilities or contributions towards off-site sport facilities and referred to Sport England's Sport Facilities' Calculator in relation to for example: Artificial Pitches, Sports Halls, Indoor Bowls and Swimming Pools. They have Advised that their original objection is withdrawn subject to the development providing contributions towards the provision / improvement of off-site Sports facilities in Newbury, identified and requested by WBC's Leisure Service and secured through a S106 Planning Obligation.</p>

<b>Sport and Leisure Manager</b>	No objection subject to the development providing mitigation contributions towards sports facilities in the area/Newbury having regard to the Sport England's Sport facilities' Calculator.
<b>Minerals and Waste Officer:</b>	No mineral safeguarding objections subject to a condition requiring and securing a statement of mineral exploration and associated development management plan for incidental mineral extraction for each parcel within the development. No waste safeguarding objections.
<b>Environmental Health:</b>	No objections to either the original submission or the Amended Pack subject to conditions in respect of i) land contamination (residential development is a potentially sensitive development, as a minimum requiring a Preliminary Risk Assessment (aka a Phase 1 Desk Study and site walkover survey); ii) air quality-wise the submitted assessment and conclusions of no further mitigation are accepted subject to predicted traffic data been accepted by highways; also control of dust emissions during works; iii) Noise: appropriate glazing and ventilation strategy will be required to protect future residents from external noise - from A343 and the MUGA at Park House School - and control of hours of noise generating demolition and construction iv) External Lighting – detailed lighting scheme condition originally suggested no longer required. v) Construction Activities – CEMP required for each phase of the development Odour – unlikely to be an issue No objections to the Amended pack either.
<b>Local Drainage Authority (including WSP):</b>	No objection  WBC appointed WSP as its Drainage consultants to review flooding and drainage matters in respect of this application.  In relation to the Outline Drainage Strategy (ODS) in the original submission WSP and as agreed by the WBC Drainage Engineer advised that can be considered as a fair assessment of the existing on-site drainage, adhering adequately to the necessary drainage policies and design standards as well as submitting almost all the documentation listed on page 33 of WBC's SuDS Supplementary Planning Document. However WSP and the Council sought clarification and confirmation on a number of detailed matters. The applicant submitted an amended FRA and Surface Water Drainage Strategy as part of the Amended Pack and WSP reviewed it and advised that all previously identified issues have been satisfactorily resolved by the applicant's Drainage Consultants in the submitted Amended Pack and this subsequent evaluation finds <b>no grounds for objection</b> to the proposal regarding Drainage and Flood Risk considerations subject to conditions.
<b>Thames Water:</b>	No response received
<b>Waste Services:</b>	No objection – West Berkshire Council provides a curtilage collection of refuse and recycling and as such, our contractors are not expected to access private land, including carparks, private roads and shared drives. Bins and recycling containers should be placed for collection with 25 metres of the public highway for standard wheeled bins and 10

	<p>metres where bulk 1100 litre and 660 litre bins are to be provided in communal bin stores. Individual properties with private amenity space to store wheeled bins and recycling containers do not usually give rise for concern with regard to the storage and collection of refuse and recycling; however this is dependent upon them having a curtilage on the public highway rather than a private road, car park or shared drive. The block plan appears to indicate that there will be a number of proposed new properties that will not have a curtilage on the new public highway and waste management plans for any such properties will be required at reserved matters consideration. Where refuse and recycling collection vehicles will have to turn in the proposed new public highway, swept-path analyses will be requested. Specifications of vehicles and waste containers and bins can be requested from the Waste Management department. Reference should be made to the Department of Transport's Manual for Streets when planning for refuse and recycling collections in new developments. They suggested a condition to secure refuse storage/collection.</p>
<b>Economic Development:</b>	No comments to make as this is a residential development proposal.
<b>Thames Valley Police:</b>	No response.
<b>WBC Housing Development and Enabling Officer:</b>	No objection. Requires fully policy compliant provision of on-site affordable housing, including tenure and unit size mix for different tenures as well as clustering and spatial distribution across the site secured through a Section 106 Legal Agreement. Detailed comments comprise part of the assessment set out in the Affordable housing section of this report.
<b>Adult Social Care:</b>	No response.
<b>Local Education Authority:</b>	<p>No objections in principle to both the original submission and the Amended pack. Their relevant detailed comments are included the Education section of this report.</p> <p>In terms of Primary Education they acknowledge that this reduced size proposal at SPW does not seek to provide a new primary school on site, as an earlier proposal did. They consider that there are school places locally but any long-term impact is unclear whether it could be fully absorbed by existing schools and there is potential for adverse impact to existing residents, in terms of catchment areas. The impact of the proposal would need to be mitigated including by looking at various alternative options locally at the time, these would have first to be agreed. There are however potential options which would enable the impact of the development to be mitigated. These options also afford flexibility in when and how the impact is mitigated. Any future mitigation for Primary Education would be met by CIL at that time.</p> <p>In terms of Secondary Education, it would generate demand albeit reduced for places at the catchment secondary school, Park House School. The expansion of the latter is subject to a feasibility study to mitigate the impact of the entire allocation, three of the four phases of which are to be funded by the approved development at SPE, with the fourth phase to be funded by SPW. Despite the reduced development size (but with no extra care units) at SPW, it is requested that the</p>

	development makes the full a contribution in respect of phase four costs (£1.57m index linked).
<b>NHS (Buck/shire, Oxfordshire &amp; Berkshire integrated Care Board) (ICB)</b>	<p>No objection. The original responses were superseded by the final comments in response to the Amended Pack:</p> <p>This outline application is seeking to deliver up to 360 units to the application site. The new population will create additional pressure to the local Primary Care Networks (PCNs). BOB-ICB has raised NO OBJECTION to the proposed development subject to the proposed development subject to a primary healthcare contribution of £187,500, which is based on the provision of 360 units. The contribution will go towards the provision of primary healthcare facilities in the local area to serve the Development to be secured by a Section 106 planning obligation and the contribution should be index linked.</p>
<b>Royal Berkshire Fire and Rescue:</b>	No response received
<b>Scottish &amp; Southern Electric:</b>	No response received.
<b>Ministry of Defence:</b>	No safeguarding objections. The site is outside of Ministry of Defence safeguarding areas.
<b>S106/CIL Team:</b>	Application likely to be CIL Liable, applicant advised directly.
<b>Library Services:</b>	No response received.
<b>British Gas (Transco):</b>	No response received.
<b>National Planning Casework Unit:</b>	No response received.
<b>Office For Nuclear Regulation</b>	No objection. The proposed development does not present a significant external hazard to the safety of the nuclear site.
<b>Emergency Planning</b>	No objection. Emergency Planning have reviewed this application in relation to any specific risks such as AWE, major gas pipes etc. The site is in the Outer Planning Zone for AWE Aldermaston however the location will mean it will have a very low impact on the AWE off-site emergency plan. As a result EP have no adverse comments to make.

### ***Public representations***

- 7.2 This application was the subject of two rounds of public consultation, firstly upon the original submission in July 2023 and upon submission of the Amended Pack in February 2024.

- 7.3 This section summarises the comments received in written responses from individual residents and also from residents' and other groups such as Say No To Sandleford (SNtS), Wash Common Action Group, Residents of Kendrick Road and Campaign to Protect Rural England (CPRE), all of which raise strong objections to this planning application, with the exception of one response which offers comments neither in objection, nor in support. A number of objectors have submitted copies of the same letter / text. Some of the responses are lengthy and raise matters of great detail, much of which is impossible to capture in this still extensive list of summarised comments. The full comments received may be viewed with the application documents on the Council's website.
- 7.4 The summarised comments also include those set out in a submitted petition signed by the Residents of Kendrick Road (22 signatures).
- 7.5 However, any comments received, which i) neither relate either to this development and its effects and/or in combination with the rest of the wider Sandleford allocation; and ii) nor raise material planning considerations, have not been included in the summarised comments below, as they are not directly relevant to the planning application proposals before Committee.
- 7.6 Most of the summarised comments are addressed indirectly elsewhere within the body of this report, however a small number of comments are addressed by including a direct officer's response in brackets next to the comment concerned.

#### ***Residents' and local groups' responses to original submission***

- 7.7 During the initial consultation period representations have been received from 136 contributors, 1 of which is impartial and 135 of which object to the proposal.
- 7.8 A petition was also submitted by the Residents of Kendrick Road, comprising 22 signatures objecting to the application and their comments are included in the summary.
- 7.9 For transparency purposes and for the avoidance of doubt, there were two other petitions, which the respective organisers submitted in objection to this application. However they were both assessed to be not valid petitions by Democratic Services, as neither met the criteria set out in Section 3.3 on the Council's Constitution. One of the two petitions clearly did not relate to any part of the Sandleford Park West application site and they both were (overwhelmingly) historic. Democratic Services therefore rejected both petitions and advised the two petition organisers of this decision accordingly. Neither of these petitions were taken into account in the context of this application assessment and this report.
- 7.10 In summary, the following issues/points in relation to the original consultation were raised by the respondents:

#### *Warren Road*

- While welcoming improvements to Warren Road we do need to be assured that any improvements do satisfactorily and safely accommodate the Church's current and ongoing needs which the current plans do not adequately address.
- The proposed location of the 'priority narrowed section of carriageway' is not complementary with the vehicular and pedestrian movements for the church and is likely to lead to substantial congestion and safety issues at certain times.
- For safety there needs to be a continuous footpath on both sides of Warren Road at least to the east of the entrance of our site.

- The junction of Warren Road with Andover Road should be fully signalised with turning and pedestrian crossing facilities.
- Traffic planning does not include simulations for construction traffic entering the site.
- Traffic assessment assumes there will be 0.06 units arriving (60/1000) and 0.45 units leaving (450/1000) during peak periods. This assumption does not allow for the arrival of construction traffic in the mornings during the peak period.
- Warren Road is due to have constriction that that means that outgoing traffic will give way to incoming (arriving traffic) is questionable and does not allow for construction traffic arriving as the construction traffic could easily increase from 60 vehicles during peak to double that amount. The idea that ongoing traffic going to be able to flow out sufficiently when there is between 60 to 120 or more vehicles coming in is flawed.
- Examples show that only 4 or 5 trucks caused significant traffic flow problems on both Warren Road and Andover Road.
- Insufficient turning circle for HGVs.
- Traffic Assessment is out of date.
- Traffic Assessment assumes that high proportion of vehicles will go North out of the estate.
- Traffic Assessment assumes that only Donnington estate traffic will be using Warren Road.
- Use of Warren Road is clearly nonsensical as well as a potential hazard.
- Access down Warren Road would be dangerous due to its proximity to schools and church and hall.
- Loss of trees to increase width of Warren Road should be prevented.
- Poor air quality due to queueing traffic on Warren Road junction with Andover Road.
- Disagree with report that states overall air quality impacts have been scored as negligible and thus conflicts with Policy DM8.
- Planning bridge, if built, will not be so for at least another 6 years and all HGV traffic will pass the schools.
- Lack of swept path analysis to illustrate HGV vehicle movement entering and leaving Warren Road.
- Loss of hedging to allow widening of Warren Road - any replacement would need to be on the school side of the boundary fence which would reduce the size of the cricket pitch/playing field.
- There should be no all-vehicular use of Warren Road for access to the Sandleford sites.
- Public right of Way NEWB/5/1 not in developer's ownership
- Disagree that proposed mitigation measures will improve current pedestrian experience for walkers along Warren Road.
- Impact on Sunley Close from plan to install traffic lights for single lane traffic.
- Impact on Sunley Close from traffic from schools parking waiting for children leaving school.
- Impact on Sunley Close from traffic due to exhaust fumes.
- The Government in 23/00973/PPA stated that Warren Road was not to be used.
- Plans do not say how increase in pavement along Warren Road will be achieved without affecting existing tree line.
- Relevant officials should spend 08.00-09.00 on any random chosen weekday during term time to witness the current situation and use their imagination to see how much worse it will be if all of the traffic is funnelled down Warren Road.
- New speed limit of 20mph proposed would be faster than used now would endanger students entering and existing the side gate at Park House School.
- If bus bay to remain it will impact visibility splay from Warren Road.

- New design for Warren Road remains unsuitable to act as the sole means of access to an estate of 350 homes.

#### *Andover Road/Kendrick Road*

- Emergency access via Kendrick Road would become a short-cut to the Andover Road and A34 if this is an open link.
- Kendrick Road is too narrow to meet requirement of current legislation for an emergency access route.
- Kendrick Road is a private road maintained by residents.
- Kendrick Road is less than 3m wide and cannot accommodate shared use.
- Wash Common road network is stretched to capacity at peak times.
- Only takes a short blockage for traffic to back up along Andover Road. This should be included in the modelling of the Warren Road/Andover Road junction.
- Andover Road has inadequate pavements which sometime disappear between the Gun and Bartlemy Road.
- Sharing narrow pavement, on Andover Road, with cyclist is hazardous for both cyclist and pedestrians and cars park on the pavement at various points, making it impossible to pass for all but the very slender. Pushchairs and wheelchairs have no change.
- Any increase of traffic here is madness.
- No extra road that would take traffic away from Andover Road.
- The residents of Kendrick Road do not give permission for the road to be used for access to the Sandleford site.
- The road was surfaced by, and maintained by, its residents.
- Toucan crossing proposed so close to existing crossing close to Park House School and Sainsbury's will have a further unfavourable effect on traffic flow along Andover Road.
- Emergency access through Kendrick Road not fit for purpose as only a single lane access road which is compromised by delivery vehicles to residents of Kendrick Road.

#### *Other Traffic / Transport issues*

- A339 is a busy fast road and the new junction and increase in traffic would increase accidents. The council would need to pay for traffic calming and accident prevention measures. Development would encourage additional car use.
- People would drive up the steep hill from town rather than cycle or walk.
- Meandering nature of proposed cycle ways are unlikely to offer any enhancement to sustainable transport links in the area.
- The estimation of parent drop-off and pick-up at nearby schools are considered low considering the number of students at both schools.
- Parents are not allowed to use the school grounds at Park House due to safety concerns. The area has very little options in the way of parking as many surrounding roads are single private lanes.
- No reference to road safety.
- Design and Access Statement is not realistic, visibility splays are not sufficient and vehicle movements are not possible without endangering vulnerable road users.
- Don't believe there is currently any right for vehicular access between the end of Warren Road (at Sunley Close) and the boundary of the development land as claimed by developer.

#### *Infrastructure*

- Insufficient infrastructure to support development.



- No mention of provision of schooling.
- No answer to questions about already overloaded local medical services. Local GPs already have five week waits for routine appointments.
- Increase in traffic on already overloaded and congested local roads from new entry/exit points.
- Existing roads are not fit for purpose for increased traffic which new schools, care homes, industrial and commercial premises would bring.
- Loss of residential amenity.
- Disincentives sustainable travel and active travel.
- Thames Water refused pipes/sewage waste to more than 50 houses - more pumping stations to where?
- Access road was mentioned during consultation - no access road across the River Enborne should be built to the A34 here.
- Royal Berkshire Fire and Rescue comments that there is no suitable public water main in the area.
- Insufficient water supply and foul water infrastructure.
- Lack of access into the Sandleford site.
- West Berkshire Council are already proposing reducing bin and recycling collections to every 3 or 4 weeks, how will waste collections be accommodated with the additional properties.

### *Design and Heritage*

- Faceless architecture does nothing to enhance the area.
- No indication of solar panels.
- No indication of large double-glazed windows.
- Overdevelopment of Newbury.
- This single standalone application for the smallest element of the old site is no longer required.
- Site layout has been completely revised from that shown previously e.g. primary school site, extra care facility and over 18's 4G pitch have been removed and replaced with housing.
- Kennel Cottage on Kendrick Road is an important listed building will be impacted by development.
- 1877 plan of First Battle of Newbury shows historical importance of public footpath 5/1.
- Historic hedgerow along Warren Road features on 1756/1761 John Rocque register.
- Turkey Oak with a TPO is a strong feature of the local area and should be protected.

### *Ecology*

- Wildlife will lose further natural habitat.
- Loss of woodland dating back many decades.
- Loss of biodiversity and no net gain
- Proposal represents an urbanisation and further intensification of development in a sensitive rural location.
- Scale of development is excessive.
- Development encroachment on peaceful rural area.
- Impact on ancient woodlands.
- Impact on important local wildlife habitats.
- Increase in light pollution.
- Increase in air pollution (until electric cars predominate).
- Inadequate consideration to ecological impact

- Potential loss of protected trees.
- Loss of hedgerow.
- Brownfield sites should be developed to fill any remaining housing shortfall.
- Will ruin only area of countryside between West Berkshire from North Hants.
- Much of natural environment has been lost to developers and their planning permissions granted by the Council or the Secretary of State.

#### *Policy / Affordable Housing / Other Matters Provision*

- Conflict with Sandleford strategic planning policy CS3 in respect of the sustainable transport link to Andover Road, but relevance affected by Bloor Homes appeal decision to grant outline permission.
- Proposal conflicts with evolving LPR policy DM8 (air quality).
- It is stated that there will be affordable housing but decline to give numbers or dwelling sizes.
- Size of play areas seem inadequate.
- No area for people to congregate.
- No provision of allotment
- Increase in crime rate with no provision for additional policing.
- New homes are needed, but only if they do not degrade the environment and add congestion to already busy areas.
- New houses built only in areas with high house prices. No “levelling up”.

#### *Pre-application community consultation and application process*

- The representatives of DNH were ill-informed and vague during the pre-application community engagement exhibition event (May 2023)
- Representatives took details but never responded.
- Developer appeared unwilling to communicate and work with the local school.
- Difficult for residents to trawl through the volume of this application documentation to find the benefits in this proposal, adequate information should be provided during consultation.
- At original consultation meetings before the adoption of the allocated site it was stated that only one application by the two developers would be considered and that all access to both developments would easily be managed via the A339 and Monks Lane with bus and cycle access via Warren Road - the developers now proposed to ‘move the goalposts’ to accommodate the number of properties they wish to build. Warren Road will be the only access point for this development throughout construction.
- Retrospective applications show contempt for planning process and if successful will set precedence for the future and should not be allowed to succeed. Incorrect and missing information within document set.
- Lack of progress or resolution of the 58 planning conditions at SPE (officer’s comment there is progress in the required background work which is intended to materialise into applications in the coming month as was advised by the developers of the SPE site at last month’s Community drop-in event/exhibition).
- No Memorandum of understanding (MOU) between Bloor’s Homes and DNH as part of this application (Officer’s comment – that is correct).
- MOU is not legally enforceable (Officer’s comment – agreed)
- Proposed impact on air quality in Warren Road/ Andover Road as a result of increased traffic conflicts with the objectives of the School Streets scheme, which the Council appears to have in place elsewhere in the district but not in Wash Common.
- Conflicts with WBC’s own requirement that Sandleford Park development should proceed as a single planning development for the whole site.

- The Planning website is impenetrable and in no way user friendly for occasional use of such sites.
- Time and duration of consultation over summer months makes it more difficult for all affected parties to respond.
- Number of individual documents for the Environment Statement makes a full appraisal difficult.
- Consultation period inadequate to allow for changes.
- Landscape Master Plan (Environment Statement, Chapter 8, Appendix 8.19) does not match the Combined Illustrative Masterplan which shows a clear gap in the hedgerow. There is no reason why the eastern edge of the DNH site cannot be a complete and continuous green corridor as only “suggested” in the Landscape Master Plan.
- Gap in southern border suggests an intention to create a “southern relief road” to the A34 junction. A proper green corridor needs to be complete here to join the woodland area to other woodland spaces off to the east outside the development boundary to be at all meaning.

### ***Residents’ and local groups’ responses to the Amended Pack***

7.11 In response to the re-consultation on the Amended Pack a further 12 representations have been received from contributors, all of which object to the proposal.

7.12 The full responses 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:

#### *Overall*

- This amended pack does not address any of the issues or the policy requirement for one development of the whole site.
- No significant changes. Previous opinion/comments/objections have not changed.

#### *Warren Road*

- Issue raised by nearly 150 comments from individuals have not been addressed relating to the sole use of Warren Road as access to the site.
- Existing pavements are inadequate and not uniform.
- Application does not address the problem of pedestrians crossing the proposed 3 lane Warren Road or comment on synchronisation with other traffic lights on Andover Road.
- Warren Road Access Plans fail to mention that it includes Newbury 5 Public Footpath non-motorised vehicles only.
- There is not enough space for pavements on Warren Road to meet the criteria in the Manual for Streets.
- The Transport Assessment (TA) fails to model the Warren Road Access.
- The TA identifies an unrealistic assignment of development traffic since far more traffic would use the Warren Road access.
- Supporting transport information fails to consider transport environmental impacts.
- The TA fails to consider impact on key pedestrian routes around schools and churches.
- No consideration of the implications of Warren Road on parent drop-off and pick-up, the accommodation of the access into the church car part and of the lay-by on the opposite side of the road.
- Will endanger children going and from local schools and churches from construction traffic and then residential traffic.

- Removing Warren Road as a sustainable green infrastructure link using the new local plan as a vehicle was a mistake.

### *Transport/Traffic*

- Significant increase in traffic on already overloaded and congested local roads. Additional entry/exit points will not ease the situation on these roads.
- Widening the A339 from The Swan roundabout to Monks Lane/Pinchington Lane will cause huge congestion as these roundabouts will be a one way system/bottleneck.
- Dept of Transport stated that poor planning decisions in the area have reverted Newbury's traffic problems to how it was prior to the A34 division. A development of this scale will create havoc on these small roads.
- New schools, care homes, etc. will bring heavy goods lorries onto roads not fit for purpose.
- The development should not be allowed to go ahead until access can be gained via the more suitable A339 access.
- There is already considerable congestion on A343 which has increased since the access at Wash Water to the A34. The volume of traffic will increase when the new development in Wash Water commences.
- The development will increase traffic.
- The applications fail to consider the impact of the development on key pedestrian routes around the local schools and churches external to Sandleford.
- The application fails to provide an appropriate scheme of works or off site mitigation measures to accommodate all road users.
- There is no safe haul route in place and with a construction period of at least 10 years there will be no restriction to lorry or construction traffic.
- Sandleford has been removed from the 5 year plan and therefore the development should be put on hold until there is a safe haul route in place.
- The link between Sandleford with Andover Road has not been modelled for traffic in regard to traffic between schools.
- It is seen as particularly important that the access route via the A339 is constructed immediately and used to allow HGV traffic access to the site. In addition, this junction should incorporate the Recycling Centre and a roundabout to prevent unnecessary road journeys.
- A clear construction traffic route needs to be planned, taking into account the external alterations (road alterations, Park House School, Doctor's Surgery etc) which will be required and the proximity to heavily pedestrianised areas.
- A southern link road built alongside the Sandleford Development would support traffic heading towards the A34, without the need for it to pass the schools.
- If Southern link road cannot be incorporated into the existing plan, it should be incorporated into the new Local Plan to relieve the volume of traffic from the Andover Road, which is an old road not designed for modern traffic quotas.
- There have been 3 reported accidents (involving 1 or more individuals) on the Andover Road directly in front of the schools since 2012 and a fatality in 2000 in the vicinity of the Kendrick Road/Andover Road junction (also close to the schools). The schools sited just off Monks Lane and on the Andover Road, on completion of the Sandleford Development, will total just under 3000 pupils, with an additional 3000 students attending Newbury College. Taking this into account and the vulnerability of child pedestrians, this area is not able to cope with additional traffic, especially the 1200 vehicle movements per peak predicted to come from the Sandleford Development (as estimated by a Transport Consultant).
- Traffic congestion today at 8:30 am, like every day is a nightmare. The whole area will be gridlocked, and it will be even more unsafe for people going to all the schools and nurseries.

- Given the size of the development it is likely that few people would choose to cycle, walk or even take public transport to exit the development site.

## 8. Planning Policy

- 8.1 The National Planning Policy Framework (NPPF) makes clear that the starting point for all decision making is the development plan, and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan for West Berkshire comprises the West Berkshire Core Strategy 2006-2026 (Core Strategy, adopted 2012), the West Berkshire District Local Plan 1991-2006 (District Local Plan, Saved Policies 2007 as updated in 2012 and 2017), the Housing Site Allocations Development Plan Document (HSA DPD, adopted May 2017), the Stratfield Mortimer Neighbourhood Development Plan (adopted June 2017), the Compton Neighbourhood Development Plan (adopted February 2022), the Minerals and Waste Local Plan (2022-2037) (adopted December 2022) and saved Policy NRM6 of the South East Plan.
- 8.2 The NPPF is a material consideration in the planning process. It places sustainable development at the heart of the planning system and states *that “the planning system should be genuinely plan-led”*.
- 8.3 The Core Strategy was adopted after the introduction of the 2012 NPPF. It was consolidated by the adoption in May 2017 of the Housing Site Allocations DPD.
- 8.4 The Council’s emerging Local Plan Review 2022-2039 (Proposed Submission) is due to be considered by the Inspector at the Examination in Public (EiP) in May 2024. consult on a draft version of its Local Plan Review this autumn. All sites previously allocated as part of the Core Strategy and the HSA DPD are being reviewed (including the SSSA) in line with paragraph 120 of the NPPF which states:-

*“Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability.”*

- 8.5 Paragraph 11 of the NPPF, supplemented by footnote 7, says that decisions should apply a presumption in favour of sustainable development and that for decision-taking this means:

*“c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date \*(Footnote 8), granting permission 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.*

*\*(Footnote 8) This includes, for applications involving the provision of housing, situations where (a) the local planning authority cannot demonstrate*

*... (in the case of the circumstances of WBC)... a four year supply .... of deliverable housing sites .; or (b) where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”*

In February 2024 the Council published its housing land supply position. In particular in terms of the new tests under the 2023 NPPF of a four-year and a five year housing land supply (which apply to West Berkshire) means that over the next four years there is a supply of 2,688 units and over the next five years of 3,073 units, both of which are considerably in excess of the ‘5-year requirement’ of  $5 \times 515 = 2,575$  units. Thus the Council has a healthy housing supply. In addition, WBC has not had under-delivery of housing in the last three years under the Housing Delivery Test. The policies of the development plan therefore which are most important for determining the application are not out-of-date.

- 8.6 The Sandleford Park West site has not been included in the housing supply until deliverability within the time frame can be more firmly evidenced. It has however, been included in the longer-term housing trajectory within the lifetime of the Local Plan Review and is intended to contribute to housing provision in the District.
- 8.7 The following policies of the statutory development plan are ‘relevant’, to the consideration of this application:-
- Policies ADPP1, ADPP2, CS1, CS3, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18, and CS19 of the Core Strategy.
  - Policies GS1, C1 and P1 of the Housing Site Allocations DPD (HSA DPD);
  - Saved Policies OVS.5, OVS.6, TRANS.1, RL.1, RL.2 and RL.3 of the District Local Plan; and
  - Policy 9 of the Minerals and Waste Local Plan (M&WLP).
- 8.8 The following policies of the statutory development plan are considered to be ‘the most important’ for determining this outline application:-
- Policies ADPP1, ADPP2, CS1, CS3, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18, and CS19 of the Core Strategy; and
  - Policy GS1 and C1 of the Housing Site Allocations DPD (HSA DPD).
- 8.9 The policies of the Development Plan carry full weight. The full text of the actual policies and of their associated accompanying explanatory text, are set out in the respective policy documents, which can be found on the Council’s website. It is not intended to restate the text of policies in this report. However relevant provisions and excerpts are provided / referred to as appropriate and necessary throughout this report, in so far as they relate to the application proposals and the assessment.
- 8.10 The following policies (outside of the statutory development plan) and other related documents comprise material considerations and may be relevant to the consideration of this application:
- National Planning Policy Framework (NPPF)
  - Planning Practice Guidance (PPG)
  - Sandleford Park SPD (2015);
  - Sustainable Drainage Systems SPD (2018)
  - West Berkshire CIL Charging Schedule
  - Manual for Streets (DfT; March 2007)
  - National Planning Policy for Waste (NPPW, 2014)
  - Planning Obligations SPD (2014)
  - Quality Design SPD (2004)

- Conservation of Habitat and Species Regulations 2010 (as amended)
- Protection of Badgers Act 1992
- The Wildlife and Countryside Act 1981 (as amended)
- Natural Environment and Rural Communities Act 2006 (NERC)
- Environment Act 2021
- Human Rights Act 1998
- Disability Discrimination Act 1995
- The Community Infrastructure Levy Regulations 2010 (as amended)
- The Local Transport Plan (LTP) 2011 – 2026
- Newbury Town Design Statement (2018)
- Forestry Commission and Natural England Guidance - 'Ancient woodland, ancient trees and veteran trees: protecting them from development' (5 November 2018)
- West Berkshire Landscape Character Assessment (2019)
- Newbury Landscape Sensitivity Study (2009)
- Highways Act 1980 (as amended)
- Town and Country Planning Act 1990 (as amended)
- Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)
- West Berkshire Council Environment Strategy 2020-2030
- Emerging West Berkshire Local Plan Review 2022-2039 (Proposed Submission January 2023)

8.11 The policies of the emerging Local Plan Review are due to be considered at the forthcoming Examination in Public (EiP). They carry only limited weight at this stage, but these show the direction of travel of the Council's Planning policies.

## **9. Officers' Appraisal – Main Issues**

9.1 The main issues for consideration in this application are:

- Principle of Development;
- Comprehensive Development;
- Affordable Housing
- Transport and Highways
- Landscape Character and Visual Impact
- Woodland and Trees
- Ecology and Biodiversity
- Flooding and Drainage
- Open Space and Green Infrastructure
- Historic Environment (Archaeology)
- Historic Environment (Conservation)
- Contaminated Land
- Minerals
- Education;
- Sustainable Development and Renewables
- Loss of Agricultural Land and Impact on Soils
- Community Facilities
- Air Quality
- Noise
- Residential Amenity
- Design
- Other Matters

9.2 The assessment of the application proposals against each of these listed issues in turn (the list not being exhaustive) is set out in this report, having regard to the respective

requirements and provisions of development plan policies and of the relevant material considerations. These assessments then feed into the consideration of Benefits and Disbenefits as part of the Planning Balance exercise, providing an overall officers' assessment and recommendation on the application proposals.

## **10. Principle of Development**

- 10.1 Sandleford Park is a strategic allocation (SSSA) in the Core Strategy 2006-2026 (adopted 2012) for up to 2000 dwellings as per Policy CS3. The SSSA includes the residential development of the application site, Sandleford Park West.
- 10.2 The Core Strategy sets out Spatial Strategy Area Delivery Plan Policies (ADPP#) and also Core Strategy policies (CS#).
- 10.3 The Core Strategy Sandleford Strategic Site Allocation (SSSA) Policy CS3 reflects and effects the housing delivery objectives of Core Strategy Policies ADPP1 (Spatial Strategy) and ADPP2 (Newbury) and also of Policy CS1 (Delivering New Homes and Retaining the Housing Stock), including by way of the development of a strategic urban extension to the south of Newbury at Sandleford. The application proposal is in accordance with these policies.
- 10.4 The SSSA, and Sandleford Park West (SPW) which comprises part of it, is included within the Newbury Settlement Boundary as it was reviewed, extended and adopted by HSA DPD Policy C1. Policy C1 also sets out a presumption in favour of development within settlement boundaries, which applies to the SSSA and SPW.
- 10.5 In policy terms, the outline proposal for the residential development of Sandleford Park West is therefore satisfactory in principle, given its allocation in the Development Plan as part of the strategic SSSA site.
- 10.6 This in-principle policy accord of developing the application site for housing is also further supported by policy SP16 of the emerging Local Plan Review, which shows (and maintains / continues) the same planning policy direction of travel in respect of the development of the Sandleford Strategic Site Allocation (SSSA).
- 10.7 Notwithstanding this in-principle accord with policy, the application proposal still needs to be assessed against the requirements of all the relevant / most important development plan policies, having regard to all relevant material considerations, as they apply to this specific development proposal. This assessment is undertaken in each of the next detailed sections of this report.

## **11. Comprehensive Development**

- 11.1 Clearly the absence of a 'single application' approach as a result of the separate applications for SPE (approved) and now for SPW, fails to satisfy that specific requirement of HSA DPD policy GS1 and of the Sandleford Park SPD Development Principle S1. In this respect therefore the current application is technically contrary to that policy requirement.
- 11.2 As already explained however in section 3 of this report, the allowed Bloor Homes' appeal decision at SPE and the emerging policy direction, means that it is no longer reasonable to require a 'single application' approach for the whole of the SSSA.
- 11.3 In allocating the SSSA for up to 2000 dwellings, Policy CS3 of the adopted Core Strategy sets out the main principles for a sustainable and high-quality mixed-use



development on the site to form an urban extension to the South of Newbury (ADPP2). These principles include provision of affordable housing; on-site renewables; a network of green infrastructure (such as a country parkland and other open space, biodiversity enhancements, respecting landscape significance by limiting development only to the north and west of the SSSA; and protecting woodlands); infrastructure both on-site and off-site, such as education, a local centre with retail and business employment, accesses off Monks Lane and a sustainable transport link to the west for pedestrians, cyclists, and buses via Warren Road.

- 11.4 Following the adoption of the Core Strategy, the adopted Sandleford Park SPD was produced to form the framework for the future development of the allocated site. Some of the primary purposes of the SPD are to guide future development including to the west portion of the SSSA (including SPW) and to assist in the delivery of a comprehensive and sustainable development across the site as a whole.
- 11.5 It is proposed to carry the Sandleford allocation into the Local Plan Review under Policy SP16, with the site delivering approximately 1,500 dwellings. Policy SP16 seeks the development of the site in a 'sustainable, comprehensive' way to 'ensure the timely and co-ordinated provision of infrastructure'. Whilst this is not an adopted policy, and carries limited weight at this stage, it shows the direction of travel.
- 11.6 The Bloor Homes site, SPE, was allowed on appeal, where it was determined that the site could be delivered in a comprehensive manner and without the need for a single planning application. It is important that SPW is delivered in consideration of the proposed development at SPE. Whilst all matters are reserved at this stage the application needs and seeks to demonstrate that the two sites will form parts of a comprehensive whole. For example: connected, both physically (access – vehicular, active travel and public transport); in terms of shared infrastructure (facilities such as for sport/leisure, open space, health, and education (on and off site). Affordable housing provision should be fully policy compliant and follow the same basis across the whole SSSA. The travel plan should also span across both sites. A Design Code should be secured for SPW, to reflect the one required at SPE site, and would need to consider deliverability across the whole strategic allocation. Sustainability measures including renewables create and comprise part of a zero-carbon development, which is an important contributor to the 2030 carbon neutrality objective for West Berkshire.
- 11.7 In this respect, the assessment of the various aspects of the proposal set out in this report considers the extent of whether it will prejudice the comprehensive development of the SSSA and concludes as to whether the proposal demonstrates that the development can still provide the comprehensive development of the SSSA.

## 12. Affordable Housing

- 12.1 The National Planning Policy Framework (NPPF) requires and strongly supports the delivery of affordable housing that meets a recognised housing need in the District through on-site provision in the first instance.
- 12.2 Core Strategy Policy CS3 in allocating the SSSA requires that at least 40% of the dwellings in Sandleford Park will be affordable. This “at least 40%” affordable housing requirement in Policy CS3 is also repeated in the commentary to Development Principle N1 of the Sandleford Park SPD.
- 12.3 Core Strategy Policy CS6 on affordable housing requires 40% affordable housing in respect of major proposals on greenfield sites. It requires the affordable housing units to be provided on-site in line with the NPPF policy, as part of a well-designed mixed tenure scheme, with the objective to help create mixed, inclusive and sustainable

communities. These requirements are re-iterated in the Affordable Housing Section of the Planning Obligations SPD.

- 12.4 Policy CS6 and the SPD state that the affordable housing should consist of 70% social rent and 30% intermediate housing options such as shared ownership.
- 12.5 However, the 24 May 2021 Written Ministerial Statement “Affordable Homes Update” requires that 25% of all the affordable housing to be First Homes.
- 12.6 Furthermore, the NPPF states that 10% of the total proposed homes should be available for affordable home ownership, in this case the First Homes and the Shared Ownership would contribute towards this.
- 12.7 The above tenure requirements for the affordable housing are also reflected and reiterated in Policy SP19 of the emerging LPR, which says that the Council will seek a tenure split of 25% First Homes, 70% social rented, and 5% shared ownership.
- 12.8 The application is for ‘up to 360’ dwellings, and proposes 40% of those to be affordable, i.e. ‘up to 144’ units, with a tenure split of 25% First Homes, 70% social rented and 5% shared ownership/intermediate. The affordable housing will be provided on site.
- 12.9 The above is policy compliant and would also comply with the NPPF requirement that at least 10% of all the proposed housing will be for affordable ownership.
- 12.10 The Bloor Homes SPE Section 106 Unilateral Undertaking (s106 UU) for all the “General Affordable Housing” component, reflects the unit size mix identified in an earlier SHMA and is:
- 1-bed flats 35%,
  - 2-bed flats/maisonettes 8% & 2-bed houses 27%,
  - 3-bed houses 25% and
  - 4-bed houses 5%.
- 12.11 Condition 7 of the SPE outline planning permission sets out a unit size mix for the market housing with an emphasis on family housing, as per the objective in SSSA allocation policy CS3, as follows
- 2-bed flats 10% & 2-bed houses 20%
  - 3 bed houses 42.5%
  - 4 bed houses 27.5%
- 12.12 More recent existing evidence in the May 2020 Berkshire Strategic Housing Market Assessment (SHMA) and the subsequent July 2022 Local Housing Needs Evidence updates (Iceni Projects), which have informed the emerging LPR, have identified the following more nuanced unit size mix ranges for market, affordable (home ownership) and affordable (rented).

### Mix of housing by size and tenure

	1 bedroom	2 bedrooms	3 bedrooms	4+ bedrooms
Market	5-10%	40-45%	35-40%	10-15%
Affordable home ownership	20-25%	45-50%	20-25%	5-10%
Affordable housing (rented)	30-35%	35-40%	20-25%	5-10%

- 12.13 The unit size mix that will be applied to both market and affordable housing will seek to reflect the target housing mix approved at SPE, to ensure consistency and a comprehensive approach across the SSSA and the objective of the emphasis on family housing. However, these will be adjusted, if necessary, in the context of the above more recent evidence. In particular, the same mix will be sought for the market housing via a condition. The affordable housing unit size mix will be adjusted to reflect the slight differences between rented and ownership. The affordable housing target housing mix will be agreed and included in the Section 106 Legal agreement.
- 12.14 The detailed affordable housing development proposals at Reserved matters stage shall need to comply with the Technical Housing standards - Nationally Described Space Standard (updated March 2015). Also to ensure dwellings are suitable for future occupants, all bedrooms should provide a minimum of 2 bed spaces, so for example a 2 bedroom unit should provide 4 bed spaces, 3 bedrooms should provide a minimum of 6 bed spaces, etc.
- 12.15 In order to create sustainable, inclusive and mixed communities affordable housing on new developments, affordable housing should be fully integrated into and indistinguishable from the general market housing, as per the provisions of the Planning Obligations SPD. The Council expects affordable housing to be distributed and pepper-potted throughout the development, in clusters ranging between 5 and 12 affordable units (depending on size, mix and tenure) to match the approved provisions in the SPE S106 UU, providing consistency and a comprehensive approach in this respect across the SSSA.
- 12.16 The Council recommend that all affordable housing dwellings should be developed to Building Regulations M4 (Category 2) and conform to the latest Design and Quality Standards published by Homes England, to ensure that they are readily adaptable for those with additional needs. This will be checked at Reserved Matters..
- 12.17 The Council also encourages developers to consider sustainable features and methods of construction to reduce energy consumption and conserve resources.
- 12.18 It is expected that all s106 affordable housing are delivered with nil public subsidy and developers are expected to make full provision for nil grant affordable housing on all qualifying planning gain sites.
- 12.19 The application proposal is fully policy compliant in respect of Affordable Housing provision and adds to the policy compliant affordable housing provision at SPE, providing consistency and comprehensiveness across the SSSA It is acceptable and in accordance with Core Strategy Policies CS3 and CS6, Sandford Park SPD Development Principle N1 and the requirements of the Planning Obligations SPD, as well as emerging LPR Policies SP16 and SP19 of.

## 13. Transport and Highways

- 13.1 Highway Officers have assessed this proposal and have also enabled an independent assessment by The Council's appointed transport Consultants, WSP.
- 13.2 As mentioned earlier within this report, the residential development of this site and the rest of Sandleford Park was allocated for housing under Policy CS3 of the West of the Berkshire Council Core Strategy (adopted 2012) and the Sandleford Park Supplementary Planning Document (SPD) (as amended adopted 2015). It is recognised that there is local concern regarding any increase in traffic, along for instance the A343 Andover Road. However, this would have been considered when Sandleford Park was allocated as a strategic housing site in 2012.

### ***Access Strategy***

- 13.3 Due to constraints on the local highway network, the Local Highway Authority has always sought to limit additional traffic impact on the network from Sandleford Park by having multiple accesses. This includes four accesses as mentioned and preferred within the Sandleford Park SPD. One such access is Warren Road, which has an advantage as it will reduce any traffic increases from the whole of Sandleford Park through the section of Andover Road, including the A343 Andover Road / Essex Street / Monks Lane mini roundabouts, Andover Road fronting Parkhouse School and the petrol filling station. These locations can become quite congested at times and there is little that the Local Highway Authority can do except reducing any increase as much as possible by providing a Warren Road access. With the inclusion of Warren Road as a fourth access, any increase in traffic on the above section of the A343 Andover Road from all of Sandleford Park is reduced by 207 vehicles during the AM peak and 201 during the PM peak.
- 13.4 Since Sandleford Park (SSSA) was allocated as a strategic site, it has also become clear that both respective applicants, Bloor Homes at SPE, and Donnington New Homes at this application site, SPW, have sought to develop their own parts of the SSSA and provide their own independent accesses with an eventual through connection completed by agreed stages as the developments proceeded. The Council would have preferred a more comprehensive development of the site, and the Council sought to pursue this with refusing the Bloor Homes' planning application 20/1238/OUTMAJ at SPE. However, the Planning Inspector recommended and the Secretary of State decided to allow the planning appeal and granted outline planning permission for the Bloor Homes proposals at SPE, on the basis that the permission for SPE did not prejudice the comprehensive delivery of the whole of the allocated site (SSSA), including through routes.
- 13.5 Depending on the respective build-out timescales for SPE and SPW, it is likely that initially it will not be possible to provide a route through the Bloor Homes' part of the SSSA, as it will be up to six years (72 months) from commencement of the Bloor Homes development before the road layout within SPE reaches the boundary of SPW; and then there is a "contribution/ransom strip" on the Bloor Homes' side of the common boundary between SPE and SPW as was included and set out in the Bloor Homes' Section 106 Unilateral Undertaking approved by the Secretary of State along with the outline planning permission for SPE. The "contribution/ransom strip" will not be lifted until this Applicant (DNH) has paid their proportionate share of the overall Sandleford Park off-site highway mitigation, which they have agreed to do as part of the Section 106 Legal Agreement that will have to be part and parcel of any outline planning permission at SPW, subject to reasonable triggers to ensure that some housing has first been built on site, to provide sufficient revenue to pay for this off-site highways contribution. Therefore, Warren Road is initially the only vehicular access that can be provided to and from SPW, including for its construction.

13.6 In addition it should be noted that it is recommended that an appropriate condition is included to any outline planning permission for SPW, that no construction access in relation to any part of SPE will at any time come through Warren Road. SPE will have to provide its own construction access. Similarly any construction access for the development of SPW will have to use Warren Road.

### ***A343 Andover Road / Warren Road Priority Junction***

13.7 The planning application is for all matters reserved except for access along the Warren Road corridor. As such, the proposed access arrangement from Warren Road has been reviewed in detail. Warren Road is proposed with a 6.0 metre wide carriageway, although this may need to be widened slightly (up to 6.2 metres) in some places on bends to avoid bus wing mirrors being an issue.

13.8 A localised road narrowing is being proposed to the east of Sunley Close to accommodate a one-way priority section, with vehicles travelling west away from SPW giving way to oncoming eastbound traffic. Highways Officers support this approach, as the narrowing will reduce vehicle speeds in this location, while still allowing traffic to access freely from the A343 Andover Road. Conditions will be applied to ensure adequate visibility is provided along the narrowed section of Warren Road.

13.9 It is expected that prior to the completion of the whole of Sandleford Park, a future bus service would be routed from Monks Lane through to Andover Road, via Warren Road. The applicant has now provided bus vehicle tracking for a 3-axle 11.8 metre long double decker bus with an overall width of 2.4 metres in all directions and also for an 11.3 metre long refuse collection vehicle. The vehicle turning left into Warren Road from the A343 would overrun the opposite carriageway, however this is often a common occurrence on the overall road network, and it is recognised that the Government's Manual for Streets allows such overruns of the carriageway within reason.

13.10 Overall, Highways Officers consider the proposals for Warren Road and the A343 Andover Road to comply with all standards with regards to width and sight lines onto the A343 Andover Road and will provide improved pedestrian and cycle facilities, including an additional crossing facility over the A343 Andover Road to the north of the junction with Warren Road. The Warren Road access also has a speed reducing feature to ensure that vehicle speeds are kept low to the intended 20mph speed limit in the vicinity.

13.11 Notionally, for a development of up to 100 dwellings, an access road to a width of at least 4.8 metres would have been required together with a footway to a width of at least 1.5 metres. Access would have been needed to be retained throughout to the first 100 dwellings, existing dwellings and the Public Right of Way.

13.12 In this case it is proposed to deliver the 6.0m wide Warren Road and associated shared footway/cycleway and also the footpath on the south side upfront, to facilitate both the construction and the occupation of SPW. This will be conditioned accordingly including by way of a required Construction Management Plan (CMP). The proposed 6.0 metre wide access would need to be completed at least to a base course level for construction and other vehicles with a final wearing course for the wider footways and cycleways.

13.13 As is standard, there will be a full Road Safety Audit process carried out in connections with all detailed highway design work.

## ***Kendrick Road***

- 13.14 It has been proposed that Kendrick Road will be used as an emergency vehicle access, and it will also comprise an alternative active travel route to Andover Road. The connection will take the form of a lockable access feature that will prevent access to any unauthorised vehicles but will allow access for active travel users (pedestrians and cyclists) and also emergency vehicles. Manual for Streets specifies a width of 2.75 metres for access by emergency vehicles and the applicant has tracked a fire tender routing along Kendrick Road and has demonstrated adequate width throughout.
- 13.15 Kendrick Road is defined as a Private Street within West Berkshire Council's definitive map. Kendrick Road is not adopted highway maintainable at public expense, however, there is a statutory presumption of dedication as public highway because there has been uninterrupted use by the public for a period of over 20 years. (Highways Act 1980 Section 31(1)). In short, this grants public access via Kendrick Road.
- 13.16 As an emergency access, it will very rarely be used by an emergency vehicle, but it is essential that such an emergency facility is provided for any housing development that will be effectively a cul-de-sac, or in this case initially a cul-de-sac, until the route through to SPE and Monks Lane is provided. It is also considered that any use by pedestrians and cyclists would be light, as there will also be a more formal route for pedestrians and cyclists along Warren Road.

## ***Cycle Connectivity***

- 13.17 As part of the development proposals, a continuous 3.0 metre wide shared footway / cycleway is proposed to be implemented on the north side of Warren Road and a 2.0 metre wide footway along most of the length of Warren Road on its south side.
- 13.18 Highways Officers consider that the proposed shared footway/cycleway will accord with government guidance set within LTN 1/20.
- 13.19 The footways/cycleway are proposed to be provided to wearing course and the road way to base course upfront and in advance of any other works on site and can be secured by condition / Section 106 Legal Agreement.

## ***Pedestrian Connectivity***

- 13.20 The applicant has proposed a 3.0 metre wide shared footway/cycleway on the north side of Warren Road and a 2.0 metre wide footway on the south side of Warren Road. There are two short sections where the latter would not be possible, however Highways Officers are satisfied that convenient crossing places have been provided where pedestrians can cross from one side to the other. These will be provided upfront as discussed above.
- 13.21 A signal-controlled toucan crossing is proposed across the A343 Andover Road to the north of the Warren Road Junction.
- 13.22 This will need to be provided by completion of 100 dwellings and can be secured by condition / Section 106 Legal Agreement.

## ***Bus Connectivity***

- 13.23 The section 106 Unilateral Undertaking (UU) for Bloor Homes (SPE) includes the diversion of the Number 2 service (which currently runs along Monks Lane) to serve Sandford Park via the Local Centre, just to the east/north of this site.

- 13.24 Longer term, this route is intended to continue onto Andover Road once the road link is completed between the two parts (SPE and SPW) of the SSSA, to be secured by a Section 106 planning obligation.
- 13.25 In addition, this applicant suggests that the Section 106 Legal Agreement should include a contribution to the existing Stagecoach Number 7 service between Newbury and Andover as this is directly accessible from Sandford Park West on Andover Road. This service is understood to in part be supported by Hampshire County Council.
- 13.26 Highways Officers consider that the proposed contribution to bus services of £500,000 as part of the Section 106 Legal Agreement, makes an adequate proportionate public transport provision.
- 13.27 As part of the proposed new main access spine road through the SSSA (the Sandford Park site), bus facilities will be provided at suitable intervals and will provide step free access kerbs with shelters. This SPW development will also deliver improved bus stop facilities at the two existing bus stops on Andover Road as part of the highway works in this location.

### ***The Public Right of Way***

- 13.28 PROW Newbury Footpath 5/1 forms part of the access to this site. The historic width of this footpath averages up to about 8.0 metres, including considerable green verges and would be replaced by the proposed new roadway and footway/cycleway facilities. At present, notionally pedestrians are entitled to use the whole width, although only the narrower shared track is actually used. This right would remain, albeit with the introduction of vehicles along the roadway and cyclists along the shared footway/cycleway along an 11.0 Metre wide corridor for most of its length to the entrance to the New Warren Farm site.
- 13.29 Bollards are proposed where the continuation of Footpath PROW NEWB/5/1 eastwards joins the section of the existing track proposed to become a roadway. The design of these bollards would need to be approved at detailed design stage. Dropped kerbs and a crossing facility will also be needed where pedestrians may wish to continue along Footpath 5/1 from the new access road. These matters are addressed by condition.

### ***Internal layout***

- 13.30 The internal layout of the site would be considered in more detail at Reserved Matters stage. The Sandford Park SPD 2015 includes design standards for all roads at all levels within the Sandford Park development. These have been considered at pre-application stage with Bloor Homes for their part of the SSSA (SPE), as part of the discussions into the emerging Design Code for SPE. A similar approach is envisaged with this part of the SSSA (SPW), with regards to road widths and the provisions of footways and cycleways. The development will be expected to comply with all standards with regards to parking, cycle parking and electric vehicle charging and conditioned accordingly.
- 13.31 The Council has emerging highway design standards that are expected to be adopted. The standards will require all roads serving more than five dwellings to be designed, constructed, and adopted as public highways via a Section 38 Agreement.
- 13.32 The site layout will be designed to accommodate a 20 mph speed limit. Natural traffic calming measures, such as narrowings, junctions, bends and changes in direction will

be sought at Reserved Matters stage as a preference to speed bumps, cushions and tables.

13.33 A car parking area for parents leaving and collecting school children has been proposed as part of a previous application but it is not proposed as part of this application.

### **Traffic Generation**

13.34 Traffic generation has been projected using agreed trip rates per dwelling for Sandleford Park as a whole. They were agreed from traffic surveys undertaken at housing sites in Newbury 2015. While this is some years ago now, if anything since COVID 19 these are likely to be slightly less in 2024. Therefore, the projected traffic generation is as follows for the weekday peak hours:

	AM 08.00 to 09.00			PM 17.00 to 18.00		
	Arrive	Depart	Total	Arrive	Depart	Total
Per dwelling	0.06	0.45	0.51	0.37	0.16	0.53
Whole development	22	162	184	133	58	191

*Projected traffic generation*

### **Construction traffic**

13.35 A Construction Management Plan will be essential. It will need to include items such as precluding any deliveries during school opening and closing times, road sweeping, maintaining access to existing dwellings and the PROW, as well as a banks-person on the A343 Andover Road when required. As with all construction sites, it is highly likely that construction workers will arrive and leave outside the main weekday travel peak periods. With the above and the provision of an adequate Construction Management Plan (CMP). Highway Officers do not consider that there will be a significant impact on the highway network as a result of construction traffic.

### **Overall Traffic Impact**

13.36 To assess the traffic impact of this SPW development and of Sandleford Park as a whole, the Newbury VISSIM software traffic model has been used over the years. This is a detailed traffic model that covers all of Newbury and enables detailed modelling to take place of individual junctions, etc. The model is based on 2017 traffic survey data, which is still considered robust as traffic levels have only just recovered from pre COVID 19 levels. Most of the traffic modelling was concluded in 2021 prior to the planning appeal for Bloor Homes that included traffic for this part of the Sandleford Park site. VISSIM modelling provides results for overall network performance, journey times, average and average maximum traffic queue lengths.

13.37 Below are some of the average maximum traffic queue results focussing on two transport corridors being the A339 and the A343. There are three modelling scenarios most relevant to this part of the site as follows:

- 2031 with traffic growth from 2017, plus all known approved developments including the Bloor Homes part of Sandleford part of the site
- The above, plus this site
- All of the above plus all proposed highway mitigation for Sandleford Park



13.38 The results below are maximum averages, measured in metres. To simulate different conditions on the network from day to day, the model is run at least ten times, and the results are averaged. This includes the maximum length of traffic queue projected each time that in this case is then averaged.

	AM 08.00 to 09.00			PM 17.00 to 18.00		
	i) 2031 without development	ii) 2031 with development...	iii)...plus mitigation	i) 2031 without development	ii) 2031 with development...	iii)...plus mitigation
A339 / 343 St John's Roundabout southbound	61	56	40	394	433	135
A339 / 343 St John's Roundabout westbound	563	500	161	195	165	177
A339 / 343 St John's Roundabout northbound	196	178	459	86	85	271
A339 / 343 St John's Roundabout eastbound	265	170	275	79	99	184
A339 / Pinchington Ln Roundabout southbound	50	49	107	43	43	120
A339 / Pinchington Ln Roundabout westbound	67	62	82	114	104	126
A339 / Pinchington Ln Roundabout northbound	268	257	306	344	344	338
A339 / Pinchington Ln Roundabout eastbound	64	71	0	57	50	0
A339 / Highwood Copse southbound	65	69	16	62	62	8
A339 / Highwood Copse northbound	102	108	112	311	359	320
A339 / Highwood Copse eastbound	15	37	40	9	19	20
A343 / Warren Rd / Church access southbound	18	10	10	5	11	10
A343 / Warren Rd / Church access westbound	3	17	19	4	11	11
A343 / Warren Rd / Church access northbound	13	30	33	1	40	28
A343 / Warren Rd / Church access eastbound	1	1	1	1	1	1
A343 / Essex St / Monks L southbound	49	38	60	52	47	42
A343 / Essex St / Monks L westbound	27	23	22	50	68	54
A343 / Essex St / Monks L northbound	78	77	80	130	74	68
A343 / Essex St / Monks L eastbound	58	57	61	35	34	29
A343 / Buckingham Rd southbound	83	75	97	8	10	10
A343 / Buckingham Rd northbound	118	<b>196</b>	62	1	2	5
A343 / Buckingham Rd eastbound	24	31	23	3	2	4
A343 / Newtown Rd Roundabout southbound	55	31	46	19	23	44
A343 / Newtown Rd Roundabout westbound	81	123	75	124	103	123
A343 / Newtown Rd Roundabout northbound	92	68	114	30	29	55
A343 / Newtown Rd Roundabout eastbound	217	<b>323</b>	132	15	19	45
Bartholomew St / Pound St southbound	64	76	68	97	96	82
Bartholomew St / Pound St northbound	202	248	140	72	75	74
Bartholomew St / Pound St southbound	121	108	77	39	39	41

*VISSIM Traffic Modelling Results – maximum traffic ques in metres*

13.39 As would be expected, the Sandleford Park development overall had a significant impact on the highway and transport network. For this SPW part of the development in particular, it was projected that the Sandleford Park development as a whole and this development on its own would have a severe impact on the traffic signal junctions along Bartholomew Street into the town centre. These junctions will be upgraded as part of the mitigation package that will be outlined below.

## ***Environmental Statement (Environmental Impact Assessment)***

13.40 WSP have reviewed the Environmental Impact Assessment in accordance with guidance from the Institute of Environmental Management and Assessment on the Environmental Assessment of Traffic and Movement (IEMA, July 2023).

13.41 The scope and assessment methodology presented to review the environmental impact on of receptors on the different environmental categories is in accordance with IEMA guidelines and is accepted.

13.42 With the likely environmental effects during the construction phase, the applicant has applied an assumption that the construction movements will not generate a severe impact along the local road network. As mentioned earlier, Highway Officers concur with this subject to an adequate CMP.

13.43 With the likely environmental effects during the operation phase, the effects of the operational phase have been summarised below.

- Severance of Communities – The whole Sandleford development will result in a major adverse impact on Warren Road and Andover Road north of Monks Lane. The development is expected to generate a moderate adverse impact on A339 Access and a minor (positive) impact on Andover Road south of Monks Lane. The applicant has provided sufficient justification for the impacts which is accepted, and Highways Officers consider that there is sufficient mitigation for the overall Sandleford development.
- Driver Delay – The driver delay has been obtained from the VISSIM modelling results. The impact is seen to be Moderate to Minor adverse. This is agreed and considered acceptable by Highways Officers, subject to sufficient mitigation being secured.
- Non-motorised User (NMU) Delay- Despite the uplift in vehicle trips, the assessment of pedestrian and NMU is seen provide a benefit with the proposed pedestrian and NMU infrastructure improvements on Warren Road, the A343 and the A339 resulting in a Moderate Beneficial.
- Non-Motorised Amenity – The applicant has classified the impact on non-motorised amenity on all roads apart from Warren Road and the A339 new access as Negligible to Minor Adverse. Reviewing the site-wide connections across all of the Sandleford development (SSSA), this is considered to be acceptable. Highways Officers agree that the impact on Warren Road and the new A339 access is Moderate Beneficial due to the improvements in infrastructure.
- Fear and Intimidation On and By Road Users - It is noted that on Warren Road and the new A339 access, there is a negligible impact and all other links will have a Minor Adverse effect.
- Road User and Pedestrian Safety – Personal Injury Accident (PIA) data is being discussed below and this is considered to be sufficient by Highways Officers.
- Hazardous/Large Loads- The applicant will need to review the impact of hazardous/large loads. This will be covered within the CMP mentioned earlier.

13.44 WSP and Highways Officers are therefore satisfied with the relevant sections of the Environmental Impact Assessment.

## ***Hampshire County Council and National Highways***

13.45 Highways Officers at HCC and NH note the increases in traffic on the highway network on roads under their jurisdiction but raise no objection.

### ***Active Travel England***

13.46 ATE are satisfied that a number of their original comments have been considered and taken into account in the Amended Pack. They maintain a number of points that Highways Officers consider can be addressed at the Reserved Matters stage including details of the footway / cycleway along the A343 Andover Road.

### ***Personal Injury Accidents***

13.47 Highway Officers and the applicant have reviewed the Personal Injury Accidents (PIA's) data for the vicinity using CrashMap, which is currently updated to the end of 2022. It must be noted that Thames Valley Police only record PIA's if someone has received injury. In the vicinity, south of Monks Lane and north of the A34, there have only been two recordable PIAs in the last five years up to the end of 2022. One fronted the nearby petrol filling station in October 2019, with the other being at the A343 / Washwater Road junction in January 2020, where in both incidences one person received a slight injury. Every PIA is regrettable, but Highway Officers concur with the applicant that there are no PIA trends or collision hotspots. With adequate mitigation, Highway Officers do not expect significant changes to PIA data with the proposed development at SPW.

### ***Mitigation - Off-site highway items***

13.48 To mitigate the impact of the development, the aim of WBC is to always provide a whole comprehensive development, but as explained earlier this has not been possible. A significant concern with not having a comprehensive development was how to apportion any highway mitigation works. The Unilateral Undertaking agreement approved with Bloor Homes and planning application 20/01238/OUTMAJ for SPE required that funding for highway works was paid in full by the SPE development. However, were SPW (including Sanfoin) to come forward, it would also have to foot its share of the cost apportioned proportionately as per below. In addition, were Sanfoin to come forward for development in the future, it will have to also contribute accordingly. The HoTs for the Section 106 Legal Agreement at the end of this report, deal with these matters.

13.49 The relevant off-site highway mitigation works proposed to be delivered with this development of SPW and also with the development of SPE, are as follows:

- By occupation of 100 dwellings within SPW, the provision of a footway/cycleway on the eastern side of Andover Road extending to the Andover Road / Essex Street / Monks Lane double mini roundabout with improvements to bus stops.
- Works to the south of Warren Road is to be provided by the development of 250 dwellings to the south at Wash Water within the adjoining District, granted recently at appeal. It should be noted that this appeal decision is currently being contested in the Courts by that Council.
- By occupation of 200 dwellings within SPW, the provision of improvements to pedestrians and cyclists around the A343 Andover Road / Essex Street / Monks Lane mini roundabouts and along the A343 Andover Road from the mini roundabouts towards the town centre. Highways Officers are working with Newbury Town Council on some aspects of this proposal and work continues to progress.
- By commencement of the works at SPE, a full financial contribution to the upgrading by West Berkshire Council of the Newtown Road / Pound Street and Bartholomew Street / Market Street traffic signal junctions.

- By occupation of 100 dwellings at SPE, the entering into an agreement for the A339 / B4640 Swan Roundabout improvements and A339 PROW Greenham 9 crossing by Bloor Homes
- By occupation of 200 dwellings at SPE, a full financial contribution to improvements by West Berkshire Council of the A339 / A343 St Johns Road Roundabout
- By completion of 700 dwellings at SPE a partial financial contribution (£5,257,151) to improvements to the A339 / Pinchington Lane / Monks Lane / Newtown Road.
- By completion of 850 dwellings at SPE the payment of the outstanding monies for improvements to the A339 / Pinchington Lane / Monks Lane / Newtown Road (£3,739,410) to be paid by Bloor Homes. However, were SPW to be developed it would have to pay all (if up to 500 homes) or proportionately part of this contribution. Until SPW is granted planning permission, it is incumbent on Bloor Homes to ensure that the works to this junction are completed. The same applies to Sanfoin, which was part of the SPW proposals when the matter was considered at the SPE appeal.
- SPW has agreed to pay its proportionate contribution, to the latter as part of the overall proportionate contribution to the A339 corridor improvement works. In this respect this equates to £2,953,720.38, paid in two equal instalments by the respective occupation of 100 and 200 units at SPW.

### ***Mitigation – Framework Travel Plan***

13.50A Framework Travel Plan (FTP) has been submitted alongside this application. The FTP also aligns with the FTP for the adjacent Bloor Homes to ensure that a joined-up FTP is prepared across the whole Sandford Park site. The FTP will last for 5 years, to be managed by a site-specific Travel Plan Coordinator.

13.51 However, the Council proposed that Travel Plan measures are to be implemented by the Council. This position has been agreed in principle by Bloor Homes and has been included in the S106/Unilateral Undertaking for their part of the site. For consistency across all of the SSSA, it would therefore be appropriate that this approach is also pursued for this application at SPW, with costs being on a proportionate basis between the two developers. The applicant has agreed to that as per the Section 106 HoTs at the end of this report.

13.52 As part of the combined Travel Plan access to a car club will be included. Further discussions will need to be had with the Council and the current Car Club provider (Enterprise) to determine where these vehicles would be located and how the provided memberships will operate.

13.53 Car sharing would be promoted through the Newbury Town Centre FAXI group app. It should be noted that the FAXI group is no longer supported by the Council, which has now been replaced by the Liftshare portal.

13.54 The travel plan financial contribution includes a monitoring fee. This is to the satisfaction of the Council's Highways and Transport Planning Officers.

### ***Conclusion***

13.55 This proposal has been independently assessed by the WSP, with highway officers supporting the overall conclusions to raise no objection to this proposal.

13.56 Highway officers acknowledge that this development will have a traffic and environmental impact on the highway network, but such an impact on the network was approved when the overall Sandford Park development. Including SPW, was

allocated as a strategic housing site (SSSA) in 2012. Initially the Warren Road access will be the only vehicular access serving the SPW development until the connection is made through to the adjacent Bloor Homes SPE development, but then it will serve as one of four accesses serving the whole SSSA and will take any traffic increase away from the A343 Andover Road to the north of Warren Road.

13.57 Paragraph 115 of the National Planning Policy Framework states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. With all of the proposed mitigation measures outlined above, it is considered that there will be no severe impact on the network and therefore highway officers raise no objection to the proposal.

13.58 The proposal will facilitate permeability, connectivity and accessibility for all traffic modes across the SSSA and therefore a comprehensive approach to movement. It will also contribute proportionately to the provision off-site highway works to the local road network in mitigation and thus contribute to a comprehensive approach to the development of the SSSA. The proposal accords with a number of Core Strategy Policy CS13 provisions. (The policy footnote explains that development proposals may not need to fulfil each bullet point). It is also in accordance with Core Strategy Policy CS3 although it goes beyond the requirements therein, in that that Warren Road is to be an all-vehicle access to the SSSA, as also supported by the SPD and the emerging LPR, to the satisfaction of the Highways Officers.

## 14. Landscape Character and Visual Impact

14.1 Policy CS3 of the Core Strategy, allocating the SSSA seeks “a network of green infrastructure to be provided which will:

- *conserve the areas of .... woodland and provide appropriate buffers between the development and the .... woodland;*
- *...*
- *respect the landscape significance of the site on the A339 approach road into Newbury.”*

14.2 Policy CS3 of the Core Strategy also requires infrastructure improvements to be delivered in accordance with the Council's IDP. The provision of green infrastructure is considered as necessary infrastructure in the Council's IDP.

14.3 Policy GS1 of the HSA DPD requires each allocated site to achieve a comprehensive development that ensures the timely and coordinated provision of infrastructure, services, open space and facilities (N.B. the requirement of master-planning as a whole and the ‘single application’ submission has already been dealt with and discounted and therefore not pursued). This policy also requires the submission of a LVIA for the allocated site to inform the final capacity, development design and layout of the site and requirements for green infrastructure and the provision of public open space. Additionally, Policy GS1 requires necessary infrastructure to be provided at a rate and scale that meets the needs that arise from the development as a whole, in accordance with both the most up to date IDP and through conformity with the appropriate standards.

14.4 Principles L1-L5 of the Sandford Park SPD set out the landscape and heritage principles that should be adhered to in the design and development of the whole of the SSSA.

14.5 This application relates solely to the westernmost part of the SSSA, to the west of Gorse Covert and Development Parcel Central which form part of the approved outline scheme at the adjoining SPE. It includes PROW NEWB/5/1 and the Warren Road corridor on the north side. It does not include Sanfoin. With the exception of Brick Kiln Copse the SSSA allocation and the SPD identify the majority of New Warren farm as a development area to provide housing within the SSSA and this area has been included within the designated Newbury settlement boundary.

### ***Landscape Character Baseline (LCA)***

14.6 WBC adopted a new character assessment in 2019 (West Berkshire Landscape Character Assessment (2019)) and as part of the SSSA the application site (the Site - SPW) forms part of a Woodland and Heathland Mosaic Character Type. The Site falls within Landscape Character Area (LCA) WH2: Greenham Woodland and Heathland Mosaic as identified in the West Berkshire Landscape Character Assessment (2019).

14.7 The transition from the settlement edge to rural landscape of the Greenham Woodland and Heathland Mosaic is of largely soft nature. This soft transition along with the value attributes of this rolling landscape, which comprises a rich tapestry of highly sensitive woodland blocks and copses, shallow river valleys, with undulating agricultural (including pasture) land beyond the settlement form part of a highly attractive and appreciated landscape. The landscape incorporates numerous heritage elements and a strong and cohesive structure, forming a key part of the setting to south Newbury and extending into the wider landscape, incorporating the River Enborne (Upper Valley Floor) and Highclere and Burghclere, within the district of Basingstoke and Deane to the south. As such, and similar to the SPE appeal site findings (identified by the Inspector at paras 16.55 and 16.56 of the IR), SPW within this complex landscape comprises land that contains some attributes associated with a valued landscape, although as with SPE, SPW falls marginally short of being considered as a 'valued landscape' for the purposes of the NPPF.

14.8 Nevertheless, it still has several key and highly valued elements that contribute to a mosaic of features inherent in the LCA and its high sensitivity (as acknowledged by the Applicants Area 6, local LCA (LVIA)). The approach to development in SPW needs to reflect this to ensure the valued features of SPW and its relationship with the valley floor and adjacent district is carefully protected and integrated in the longer term.

### ***Interface with Enborne Valley***

14.9 Taking into account the acknowledged High Sensitivity of the Enborne Valley just beyond the SPW's southern boundary, it is essential that the design of the scheme at detailed stage addresses the sensitive transition between the edge of the settlement and the valley. Indeed the Design and Access Statement (DAS) highlights the interface between Wash Common and how the proposed scheme responds through lower density, informal pattern, 2 storeys in height and a sense of seclusion, provided by houses set in a mature wooded landscape.

14.10 The originally submitted Building Heights Parameter Plan proposed up to 2.5 storeys in the residential areas and up to 3 storey along the Main Access route and also around Brick Kiln Copse. It is accepted that this has regard to the provisions in the Sandleford Park SPD and very much reflects the building heights provisions as approved at SPE.

14.11 The proposed interface with the largely undeveloped rural Enborne Valley to the south should provide an appropriate transition, and therefore the proposals for 2.5 and 3

storeys needed to be revisited to deliver appropriate building heights to mark the transition.

14.12 The Building Heights Parameters Plan has been amended to ensure that all development along the southern edge is only up to 2 storeys to soften its impact in relation to the Enborne Valley. Furthermore this is supplemented by a 20m wide belt of native woodland planting comprising a landscaping buffer along the south side of the site boundary within the adjoining field in the Applicant's ownership (outlined with a blue line on the Location Plan). This proposed strong woodland belt also provides improved green infrastructure connectivity between Gorse Covert and Brick Kiln Copse, although it incorporates a break to continue providing agricultural access to the field to the south. These amendments improve the southern edge transition and inform the detailed design stage of the sensitive southern edge.

### ***Warren Road Access***

14.13 The proposals from the (Aspect) Tree Survey and Tree Protection Plan information are that the verdant tree cover provided by the mature Category A and B trees (including veteran and TPO'd trees) along Warren Lane (PROW NEWB/5/1) will be preserved. The retained trees are essential to maintain the integrity of the historic tree line (avenue) and the character of Warren Lane (constrained by its width) and it will be important that the applicant works through further detail with the Council's Arboriculturist to ensure best practice and identify opportunities to improve RPAs, offsets and so on at a future RMA stage.

14.14 It is important to ensure at reserved matters stage that any proposed lighting columns along Warren Road corridor do not impact on and compromise the important retention of all the existing trees. It is noted that the majority of these are shown along the south side of the Warren Road corridor (as per the amended Lighting Report) and they should not affect the existing trees.

14.15 The Warren Road Landscape Strategy submitted as part of the Amended Pack shows that it is proposed to do a no dig construction under the row of trees along the north side of Warren Road to provide the shared pedestrian / cycleway, as well as along the east side of Andover Road to ensure their retention.

14.16 The proposal will remove most of the existing hedge within the highway land along the boundary with Park House School along Warren Road to the west of Park Cottage, which forms the understorey to the tree canopy above. This would result in a more urbanised interface with the school site bordered by the existing chain link fence. The road alterations (including new lighting) and the hedge removal, were it to be without replacement would result in some harm to the character of the road, which would need to be weighed in the planning balance.

14.17 However, the Warren Road Landscape Strategy submitted as part of the Amended Pack also shows the provision of 2m high Pre-Grown Screens planted predominantly with ivy but also including Clematis, Climbing Rose and Jasmine. These provide year-round foliage cover in replacement of the hedge to be removed to the west of Park Cottage, maintaining a green understorey to the canopy of the row of trees above and retaining some of the verdant character of the Warren Road.

### ***Access to SPE***

14.18 The approximate (near exact) position of the access point between SPE and SPW has been identified as part of the SPE appeal decision. In that appeal it was accepted that it will involve the loss of Tree Group 47, identified in the Arboricultural Assessment and

Method Statement submitted with that appeal case, which includes a mature Ash tree and Thorn tree. Officers had indicated at the appeal that an adjacent Oak might also have to be removed. The access location was accepted by the Inquiry Inspector. The applicant now also seeks to provide access from SPW through to SPE at that same location. The Arboricultural Impact Assessment submitted with this application identifies the Ash as category C tree T175 and also indicated that T176 a Category B oak tree will both have to be removed. Officers' suggestions to seek an alternative less sensitive location further south along the boundary were not supported by the SPE appeal Inspector. The exact connected position for this access will however be confirmed by detailed plans at reserved matters stage. However, it is accepted that the creation of the access between SPW and SPE would have an adverse impact to the tree/vegetation in that specific location, but this impact on landscape was accepted previously by the Planning Inspectorate at the appeal.

### ***Woodland Buffers/Offsets***

- 14.19 The Sandleford SPD identifies that 15m buffer zones to woodland should be provided, in line with Natural England's Standing Advice. The proposed development (as shown on the Green Infrastructure Parameter Plan and indicative Landscape Masterplan) incorporates SuDS features on sloping valley sides to Brick Kiln Copse (requiring landform changes, and possible headwalls/engineering features) as well as footpaths which may require lighting, all to be located within the 15m buffer zone to Brick Kiln Copse. Given the applicant's stated intention is to be "treating the buffer provided in the same manner as current standing advice for ancient woodland" (Aspect tree report para 4.2.2, p.9), the approach taken at a detailed stage should mirror that for the earlier scheme approved at appeal.
- 14.20 As the Inspector made very clear in her recommendation for the SPE appeal scheme (para 16.113) (APP/W0340/W/20/3265460) in respect of such proposed features within woodland buffer zones, "although SuDS features are not excluded within these areas, any proposed encroachment would need to be supported by clear and convincing evidence as to their impact on the trees within the ancient woodland including their hydrology. Notwithstanding the stated position within the SPD, the default position should be that any incursions into the buffers, including conveyance channels, should be avoided unless there is clear evidence that they would not harm the ancient woodland".
- 14.21 Accordingly, the SPE appeal scheme was conditioned by the Inspector to ensure that sufficient information was provided demonstrating that the impact on the trees within the ancient woodland, including their hydrology, would be acceptable following the development of SuDS within their buffer zones. Therefore, it is considered that a similar condition for this application could be imposed to protect Brick Kiln Copse and its buffer and to ensure a consistent and comprehensive approach to the SSSA.

### ***Tree and Hedgerow Integrity***

- 14.22 The proposals seek to remove a number of trees and hedges as part of the scheme. It is acknowledged that some forms of vegetation do not contribute to character, being atypical of the LCA (e.g. some conifer hedges such as H4); although in contrast there are a number of trees and hedgerows that do contribute to the character of the LCA. Historic boundary line hedgerow H6 and is proposed to be removed. This hedge or part of it could be retained, and the layout amended to incorporate this historic landscape feature (which appears on historic maps 1880). This matter would be dealt with as part of Urban Design Code, which is to be secured by condition.



- 14.23 The western edge of the scheme adjoins the tree lined historic track, called Kendrick Road. Officers consider the indicated proposed rear garden boundaries backing onto part of this historic track has the potential to result in unsightly boundary fencing onto the historic track, as well as providing poor natural surveillance and encouraging potential issues such as the dumping of garden waste, garden extensions or private accesses being created. However, the detailed layout of the development is to be considered at the reserved matters stage where the applicant can reorientate the dwellings proposed in this location to provide an improved active frontage to the historic track.
- 14.24 The existing layout is illustrative and the above matters would be considered further during the reserved matters applications and as part of a conditioned Urban Design Code for the development.

### ***Landscape and Visual Impact Assessment (LVIA)***

- 14.25 The LVIA has been carried out largely following the guidelines set out in GLVIA3.
- 14.26 On Landscape matters, Officers agree with the LVIA assessment of Significant harm to local LCA Area 1 (part of WH2: Greenham Woodland and Heathland Mosaic). The harm would have Major to Moderate effect initially, reducing to Moderate in Year 15. In terms of Area 4, the effects stated will only be confirmed when the delivery of the approved SPE development takes place. In the event that this SPW application is built out before the approved SPE consented appeal scheme, then the mitigation being relied upon will not have been fully delivered until the SPE scheme is also built out, resulting in a greater level of effect, albeit not significant. But this intervisibility is to be expected as an acceptable consequence of the phased development of the SSSA.
- 14.27 On visual matters, some of the effects stated in the ES will be realised once the SPE appeal scheme is delivered, which provides mitigation in views from along the PROW GREEN/9/1. Until then the effect would be greater if SPW is delivered first. That is to be expected during the phased development works of the SSSA as a whole. In this respect that is acceptable.

### ***Landscape Issues Summary***

- 14.28 Overall, the SSSA allocation (including the application site SPW), as well as the granting of the outline permission at SPE, have had inevitable material implications in landscape character and visual terms, which however have been deemed acceptable impacts on balance and provide the context against which the proposals are assessed against. In addition the Amended Pack, has proposed improvements which deal sufficiently with issues of softening of views from the south and relationship with the Enborne Valley, while also retaining the verdant character of the Warren Road corridor. Also the proposal will remove the two large unsightly barn buildings and associated paraphernalia from the site. Further improvements can also be explored through careful design at Urban Design Code and reserved matters stage.
- 14.29 The application proposals as amended have had regard to the sensitivity of the area to change in the context of the allocation of SPW to comprise the western part of the SSSA development areas and to deliver housing on the site. They have had regard to the outline scheme at SPE in landscape terms and are appropriate in terms of location and scale in landscape character terms, looking towards delivering a comprehensive approach across the SSSA and they have had regard and are not contrary to the provisions of Core Strategy Policy CS19. Overall, the outline proposals are considered to be broadly appropriate in respect of the impact on landscape character and visual impact, subject to the detailed layout and design to be established through future

reserved matters application(s) and an Urban Design Code to be secured by planning condition. Therefore, the application is considered to accord with Policy CS19 of the Core Strategy.

## 15. Woodlands and Trees

- 15.1 The submitted Arboricultural Impact Assessment (AIA) has been reviewed by the Council's appointed Arboricultural Consultants and concurred by the Council's Tree Officer. He advises that it is accepted as a reasonable record of the baseline arboricultural features present on site, and that the impacts of proposed development are assessed following the recommendations in BS 5837, with key points noted below.
- 15.2 All existing trees on the site and along the north side of Warren Road and along the Warren Lane corridor are protected by tree preservation orders (TPOs).
- 15.3 47 trees (including groups/hedgerows), are proposed to be removed in connection with the application proposals, none of which are high quality (Category A), although 25 of those are Category U trees/groups which are recommended to be removed / re-coppiced as good arboricultural practice regardless of the development proposals. As part of the proposed removals are one Ash and one English Oak to effect and deliver the connection of the main access road through to SPE.
- 15.4 Compensation planting is also referenced in the AIA and would be provided as part of the detailed landscaping scheme at reserved matters stage to be conditioned accordingly.
- 15.5 Whilst not recorded as Ancient Woodland, both Brickkiln Copse and Gorse Covert are reported as BS5837 Category A features. The design for the proposed development retains both woodland features with appropriate buffer zones.
- 15.6 Within the development itself all parts of the development proposals have been designed so as not to impact upon the Root Protection Areas (RPA) of retained trees, subject to further details being agreed by condition or at the reserved matters stage.
- 15.7 As noted previously, along the Warren Road and Park House School some elements of 'no-dig' construction under arboricultural supervision within RPAs is proposed to ensure the retention of the TPO trees. A similar tree protection scheme in relation to these trees has previously been allowed under the extant planning permission 14/02416/FUL in respect of Warren Road widening. Whilst that permission remains extant, it has not been fully implemented. In addition, it is considered that the proposed technique of using a CellWeb or similar sub-base construction for the shared footpath / cyclepath along the north side of Warren Road may benefit from decompaction prior to the installation. As such the trees' rooting environment along this part of Warren Road can be improved, when compared to the existing condition.
- 15.8 The only place where some supervised limited excavation within an RPA is proposed is in relation to the RPA of a Leyland Cypress T395 on the Andover Road frontage, but that is considered acceptable provided it is supervised, to ensure that the roots are not affected.
- 15.9 In the original application submissions there was uncertainty as to the proposed minimum width of buffer zones of the two woodlands within and adjoining the site, Brickkiln Copse and Gorse Covert. The Applicant's cover letter to the Amended Pack has confirmed that in terms of the buffer zones, the two woodlands are provided with a minimum 15m buffer to be measured as per the appeal Inspector's definition, from the edge of the woodland and not from the centre of the trunks of the trees on the

edge of the woodland as detailed in the SPD. This is satisfactory and conditions to match those in the SPE decision are attached accordingly.

- 15.10 The closest parcel of ancient woodland, Barn Copse, is located 170m northwest of the boundary of the application site. The woodland of Brick Kiln Copse and the parcel of traditional orchard on Site are Habitats of Principal Importance (HPI) as listed under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Furthermore, the Ecological Baseline Appraisal report considered the hedgerows within the application site are likely to qualify as habitats of principal importance (HPI). The overwhelming majority of trees and hedgerows on site including all of Brick Kiln Copse, will be retained. The AIA sets out the trees and hedgerows which are likely to be removed, but the final exact details of all trees and hedgerows to be removed will not be fully established until the reserved matters stage, as the layout of the proposed development may change from that shown indicatively in the plans submitted. All HPI habitat should normally be retained and protected. Where HPI is to be removed, it will need to be replaced on a like-for-like basis as a minimum. This approach will need to be adhered to as the detailed design is developed during the reserved matters stage.
- 15.11 A further matter of uncertainty with the original submissions related to paragraph 3.1.5, the AIA which states *“For clarity, although the presence of veteran trees is suggested within the Woodland Trust’s records, it is Aspect’s opinion, based on the trees’ condition, and absence of necessary features, that although established, none of the trees are veteran. There are subsequently no ancient or veteran trees, or any areas of designated ancient woodland, within influence of the application area against which the tests of paragraph 180c can be applied.”* The matter of the methodology of this assessment was questioned by the Council’s consultants. As part of the Amended Package they confirmed that they used the Council’s suggested Forbes-Laird’s RAVEN3 methodology, which is a suitable approach. Therefore, it is proposed that a further assessment is required by a planning condition to be provided at reserved matters stage to ensure they are protected during construction works along with all the other trees that are to be retained. Whether or not there are any veteran trees along the PROW NEWB/5/1 to the east of the Warren Road corridor. None of these trees are proposed to be affected/removed by the development. Furthermore the precise location of development in relation to trees is to be established at the reserved matters stage.
- 15.12 The outline application proposals are considered satisfactory in terms of impacts on trees and woodlands on the site, which seeks primarily to protect and preserve them. It is also proposed to provide extensive replacement planting to mitigate losses as part of the landscaping scheme for the site, including street trees, reinforcing existing hedgerows and tree rows / groups and boundaries and also new woodland planting to the south of the site improve connectivity between woodlands across the two parts of the SSSA and thus a comprehensive approach to habitat connectivity. In this respect it is satisfactory in terms of that part of Green Infrastructure. Therefore, the proposals are in accordance with the relevant provisions of Core Strategy Policies CS3 and CS18 and Development Principle L4 of the SPD.

## 16. Ecology and Biodiversity

- 16.1 The original application submission included documentation in relation to Ecology: the Baseline Ecological Appraisal; the Ecological Mitigation, Compensation & Enhancement Plan (drawing ref: 3962/MCE2); June 2023 and Environmental Statement (ES) Volume 1 Chapter 11. This was reviewed by the Council’s appointed Ecology Consultants (WSP) who suggested conditions to be imposed to agree matters prior to or at the reserved matters stage, as well as a short list of matters that needed further clarification. The latter were responded to by the Applicant as part of the

Amended Pack. The Council's Ecologist reviewed the ecological information in the Amended Pack in the context of the original submission and WSP's points of clarification and has responded and commented on all the issues. This report goes through each relevant issue in turn.

### ***Statutory Designated Sites***

- 16.2 The nearest statutory designated site is Greenham and Crookham Commons Site of Special Scientific Interest (SSSI) located approximately 1.6km to the east of the application site. In addition three European / internationally designated sites are located within 5km to the north of SPW – Kennet Valley Alderwoods Special Area of Conservation (SAC), Kennet & Lambourne Floodplain SAC and River Lambourn SAC..
- 16.3 The assessments regarding statutory designated sites within the Baseline Ecological Report and ES Chapter 11 considered there are unlikely to be any significant impact on those designated sites provided the mitigation measures proposed within the ES Chapter are implemented. As stated within the ES Chapter, appropriate mitigation measures should be detailed in a Construction Environmental Management Plan (CEMP) to be submitted and approved by the Local Planning Authority prior to any development commencing and can be secured by condition.
- 16.4 Notwithstanding this, WSP and the Council's Ecologist advise that the potential for increased recreational pressure at Greenham and Crookham Commons SSSI as a result of the development requires mitigation in line with Policy CS3 of the West Berkshire Core Strategy and Section 28 of the Wildlife and Countryside Act 1981 (as amended). The Ecologist considers that, whilst a Country Park is being provided as a policy requirement by Bloor Homes for the SPE development which will provide mitigation in regards to that development's impact on the SSSI, the Country Park is not being provided as part of the development proposed for this application. This highlights one of the issues associated with the lack a single application for the SSSA, which however as explained earlier is no longer a live issue. Therefore, if SPE is not built out and the associated Country Park not delivered, the development in this application for SPW would increase recreational pressure at Greenham and Crookham Commons SSSI. As such, the development proposed in this application at SPW is required to mitigate that impact on the Greenham and Crookham Commons SSSI.
- 16.5 The Council's Countryside Manager advises that a reasonable and proportionate commuted sum of £40k (equivalent to £4k x 10 years) is required to mitigate the impact on the Greenham and Crookham Commons SSSI from the development proposed in this application at SPW. That commuted sum is considered to represent a reasonable and proportionate contribution towards existing efforts to promote considerate access at the SSSI, which includes:
- Additional seasonal staff during critical bird breeding season
  - Updated and ongoing provision of interpretative materials, signs
  - Physical works on site, i.e. repairs to paths and car parking
  - Upgraded physical 'furniture' i.e. benches and bins
  - Existing ecological and habitant improvements relating to the robustness of the landscape and creating space for key species
- 16.6 The Applicant has agreed to pay the £40k commuted sum contribution to mitigate the impact on the Greenham and Crookham Commons SSSI from the development proposed in this application as part of the discussions on the Heads of Terms for a Section 106 Legal Agreement.

### ***Non-Statutory Designated Sites***

- 16.7 Brickkiln Copse Local Wildlife Site (LWS) is located within SPW and Gorse Covert LWS is located immediately adjacent to the east of the application site. There are a number of other non-statutory delegated sites LWSs present within 2km of SPW including the matrix of Ancient Woodlands at SPE.
- 16.8 The assessments regarding non-statutory designated sites within the Baseline Ecological Report and ES Chapter 11 are accepted. The ES Ecology Chapter, suggests appropriate mitigation measures should be detailed in a Construction Environmental Management Plan (CEMP) and a Management Plan produced for Brickkiln Copse. The latter should include details of who will be responsible for the enhancements proposed and ongoing monitoring and maintenance and how these activities will be funded in the long-term. The CEMP and Management Plan for Brickkiln Copse will be submitted to and approved by the Local Planning Authority prior to any development commencing and can be secured by condition. Brickkiln Copse is intended to be transferred to the Council upon completion of the development and it is proposed to address these matters via conditions and the Section 106 Legal Agreement.
- 16.9 The 15m semi-natural habitat buffer around Brickkiln Copse and Gorse Covert have been confirmed as measured from the edge of the woodland. This includes some pedestrian routes and if it proves unavoidable potential incursion by SuDS but always outside of any tree RPAs. These matters are conditioned. On this basis it is considered that there are unlikely to be any significant impacts on these designated sites.

### ***Priority Habitats***

- 16.10 There is no ancient woodland within the application site and subject to the conditions proposed in this report, WSP and the Council's Ecologist confirm that there are unlikely to be any significant impacts on Priority Habitats.
- 16.11 The proposals would result in the loss of a small traditional orchard comprising 7 apple and pear trees, the condition of which is reported to be of low biodiversity value, but still likely to qualify as a priority habitat. The Ecologist requires that this priority habitat is replaced on a like-for-like basis through provision of a small community orchard within the proposed open space. The adequate provision of that community orchard can be secured by condition.

### ***Baseline surveys***

- 16.12 The site has been subject to ecological survey in 2011, 2015-2016 and most recently by Aspect Ecology in 2019-2023. The Baseline Ecological Appraisal (Aspect Ecology, 2023) for the site draws upon the most recent surveys plus a review of the previous ecological survey work undertaken at the site. Overall, the level of baseline surveys are considered sufficient to make an assessment of the key ecological constraints and inform a robust assessment of the likely impacts of the proposed development. WSP advise that some of the surveys may need updating to ensure the data can be relied upon, as discussed below.

### ***Habitats on Site***

- 16.13 An extended Phase 1 survey was undertaken most recently in March/April 2023 and provides an acceptable level of detail to evaluate the Site. The Site was found to consist of grazed semi-improved grassland, improved grassland, amenity grassland,

broadleaved woodland, tree lines, hedgerows, scattered trees, traditional orchard, tall ruderal vegetation, continuous and scattered scrub, ponds, watercourse and wet flush, amenity planting, buildings and hard standing. These assessments regarding on-site habitats within the Baseline Ecological Report and ES Chapter 11 are agreed. Subject to the mitigation measures proposed within the ES Chapter being implemented (CEMP and Management Plan pre-commencement conditions), adequate mitigation and compensation are likely to be achieved.

## **Bats**

- 16.14 In relation to the original submission WSP advised that survey work has been undertaken variously between 2011 and 2023. The most recent external and internal inspections of buildings and external inspections of trees occurred in March/April 2023. However, the most recent activity surveys comprised two separate dusk emergence/dawn re-entry surveys of five of the buildings (B1a, B1b, B2, B16 and B17), undertaken between May and August 2021 and transect surveys with automated static detector surveys to investigate bat activity levels between May and September 2021.
- 16.15 Ecological survey data is typically considered valid for up to 18 months unless otherwise specified or subsequently reviewed (CIEEM, 2019). The activity surveys would therefore be considered out of date under industry guidelines. However, the updated inspections in 2023 and Phase 1 surveys are adequate to confirm that no material changes have occurred. Updated dusk surveys will need to be undertaken for a building at reserved matters stage.
- 16.16 The 2015-2016 surveys recorded the presence of roosts within buildings B1b and B2 during internal inspections, with evidence of exploratory behaviour in B16 and the 2021 surveys identified common pipistrelle roosts in B1a, B2 and B17. Evidence of bat presence, in the form of droppings, was found during internal inspections of buildings B1a, B1b, B2, B15, B17, B31 and B34. B17a and B35 were also recorded as having features suitable to support roosting bats. DNA analysis confirmed the droppings were from brown long-eared bat in all cases and B15, B17 and B34 were considered to support maternity roosts.
- 16.17 It is understood that B15, B34 and B35 will be retained and unchanged by the proposals, B1a, B1b and B2 will be renovated and B17, B17a and B31 will be demolished.
- 16.18 The outline of mitigation proposals within the ES Chapter are generally supported. However WSP asked for additional surveys and clarification in relation to surveyed buildings, roosts and lighting plan.
- 16.19 The Amended Pack includes updated bat surveys of the Warren Road properties (Including Warren House (B17) and Annex (B17a)) as well as of the carport adjacent to New Warren Farm House (B31) which are to be demolished). These were carried out between July and September 2023.
- 16.20 In addition, the cover letter to the Amended Pack includes a section on bats further to the additional surveys and accepts that as the application is in outline, there is maximum flexibility to make adequate sufficient provision for Brown-long-eared bats either through the creation of carports with dedicated loft voids and / or through the delivery of stand-alone bat building. It also confirms that most buildings (including B17 and B31) contain roosting bats, with the site containing a complex of bat roosts with maternity colonies for Brown-Long-Eared, as well as common pipistrelle and soprano pipistrelle. They accept that the proposals will require a detailed mitigation strategy and a licence from Natural England and suggest that the matter gets conditioned.

16.21 The Council's Ecologist has requested the provision of a minimum of 120 bat roosts (1 in 3) throughout the site including on buildings, on trees and within Brick Kiln Copse as part of the conditioned mitigation strategy. This would satisfy the requirement of Core Strategy Policy CS17 which states that 'all new development should maximise opportunities to achieve net gains in biodiversity' and will also likely reduce overall loss of habitat in the new design post-construction from the potential impact of residents 'tampering' with integrated biodiversity opportunities within the development. Overall, subject to the imposition of conditions the Ecologist considers that the development is capable of being carried out in a manner which does not have a detrimental impact on the favourable protection afforded to bats.

### ***Badger***

16.22 Badger surveys have been undertaken at the site since 2015, with the most recent occurring March/April 2023. It is considered that the level of badger survey has been sufficient. Little evidence of badger activity was recorded, with three sett entrances within the vicinity, all considered defunct, the only features of interest. Notwithstanding this, there is habitat suitable on site to support badger and the species is known for its mobility, meaning there is potential for areas of the site to be colonised at any time. The ES Chapter 11 recommends precautionary mitigation for the construction phase which should form part of a CEMP and pre-works badger surveys to determine if the status of badger on site has changed immediately before commencement of development. Provision of those are to be secured by condition.

### ***Hazel Dormouse***

16.23 Presence / likely absence surveys have been undertaken for hazel dormouse in 2015, 2019 and 2021 in accordance with best practice guidance. No evidence of dormouse was recorded in any of these surveys and the reports conclude hazel dormouse is likely absent from the Site. However, as the most recent survey was undertaken two years ago, this is now considered to have passed its validity date (CIEEM, 2019). The 2023 Phase 1 update survey confirmed that habitats present and use of the site has not materially changed. Given that the ecological data search returned a record of hazel dormouse within 0.48km of the Site, it is possible that this species could colonise the Site. As such, updated surveys should be undertaken to confirm their continued absence at the Site. However, these could be conditioned to be provided at reserved matters stage.

16.24 Dormouse is known to be present within Berkshire (though currently absent from the site). Specific enhancements can be delivered for this species, including increased understorey planting within Brickkiln Copse, diversification of woody species within the site to provide year-round supply of fruits and flowers, and erection of nest boxes within suitable habitat to enhance biodiversity. Those can be secured to be delivered by planning condition.

### ***Other Mammals***

16.25 The assessment with regard other mammal species is considered adequate. The standard good practice measures recommended within the ES Chapter should be included within a CEMP to be secured by condition.

16.26 The provision of cuts outs for hedgehogs within garden fences is supported, and can be secured to be delivered by condition.

## ***Great Crested Newts***

- 16.27 Habitat Suitability Index (HSI) assessments were undertaken of waterbodies within 250m of the Site following best practice guidelines (ARG UK, 2010). Most recently and eDNA sampling of five on-Site and off-Site ponds occurred in April 2023 within the correct survey window, following best practice methodology (Biggs et al, 2014). As such, it is considered that the level of great crested newt (GCN) survey has been sufficient.
- 16.28 Five ponds were assessed as 'Poor' and three 'Average'. All sampled negative for GCN DNA. Continued absence of GCN from these repeated surveys indicates their likely absence on Site. However, due to the Site being located within the red impact zone for GCN and the Site's connectivity to the wider countryside, update surveys at reserved matters stage should be undertaken to ensure that the Site does not become colonised in the interim and survey data remains 'in date' as per industry guidelines (CIEEM, 2019).
- 16.29 The precautionary working methods detailed in section 11.4.3 of the ES Chapter 11 under a Construction Environmental Management Plan should mitigate any potential effects the development could have on the species. As previously noted, the CEMP is to be secured via a pre-commencement condition.

## ***Breeding Birds***

- 16.30 The use of the site by breeding birds was assessed most recently over three visits in April, May and June 2021. During this survey, a total of 38 bird species were recorded, of which 25 were considered to be breeding on site. Breeding activity was mostly associated with the boundaries of the fields and Brick Kiln Copse and consisted of an assemblage largely typical of woodlands and gardens. Whilst the survey effort is considered to have been satisfactory to make an accurate assessment of breeding bird usage, it is over two years old and as such is considered out of date (CIEEM, 2019). However, the Phase 1 update surveys in 2023 confirmed the habitat has not materially changed since these surveys and therefore, it is considered that the bird usage will not have changed.
- 16.31 As stated within ES Chapter 11, vegetation clearance should be undertaken outside of the bird breeding season or following checks by a suitably experienced ecologist with species-specific buffer zones implemented where nests are found. These measures should be detailed in a CEMP required by pre-commencement condition.
- 16.32 The number and indicative locations of bird boxes/swift bricks on the Ecological Mitigation, Compensation and Enhancement plan should be increased to 180. The use of lbstock swift boxes has been highlighted. A range of other bird boxes to target a variety of species should also be used. Those matters can be achieved by a planning condition.

## ***Barn Owls***

- 16.33 Surveys undertaken in 2011 did not record any potential or confirmed nest sites, nor optimal foraging habitat. Discussions following the 2016 Phase 1 habitat surveys with West Berkshire Council scoped barn owl out from further survey. Furthermore, building and tree assessments did not record any barn owl presence. It is considered that the approach to scoping out barn owl is acceptable.
- 16.34 However, the Council's Ecologist advises that records from Thames Valley Environmental Records Centre (TVERC) and Hampshire Biodiversity Information



Centre (HBIC) show Barn Owl to be present in the local area, including the SSSA. Barn Owl Boxes can be placed in appropriate locations, such as the periphery of Brick Kiln Copse or on mature trees within hedgerows and provide biodiversity enhancement. The provision of Barn Owl boxes can be secured by condition.

### ***Reptiles***

16.35 Survey work undertaken in 2011 recorded no reptiles present on Site. However, a grass snake was recorded during the Phase 1 habitat survey on the eastern boundary of the Site. Discussions following the 2016 Phase 1 habitat surveys with West Berkshire Council scoped reptiles out from further survey. It is considered that the approach to scoping out reptiles is acceptable and the precautionary recommendations within ES Chapter 11 to be included within a CEMP are suitable.

16.36 However, the CEMP will also need to include provision for works pausing and the advice of an ecologist sought should any reptiles be observed on Site during vegetation clearance

### ***Invertebrates***

16.37 Survey work undertaken in 2011 found the Site to be of limited value for scarce and threatened invertebrate species. Discussions following the 2016 Phase 1 habitat surveys with West Berkshire Council scoped invertebrates out from further survey. It is considered that the approach to scoping out invertebrates is acceptable.

16.38 However The Council's Ecologist advises Stag Beetle is known to be present within Berkshire. As such, enhancements for this species can be delivered within the site. This would be primarily in the form of Stag Beetle loggeries within Brickkiln Copse and other suitable habitats. Such details and provision can be secured by condition.

16.39 Records from TVERC and HBIC include a range of priority butterfly and moth species. A full review of these species can be undertaken, and new planting within hedgerows, Brickkiln Copse and new areas of grassland can be specifically tailored to larval feeding requirements, in order to provide opportunities for such species. Such details and provision can be secured by condition.

### ***Invasive Non-Native Species***

16.40 Small amounts of Cotoneaster have been recorded throughout the site. Several species of cotoneaster are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). The ES Chapter recommends the production of a control strategy for invasive non-native species to be prepared. This is to be provided by a pre-commencement condition.

### ***Biodiversity Net Gain***

16.41 WSP raised the issue that the proposal has not shown how it will achieve a 10% net gain in biodiversity. The application does not include the BNG metric and is not seeking to deliver BNG, although it is seeking to deliver biodiversity enhancements. However, the Council's Ecologist has correctly advised that "*as the application was submitted prior to the 12<sup>th</sup> February 2024 there is no legal requirement for a BNG assessment or for a 10% net gain in biodiversity to be secured*". It is therefore not appropriate to seek BNG assessment as part of this application.

## ***Overall Ecology and Biodiversity***

16.42 Having considered all the documents and WSP comments and the Amended Pack content for this outline proposal on this allocated site, the mitigation and biodiversity enhancement conditions and the S106 mitigation contribution towards the SSSI, the Ecologist advises that despite any impacts there are no objections in principle on Ecology and Biodiversity grounds. It is considered at this Outline stage that despite any impacts the development on balance is still Core Strategy Policy CS17 compliant. It also is in accordance with the Sandford Park SPD provisions. It also reflects the biodiversity protection and enhancements at SPE, contributing to a comprehensive approach to the development of the SSSA.

## **17. Flooding and Drainage**

- 17.1 The Outline Drainage Strategy (ODS) submitted with the original application, was reviewed and commented on by the Council's appointed Drainage Consultants, which was supported by the Council's Drainage Engineer. The ODS is considered to be a fair assessment of the existing on-site drainage, adhering adequately to the necessary drainage policies and design standards as well as submitting almost all the documentation listed in WBC's SuDS Supplementary Planning Document. Nevertheless, there were some issues that needed clarification.
- 17.2 The Amended Pack seeks to address the points raised by the WSP consultee through a revised/updated FRA and Surface Water Drainage Strategy. The Cover letter confirms a number of those points.
- 17.3 The surface water runoff is generally proposed to be managed and disposed of using open water features such as ponds, basins and swales across the development. In order to address concerns over concentrated flows into Brickkiln Copse, the seepage infiltration will be mimicked by using shallow swale features discharging into the watercourse via the natural infiltration and overland sheet flow. This would replicate the existing hydrology on the site in terms of runoff rates and the mechanism by which the water enters watercourses in Brickkiln Copse, as requested by the Council's Drainage Engineer and Ecologist.
- 17.4 As detailed plans evolve at the reserved matters stages, opportunities will be sought for the use of permeable paving on parking courts, and raingardens or swales along highway corridors, as well as rainwater butts provided to all new buildings.
- 17.5 WSP and the Council's Drainage Engineer advise that the Amended Pack addresses all points of clarification satisfactorily. They recommend that a comprehensive CCTV survey of the existing highway drainage system along Warren Road is conducted to verify its capacity to accommodate water flows and the potential impact of urban creep evaluated. That CCTV survey, assessment and subsequent recommendations can be conditioned to be provided prior to development commencing.
- 17.6 Due to its topography, the overwhelming majority of SPW comprises a self-contained catchment area and therefore the proposal seeks to provide a surface water drainage solution that washes its face, without impacting on SPE and vice-versa, which in drainage terms contributes to dealing with the issue of surface water drainage satisfactorily and therefore comprehensively.
- 17.7 It is considered that the proposed development would not have an adverse impact on surface water drainage or flood risk, and surface water would be managed in a sustainable manner through the extensive implementation of SuDS as well as

providing other benefits such as biodiversity and amenity. Therefore, the outline proposal is Core Strategy CS16 compliant.

## **18. Open Space and Green Infrastructure**

- 18.1 The proposal will provide 4.81 hectares of usable public open space along with 1.41 hectares of SuDS spread around the SPW development area. In addition the proposal will retain Brick Kiln Copse, with a public access route to be created through it, which measures 1.75 hectares in area. The proposal will therefore provide a total of 7.97 hectares of open space on site, providing a considerable area of open space, accessible on foot and bicycle, with play areas and biodiversity mitigation and enhancements, compatible with wildlife conservation on site.
- 18.2 It is intended that the totality of the Open Space above will be transferred to the Council upon completion of the development for its future management and maintenance, subject to a Commuted Sum as part of the Section 106 legal agreement.
- 18.3 In addition the development will make financial contributions towards the provision and/or improvement of off-site sports facilities in the area/Newbury, including towards playing pitches, sport centres, swimming pools and bowls clubs to mitigate the impact of the development on local recreational facilities. That contribution would be secured as part of the s106 Legal Agreement.
- 18.4 Furthermore, as previously noted the development and requested by the Countryside Manager, the applicant will be making a proportionate £40k financial contribution in mitigation of the additional pressure onto the Greenham and Crookham Commons SSSI as a result of its recreational use by the future residents of the development. This goes some way towards addressing BBOWT's request. Those future residents will also be able to use the Country Park that will be provided at the adjoining SPE site as part of the SSSA.
- 18.5 The proposals make adequate provision to address the sports, leisure and recreational needs of the future residents of SPW in compliance with the requirements of the Open Space and Recreation saved policies RL1, RL2 and RL3 of the District Local Plan.
- 18.6 In addition the proposal will be providing improved links for pedestrians and cyclists through to the rest of the SSSA to the east and Andover Road to the west.
- 18.7 In conjunction with the provision of Public Open Space with play areas (3x LEAPs and 1x LAP), community orchard, SuDS, including wet features, and retention and protection of extensive woodland, trees and hedgerows on the site and also contributions towards outdoor sports and other recreation facilities off-site, the application also proposes additional reinforcement of existing green corridors on site and around the site boundaries. This comprises additional planting, a new 20m wide woodland buffer immediately to the south of the site providing a substantial green link between Gorse Covert and Brickkiln Copse, improving the connectivity for wildlife between Brickkiln Copse and the matrix of connected woodlands at the rest of the SSSA to the east.
- 18.8 The proposal on this allocated site would provide sufficient mitigation and enhancements for any loss of existing green infrastructure and it seeks to protect and enhance existing green infrastructure with improved green links to the existing infrastructure network and contributes to the comprehensive provision of open space and connectivity of green infrastructure across the SSSA.

18.9 The proposal is therefore acceptable in this respect and in compliance with Core Strategy Policy CS18 on Green Infrastructure and the associated objectives of the Sandlesford Park SPD and Policy SP10 of the emerging LPR.

## **19. Historic Environment (Archaeology)**

19.1 The Council's Senior Archaeologist advises that this application to develop this largely greenfield area has heritage implications, largely due to the unknown nature of the below ground archaeological resource. Some geophysical survey within the site boundary in 2012 revealed anomalies that may be of archaeological origin with below ground potential, although there are no known in situ heritage assets of archaeological interest, probably due to the lack of any previous intrusive fieldwork.

19.2 There have been several previous heritage assessments of the Sandlesford area; the refreshed Archaeological desk-based assessment by R P Heritage submitted with this application acknowledges that there may be remains present from the Roman, medieval and Civil War periods in particular, due to SPW being close to Wash Common, where the Battle of Newbury took place in 1643. Development proposals would be likely to have a substantial negative impact on any such deposits. A strategy to investigate this potential is sought by condition. Analysis and suggestions for mitigation are also provided in the Environmental Statement Chapter 9 – Archaeology and Cultural Heritage and these are agreed.

19.3 No in-principle objection to the proposal to develop this allocated site is raised by the Council's Archaeologist, but she has requested that the applicants commission a programme of archaeological investigation prior to, and possibly during, the excavation of the foundations of the development and any related groundworks such as for drainage, infrastructure and landscaping.

19.4 These investigations should take a phased approach, and a metal detecting survey may be the most appropriate initial technique, in order to record the possible presence of any Civil War activity. Systematic field-walking may also be applicable particularly for retrieving prehistoric finds, depending on recent land-use. Advice should also be sought from the Battlefields Trust, who recently produced guidance on battlefield investigation. Trial trenching would then confirm the presence or absence of archaeological remains and an understanding of their character. There may be other periods of human activity represented by below ground features and finds, and these will also require evaluating. Potentially, mitigation including some redesign of layout to allow for preservation in situ may be required where there is a high level of significance and substantial negative impact on below ground features. For heritage assets of lesser significance, excavation may be appropriate. Provision should therefore be made for the evaluation, recording, post-excavation analysis, publication and archiving of heritage assets of archaeological interest. The investigations can be adequately controlled by planning condition.

19.5 Early engagement over the scope of work for these investigations and results would be beneficial and appropriate. It would reduce risk and help focus the archaeological investigation if evaluation techniques could be undertaken as early as possible, and any prior liaison about the timing as well as the content of the specifications of work with the archaeologist is strongly recommended and would be welcome. Such an approach follows the guidance set out in the National Planning Policy Framework and is accordant with the requirements of Policy CS19 of the West Berkshire Local Plan (2006-2026) 2012.

19.6 The proposal is therefore acceptable in Archaeological terms subject to following the requirements of the suggested pre-commencement condition, which emulates the archaeological condition imposed on the SPE planning permission.

## **20. Historic Environment (Conservation)**

20.1 SPW consists primarily of fields and pasturelands, New Warren Farm and parts of Brick Kiln Copse, with fields defined by fences, tree groups and hedgerows. While there are no listed buildings on the site and there is no overlap with Conservation Areas, a number of listed buildings are adjacent or in proximity to the site. Therefore, the proposed development is considered through the site's contribution to the significance of these heritage assets and the development's impact on their setting.

20.2 The proposed development is to be accessed via a widened Warren Road, with emergency access through Kendrick Road. The average density is 37 dwellings per hectare, with buildings up to 2 and 2.5 storeys proposed to the periphery of the site and up to 3 storeys to the centre of the site and along the main access route. It is unclear whether the site was originally part of Sandford Priory's grounds, but mapping shows the site's historic agricultural use from the 18<sup>th</sup> Century (C18).

20.3 Alongside the outline planning application, an Environmental Statement was submitted, containing an Archaeology and Cultural Heritage section (including Chapter 9 Appendix 9.1: Archaeological Desk-based Assessment and Heritage Assessment). This appropriately identifies the relevant heritage assets within the proximity of the site, considers their significance and the contribution made by their setting, and their sensitivity to change, in line with NPPF and Local Plan policy, PPG and Historic England guidance.

20.4 Squirrel Cottage (or Kennell Cottage) is a Grade II listed building adjacent to the site, situated on the north of Kendrick Road, to the west of the site. The cottage is a single residential property, originally a pair of C18 alms-houses and formerly Kendrick's Charity. The Heritage Assessment appropriately considers the significance of the building as an illustration of local early alms-houses and the contribution of the site by providing historic rural context, limited by the modern residential development to the west. The proposed development sees a level of less than substantial harm to the cottage through the alteration of its setting, removing the historic rural context and visual connection to neighbouring fields and pastures. However, the impact of the development would be mitigated by retaining the existing planting and hedgerow to Kendrick Road and creating a green infrastructure 'buffer' between the Squirrel Cottage and the proposed dwellings. This is proposed as a meadow area with new trees, that will help shield the listed cottage from the development, mitigating against SPW's change in use from agricultural to residential.

20.5 Warren Lodge (Presbytery) is a mid-C19 farmhouse situated to the south of Warren Road and to the northwest of the main site. The Heritage Assessment identifies the building's significance as an example of Georgian domestic farmhouse vernacular with attractive architectural detailing. The presbytery has a car park to the rear, a converted barn with a modern extension (used as a chapel) to the northeast, front and side gardens to the south and west, a driveway, and modern housing surrounding. While the presbytery's visual connection with the fields and pastures to the south is mostly separated by existing planting, the setting still contributes towards the significance of the building through the provision of rural historic context. Although the existing trees and hedgerow running diagonally from Brick Kiln Copse towards Warren Lodge are retained, no additional planting is proposed as part of the original submission. The proposed development shows dwellings up to 2.5 storeys in close proximity to the boundary of the presbytery, resulting in a level of less than substantial harm to the

building. To mitigate against the site's changing use, it is advised that a 'buffer' with increased planting is proposed to the site boundary, to the south of the presbytery, in line with Local Plan Policies CS 14 and 19, which seek to conserve and enhance historic assets (including their setting). It is noted that the Amended Pack has proposed additional planting on the south boundary of the Presbytery, reinforcing the existing planting, and increasing the visual separation between Warren Lodge and the proposed housing development. This accords with the NPPF (para 195) which looks to avoid or minimise any conflict between a heritage asset's conservation and a proposal. This will mitigate the less than substantial harm to the setting to a certain extent.

- 20.6 Additionally proposed is the demolition of Warren House (and ancillary building). This has scope to enhance the setting of the presbytery (supporting Local Plan Policy CS 19) by increasing the visual connection between it and Park Cottage, noted as likely having historic association with Warren Farm, restoring a historic visual connection between the buildings. However, the submitted drawings do not show a proposal for the Warren House plot, therefore an indicative proposal for the treatment of this area is needed. This should be required to be submitted pre-commencement by condition. Soft landscaping would be strongly encouraged to create a soft boundary between the widened Warren Road and the presbytery, but to allow co-visibility between it and Park Cottage.
- 20.7 The Grade I listed Sandleford Priory and its Grade II listed Registered Park and Garden are considered in detail in the Heritage Assessment. While the site forms part of the wider setting for these two heritage assets, the development is considered appropriately screened through the retention of large areas of tree cover. Furthermore, in the appeal of the adjoining SPE site, the Secretary of State found that, while there was harm to the character and appearance of the landscape, the proposed development limits harm to the listed Sandleford Priory and RPG, SPE being closer to the Priory than SPW. The other heritage assets mentioned in the Heritage Assessment, are considered to be appropriately screened from the proposed development.
- 20.8 The proposed development primarily affects the setting of two Grade II listed heritage assets – Squirrel Cottage and Warren Lodge (Presbytery). The change in use of the site from agricultural to residential results in a loss of historic rural context to both buildings, which currently contributes to their significance, resulting in a level of less than substantial harm. This harm should be weighed against the public benefits of the proposal, such as the provision of housing (in line with NPPF para 208).
- 20.9 The loss of context is in some part mitigated in the case of Squirrel Cottage, through the creation of a 'buffer' area with increased planting, reducing the visual connection between the cottage and the proposed residential development. This approach has also been taken with the Warren Lodge Presbytery. It is generally more protected through its existing planting, with the additional planting mitigating the impact of 2.5 storey dwellings close to the site boundary. The additional tree cover will mitigate against the change of use at least in part. Similarly, no proposed treatment is shown to the Warren House site which is to be demolished and has the potential to enhance the existing setting to Warren Lodge and Park Cottage through co-visibility. This will be addressed at reserved matters stage.
- 20.10 The proposal therefore mitigates against, if not all, at least most of the potential impact on the setting of heritage assets. In this respect there may be some small scale residual unmitigated less than substantial harm to the setting of Warren Lodge, while there is potential for enhancement to its setting through improved co-visibility with Park Cottage. Overall it is considered that the proposal would not significantly harm heritage

assets, in compliance with Core Strategy policies CS14 and CS19. However, any residual impact will be assessed under the NPPF para 206 test later in this report.

## 21. Contaminated Land

21.1 The Environmental Health Officer has considered this application and notes that the proposed land use of residential with gardens is a sensitive land use. As such, the Environmental Health Officer seeks to secure by planning condition a phase 1 desktop study for each development phases, and full details of remediation if required, which reflects the condition imposed at SPE, providing a comprehensive approach across the SSSA.

## 22. Minerals

22.1 The adopted Sandleford Park Supplementary Planning Document confirms, at paragraph 30, that: “*The Sandleford Park site is an area known to contain sand and gravel deposits*”. The application site is also within a Minerals Safeguarding Area identified in the West Berkshire Minerals and Waste Local Plan (MWLP) Policies Map. Mineral Safeguarding Areas are areas where there are known deposits of minerals and therefore, safeguarding them from sterilisation by non-mineral development should be considered.

22.2 The West Berkshire Minerals and Waste Local Plan (MWLP) (adopted December 2022) includes Policy 9 which relates to Minerals Safeguarding Areas and is therefore relevant to the Sandleford Park development.

22.3 MWLP Policy 9 states that:

*Non-mineral development in Minerals Safeguarding Areas or affecting Minerals Safeguarded Infrastructure may be considered acceptable in the following circumstances:*

- *d. The proposal would not prejudice or detrimentally affect the extraction of underlying minerals resources, or the operation of a planned or existing mineral extraction site, or the operation of potential, planned or existing minerals associated infrastructure; or*
- *e. It can be demonstrated that the underlying mineral is of no economic, or potential economic value, or that the mineral could not be extracted from the site for other valid planning reasons; or*
- *f. Where a mineral resource underlies a prospective development site and prior extraction, or partial prior extraction of the mineral resources can be undertaken in advance of, or as part of, the proposed development; or*
- *g. It can be demonstrated that the need for the proposed development outweighs the need to conserve the minerals resources, or maintain the operational capability of the minerals associated infrastructure; or*
- *h. The proposed development is aligned with the specifications for a site allocated within an adopted local plan or neighbourhood plan, and the allocation was considered in light of this safeguarding policy.*

22.4 Previously the approach to applications for development within the SSSA was on the basis of evidence that there were no objections on the grounds of mineral safeguarding, subject to the imposition of a condition requiring incidental extraction.

22.5 The current application is supported by a Mineral Resource and Safeguarding Assessment (May 2023), informed by the same site investigation groundworks as the

2017 Mineral Resource and Safeguarding Assessment, and a GeoEnvironmental Report (May 2023) by Enzygo Geo Environment. The current Mineral Resource and Safeguarding Assessment (MRSA) does not estimate the extent of minerals on the site (although this has previously been estimated at 220,000 tonnes), but the MRSA does conclude on the suitability of the material for construction use: *'Generally, most of the soils tested were found to be unsuitable for reuse as either engineered fill in construction, due to the high fines content or for aggregate in concrete.'* However, nine samples were quantified as suitable for either use as a sub-base, capping, or in concrete, demonstrating a useable mineral resource. The MRSA concludes that incidental extraction of the mineral resource would be feasible at the site.

- 22.6 The fundamental approach to mineral safeguarding remains unchanged in this application from the original and subsequent applications to which no mineral safeguarding objections were raised, pending the implementation of a condition requiring incidental extraction. This reflects the minerals condition imposed in the SPE appeal decision providing a comprehensive approach across the SSSA. Therefore, it is proposed that the same approach is utilised in this case, and a condition requiring incidental extraction is imposed. On that basis, the proposal is considered to accord with Policy 9 of the MWLP.

## 23. Education

### *Primary Education*

- 23.1 The previous application for Sandleford Park West (SPW) included on-site provision for primary education, and this has been the basis of all previous communication and discussions with the applicant over the last decade. In addition, a Memorandum of Understanding between the two developers, dated May 2020 and submitted as evidence as part of the SPE Public Inquiry, covering both parts of the SSSA (SPE and SPW) includes a commitment for a new primary school to be included on the SPW site.
- 23.2 This application for up to 360 homes, represents a modest 18% reduction to the 440 units proposed previously (not including the 60 extra care units out of the 500 which would not give rise to the need for any school places). It is no longer proposed to provide a school at SPW as part of this application. This appears to be on the basis that the impact created could be mitigated by existing school provision in Newbury.
- 23.3 The proposal for up to 360 mixed dwellings would generate a primary child yield in the region of 135 pupils. This would equate to around 19 children per year group. This impact would sit between a full single form (30 children per year) and half form (15 children per year) of entry and does not lend itself to a stand-alone school, nor would it be an easy number to absorb into local schools.
- 23.4 Core Strategy Policy CS3 makes reference to a new primary school to serve the Sandleford allocated site, but that dates back to 2009/10 evidence. Subsequently the Education Service has provided evidence that the impact of 1500 homes was best met across two primary school sites, one to the east and one to the west. This was based on updated child yield analysis following the adoption of the policy, to mitigate the site being delivered by more than one single application and to reflect sensible school place planning in terms of integrating new schools into new communities. This was addressed with both developers during discussions over the last decade and resulted in the previous applications for both SPE and SPW proposing primary school provision on each site.



- 23.5 At present there are places across Newbury in the infant year groups, as cohort sizes have reduced. However, there has been significant in-year movement into the primary year groups and there is limited or no capacity in junior year groups. In the current Year 3 & 6 cohorts children have been transported to Thatcham to access school places and in the Year 3 cohort there is also increased pressure by a further 15 places. These particular year groups have been under pressure for several years, and the transition from Infant to Junior (Year 2 – 3) seems to create particular pressure for places.
- 23.6 The location of the development could impact on existing families and their relationships with local schools. The development is in the catchment area of Falkland Primary School and sits more closely than some existing housing. This could result in existing families being unable to access their catchment school, despite previously having had a reasonable expectation that they would be able to do so. Depending on choices made and availability of places this could create a transport burden either for the families or for the Council. There is therefore no certainty that the impact of the development could be fully absorbed by the existing situation at local schools and there is potential for the development to have a negative impact on / cause harm to families already resident in the area.
- 23.7 Based on these factors it is anticipated that the development will create a demand for places over its lifetime and that mitigation will be required as a result. As mitigation is not proposed to be provided on site, then alternative options will need to be considered.
- 23.8 There is the potential to expand Highwood Copse Primary School, subject to agreement by the academy trust. There is also the potential to look at expansion of other local schools in south Newbury, but again this will need agreement and would be dependent on timing, and cohort numbers at the time. These options are available to be pursued and would enable the impact of the development to be mitigated and would reduce any potential impact on existing families, that no mitigation may create. These options also afford flexibility in when and how the impact is mitigated. The Education Service advises that it is expected that costs associated with a mitigation project would be met by CIL at that time.

### ***Secondary Education***

- 23.9 The previous application for SPW included provision for land (1.7ha) on site for the secondary catchment school (Park House School), as well as financial contributions towards the mitigation project developed in conjunction with the applicant. This application as originally submitted did not include land or contributions, despite the number of dwellings likely to accommodate children being reduced by only 18% upon the previous application. The previous application included 440 dwellings and 60 extra care units .
- 23.10 A feasibility study was developed to mitigate this impact on the secondary catchment school, which is located next to the development site. This was developed jointly with the applicants (Donnington New Homes), the school, the Council and the SPE developers (Bloor Homes). The feasibility study was intended to mitigate the impact of the entire Sandleford allocated site and to provide a holistic mitigation solution. The solution was developed with phases linked to occupations and each phase delivers a part of the overall infrastructure plan at the school. Each phase is necessary to deliver the solution in its entirety. This plan was then fully costed and was planned with S106 contributions split across the phases and between the developers. The feasibility study was based on an impact of 57 pupils from the SPW site, from 440 dwellings (reduced from 500, by reference to the 60 extra care units).

- 23.11 The dwelling mix used to generate the anticipated yield in this case was the Council's mixed development calculator, which is reflective of a medium density development. Using this calculator the SPW scheme of 360 dwellings is anticipated to yield around 60 secondary age pupils. The impact is therefore very similar to that considered as part of the feasibility study for Park House School.
- 23.12 The feasibility study solution was costed at £9.6million (which will need to be index linked). The SPE element of the project will cost £5.9million and will deliver the majority of the planned accommodation. Phase 4 of the project is intended to provide mitigation for the SPW part of the allocated site at a cost of £1.57 million. The remaining phase was for the Council to fund, to provide mitigation for children from a cumulative amount of other development within the catchment area. The feasibility scheme provides a cohesive strategy for mitigating the entire SSSA and has been well considered.
- 23.13 In discussions with regard to the Heads of Terms of the Section 106 Legal Agreement the Applicant has indicated that they will pay the full Secondary Education contribution requested in mitigation of £1.57m. This will be secured through a section 106 Planning Obligation.
- 23.14 There are therefore no objections to the proposal from an Education perspective, as the impact of the development can be adequately mitigated subject to S106 contributions. As such, the proposal accords with Core Strategy Policy CS3 and the requirements of the Sandford Park SPD and the proposal will make its contribution to the comprehensive feasibility scheme also contributed by the SPE.

## 24. Sustainable Development and Renewables

- 24.1 Core Strategy Policy CS15 outlines the requirement for major developments to achieve zero carbon emissions from renewable energy or low/zero carbon energy. *"...Renewable Energy - Major development shall achieve the following minimum reductions in total CO2 emissions (regulated and unregulated energy use) from renewable energy or low/zero carbon energy generation on site ... unless it can be demonstrated that such provision is not technically or economically viable. The percentage reductions in CO2 emissions should be based on the estimated CO2 emissions of the development after the installation of energy efficiency measures... Residential Development:... from 2016: Zero Carbon...Footnote 74 Requirements for zero carbon in line with stated Government aspirations, which maybe subject to change"*.
- 24.2 Policy CS14 Design Principles states *"New development must demonstrate high quality and sustainable design that ... 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 in which it functions... All developments will be expected to minimise carbon dioxide emissions through sustainable design and construction, energy efficiency, and the incorporation of renewable energy technology as appropriate and in accordance with Policy CS15"*.
- 24.3 One of the parameters for Sandford Park within Policy CS3 requires that to the development will the *"generation of on-site renewable energy"*.
- 24.4 Sandford Park SDP Strategic Objective 13 requires *"to deliver the development on site in a way that maximises the potential for carbon reduction, sustainable construction and renewable energy generation"*. Also Development Principle R1 of that SPD expects the development of the SSSA and therefore of SPW, *"to fully exploit the latest sustainable construction techniques together with 'building embedded'"*

*technology (such as photo-voltaic roof panels) in order to minimise the use of resources, maximise efficiency and reduce both carbon emissions and energy consumption, whilst delivering a high quality development that meets the policies (specifically CS15) and objectives of the West Berkshire Core Strategy". The SPD goes on to say that "due to Sandleford Park's inclined south facing orientation, greenfield status and scale, there is significant potential to deliver an exemplar site regarding carbon dioxide reduction in the form of renewable energy generation and sustainable construction standards".*

- 24.5 The NPPF is a proponent of sustainable development and states (para. 157) that *"the planning system should support the transition to a low carbon future in a changing climate. ... It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions ... and support renewable and low carbon energy"*.
- 24.6 The Council has adopted the West Berkshire Environment Strategy 2020-2030, the delivery of which it considers *"has been accelerated as a result of the Council declaring a Climate Emergency in July 2019 and committing to the creation of a strategic plan to work towards carbon neutrality in the district by 2030"*.
- 24.7 The SPE appeal decision is material to the assessment of this application. The Inspector considered that (para. 16.198) *"in terms of carbon emissions, the most important policy is CS 15 which seeks to achieve zero carbon in new developments from 2016. The footnote to the policy explains that this is in line with stated Government aspirations, which may be subject to change. There have been a number of changes since the adoption of the Core Strategy"*.
- 24.8 The SPE appeal Inspector refers to the Government's *"UK Net Zero Strategy in October 2021 which sets out how the commitment to reach net zero emissions by 2050 would be delivered... there can be little doubt that the Government has an aspiration to move toward zero carbon homes"* and refers to the NPPF aspiration mentioned above (para 16.203).
- 24.9 In addition to the appellants' proposal for fabric first approach and other measures to reduce carbon emissions the Inspector considered that the decision cannot be "other than in accordance with the development plan" and supported the Council's suggested condition which required *"a low carbon or zero carbon energy scheme"* (para 16.204). The Council's stated reason for the condition was *"to ensure the delivery of adequate renewables, reduce the impact on climate change, contribute to the reduction of CO2 emissions and deliver a carbon neutral residential development. This condition is imposed pursuant to the National Planning Policy Framework, Policy CS3, CS14 and CS15 of the West Berkshire Core Strategy 2006-2026, the Sandleford Park SPD and the West Berkshire Environment Strategy 2020-2030"*.(from the Council's list of suggested reasons at the appeal).
- 24.10 The appeal Inspector considered (para 16.207) that *"the appeal proposal represents one of the largest schemes within the District, and therefore the consequences of failing to impose a low or zero carbon condition would undermine the Council's efforts in relation to climate change as well as the plan-led system"*.
- 24.11 The emerging LPR 'Policy SP5 requires that all development should contribute to West Berkshire becoming and staying carbon neutral by 2030, reinforcing the approach to ensure developments are zero carbon.
- 24.12 The Council's Principal Environment Delivery Officer and the Energy and Carbon Manager advise that notwithstanding the Applicant's Energy Statement, there are no objections to the proposal in principle but the development should be policy CS15 compliant and deliver zero carbon housing. This matter can be addressed by condition similar to that imposed at the appeal, requiring that reserved matters for each phase

submit details and updated calculations demonstrating continued compliance with Policy CS15 of the Core Strategy.

## **25. Loss of Agricultural Land and Impact on Soils**

- 25.1 Paragraph 180 of the NPPF states that planning decisions should contribute to and enhance the local and natural environment by recognising inter alia the economic and other benefits of the best and most versatile (BMV) agricultural land. The NPPF defines best and most versatile agricultural land as land in Grades 1, 2 and 3a of the Agricultural Land Classification (ALC).
- 25.2 The assessment of the impacts on agricultural land and soils (ES Chapter 12) prepared by Tetra Tech outlines that the agricultural land at WSP was assessed as falling within Grades 3 to 4 of the ALC. The majority of SPW is classified as Subgrade 3b (moderate quality land), with the potential for Subgrade 3a (good quality land) to be present. Thus there is only small potential for BMV land at SPW
- 25.3 It is agreed with the ES that direct mitigation compensation for the loss of agricultural land is not practicable within the development area. However, following removal of vegetation, the existing topsoil will be stripped and stored in stock piles no more than 2m high, for future use in landscaped areas, or sold for suitable re-use off-site. The top soil integrity can be preserved in accordance with The Construction Code of Practice for the Sustainable use of Soils on Construction sites, required by condition.
- 25.4 The limited extent of BMV is considered to result in only limited negative impact, to be considered in the context of the planning balance.

## **26. Community Facilities**

### ***Education***

- 26.1 The Issue of education has been dealt with earlier in this report.

### ***Health Care***

- 26.2 Regarding health care, the SPW development will make a reasonable and proportionate Section 106 contribution of £187,500 towards primary health care facilities, either through the expansion of Falklands Surgery or the provision of primary health care facilities elsewhere in the local area, as per the request of the Buckinghamshire, Oxfordshire, Berkshire Integrated Care Board, who consider this acceptable.

### ***Local Shops and Services***

- 26.3 The future residents at SPW will have access to local shops and services in Wash Common but also to the shops and the Community Centre at the nearby Local Centre to be developed in Development Parcel Centre as part of the SSSA and approved by the SPE appeal decision.

### ***Sports facilities***

- 26.4 The SPW development will also make a financial contribution of £437k under the Section 106 legal agreement towards the provision / improvement of existing/future

off-site sports facilities (playing pitch, swimming pool, sport centre and bowls) in the local area/Newbury as requested by the Council's Leisure Service and suggested by Sport England, to their satisfaction.

### ***Waste Collection***

- 26.5 The Council provides a curtilage collection of refuse and recycling and its contractors are not expected to access private land, including car parks, private roads and shared drives. Bins and recycling containers should be placed for collection with 25 metres of the public highway for standard wheeled bins and 10 metres where bulk 1100 litre and 660 litre bins are to be provided in communal bin stores. Provision for refuse and recycling collection vehicles to adequately turn on adopted public highway on site will have to be made at Reserved Matters Stage. If any dwellings in the development are not served by an adopted public highway, a waste management plan shall be submitted for approval and subsequent implementation for those properties at reserved matters stage. These matters to be dealt with by way of condition/s.

### ***Community Facilities Planning Obligations***

- 26.6 The proposed development will make an acceptable provision and/or proportionate level of Section 106 contributions towards the provision of local community facilities in mitigation along with those required to be made by the approved Section 106 Unilateral Undertaking to the SPE development and to provide services for the future residents of the development in accordance with Core Strategy Policy CS5 and the provisions of the Sandleford Park SPD. This contributes to the comprehensive approach to the development of the SSSA and the timely delivery of the necessary infrastructure.

## **27. Air Quality**

- 27.1 In response to the original submission the Environmental Health service advises that the number of proposed dwellings and car parking spaces exceeds the Stage 1 Criteria as outlined in the 2017 EPUK/IAQM Guidance "Land-Use Planning & Development Control: Planning For Air Quality" triggering the need for further consideration of the proposed development and the likelihood of air quality impacts.
- 27.2 An Air Quality Assessment by Tetra Tech (Air Quality Assessment Report Ref: 784-B023397 dated 26th June 2023) has been submitted with the application, which assesses the operational road traffic emissions and construction dust impacts of the proposed development. The construction phase assessment utilises the IAQM Guidance on the Assessment of Dust from Demolition and Construction document published in February 2014 and has evaluated the potential effects during the demolition and construction phases, including fugitive dust emissions from site activities such as demolition, earthworks, construction and trackout. The potential impact significance of dust emissions associated with the development, without mitigation, has been determined as 'Medium' for demolition and 'High' for earthworks, construction and trackout. Appropriate mitigation measures are detailed and presented in Section 7.0 of the report. Following the adoption of these measures, the subsequent impact significance of the construction phase is not predicted to be significant. The mitigation measures outlined in Section 7.0 to control dust emissions during development must all be adopted and included in the final CEMP for the site.
- 27.3 The operational phase assessment has identified road traffic as the dominant emission source that is likely to cause potential risk of exposure of air pollutants at existing and proposed receptors. The operational phase assessment therefore consists of the

quantified predictions of the change in NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> for the operational phase of the development due to changes in traffic movement. Predictions of air quality at the site have been undertaken for the operational phase of the development using ADMS Roads. All modelled proposed residential receptors are predicted to be below the annual average AQO for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>, and the impact description of the effects of changes in traffic flow as a result of the proposed development, with respect to NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> exposure, is determined to be 'negligible' at all existing receptors. The report therefore concludes no further mitigation is required. The assessment and its conclusions above are accepted but only if the predicted traffic data are accepted by the Highways Officer.

- 27.4 The model has been re-run with updated traffic data submitted as part of the Amended Pack. The results with both "do something" scenarios show that impacts are negligible or slight adverse or slight beneficial, but up to 1% change, which is imperceptible and in no case is the predicted exposure level at the new proposed receptors above the health-based air quality objective limit. The Environmental Health Officer advises that there continue to be no Air Quality concerns or objections to the proposed development. The proposal is in accordance with relevant Core Strategy Policy CS13 requirement and the emerging LPR provisions.

## **28. Noise**

- 28.1 The Noise impact of the proposed development has been assessed and reported in Chapter 6 of the ES as originally submitted and it was reviewed to inform the ES Addendum (Chapter 8) forming part of the Amended Pack, to identify whether there is the potential for the minor scheme changes, which the Amended Pack deals with, to affect the outcome of the previous technical assessments.

### ***Construction Phase Noise***

- 28.2 The results in the original ES submission show the predicted construction noise levels at all receptors are within the 70 dB(A) noise level limit. All receptors are within the No Observed Adverse Effect Level (NOAEL). The magnitude of impact is assessed as Minor, with the sensitivity of the receptors assessed as High. Therefore, the effect will be Moderate Adverse and therefore Not Significant. Similarly the Addendum did not find any significant difference in this respect and the Environmental Health Officer raised no concerns in this respect.

- 28.3 Nevertheless, it is understood from the ES that construction will be undertaken in phases and noise control measures will be defined within a suitably worded Construction Environmental Management Plan (CEMP) to be submitted and approved by the Council via an appropriately written planning condition. Some examples of obvious typical measures to minimise any noise disturbance during construction are suggested by the ES and to be conditioned accordingly. These are:

- Leaflet drops at all existing houses likely to be affected by noisy construction activities notifying them of works in advance and detailing the nature of works and their likely duration;
- Careful selection of working methods and programme;
- Selection of quietest working equipment available (e.g. electric/battery powered equipment which is generally quieter than petrol/diesel powered equipment);
- Where appropriate, positioning equipment behind physical barriers, i.e. existing features, hoarding, etc., or provision of lined and sealed acoustic covers for equipment that could potentially contribute to a noise nuisance;

- Positioning of noise generating equipment, such as any generator plant in areas which minimise noise as far as practicable;
- Ensuring that regularly maintained and appropriately silenced equipment is used;
- Shutting down equipment when not in use, i.e. maintain a 'no idling policy';
- Switch all audible warning systems to the minimum setting required by the Health and Safety Executive;
- The use of 'White' noise hazard reversing alarms on all site vehicles;
- Restricting hours of site operation in agreement with the Local Authority. If there is the requirement to undertake work outside of the agreed hours, further consultation should be undertaken with the Local Authority;
- All plant and site vehicles should be correctly maintained to ensure that optimum running operations are maintained to reduce the likelihood of additional operational noise due to disrepair (i.e. lubricants and filters).

### ***Operational Phase Noise***

28.4 With regard to operational phase noise to existing users, both the original ES and the Addendum report that in terms of road traffic the magnitude of change at the majority of receptors was found to have no more than a Moderate effect. This level of effect is considered to be Not Significant.

#### *Noise in Warren Road*

28.5 At the receptor locations along Warren Road, the change in noise level due to the increase in traffic, as a result of the changing nature of Warren Road from a cul-de-sac to an all-vehicle access to the SPW development and the SSSA, will result in a Moderate to Major adverse magnitude of change. This magnitude of change when considered against High sensitivity (residential) receptors would be a Moderate-Major or Major significant effect. This level of effect is considered to be Significant.

28.6 However, when considering whether the final significance of effect is Significant or Not Significant, absolute sound levels need to be considered as required by the guidance. Along Warren Road these are all assessed to be below the Significant Observed Adverse Effect Level (SOAEL) of 68 dB and are within the Low Observed Adverse Effect Level (LOAEL), the highest predicted level being 66.4 dB along Warren Road. Thus, notwithstanding the change effect, when the absolute noise levels are taken into account the significance of effect is concluded to be Minor as a result of the future traffic along Warren Road along Warren. This effect is considered to be Not Significant. The Environmental Health Officer has raised no concerns on this matter.

#### *Glazing and ventilation strategy*

28.7 Further to the results of the noise assessment the ES recommends mitigation measures to reduce on-site levels at noise sensitive locations (residential properties within SPW in close proximity to the MUGA at Park House School as well as from traffic noise from the main access road through the development) will be taken into account in the final design of Sandleford Park West. These measures include the orientation and shielding of buildings and/or fences to protect the noise sensitive location (residential properties). It is likely that double glazing would be sufficient mitigation along with alternative means of ventilation to facades. Environmental Health has suggested a condition to this effect.

## **29. Residential Amenity**

- 29.1 The issue of noise during construction vis-à-vis residential properties is addressed in the section above. In addition, a condition requiring a detailed construction method statement, including hours of delivery and hours of works, will also deal other potential types of emissions from the site during construction.
- 29.2 It will be conditional on any permission to ensure that the works on Warren Road do not impede continued access to all the existing properties accessed via the Warren Road corridor at all times, including those on Warren Road, Sunley Close, the Presbytery and Church and its visitors/congregation and the two properties accessed from within New Warren Farm.
- 29.3 In addition, the demolition of Warren House and the other building on that site and the repair / replacement on that site will have to be carried out with regard to safeguarding the amenities of its neighbours. This will be addressed at reserved matters stage.
- 29.4 The submitted illustrative Masterplan indicates the possible layout and format of the future development of New Warren Farm, which will be governed by the submitted suite of Parameters Plans (as amended) to be conditioned for substantial compliance with.
- 29.5 Issues of potential impact on residential amenity of neighbouring properties will be addressed as part of the reserved matters applications.
- 29.6 In particular there are no concerns in respect of any impact on residential amenity of the future dwellings in the adjoining Development Parcel Central of the approved outline permission at SPE.
- 29.7 At Reserved Matters stage, care will need to be had to safeguard the residential amenities of the existing adjoining properties to the west, particularly to ensure that there is no adverse impact in terms of their prospect, outlook, sense of enclosure, daylight, sunlight, overlooking, privacy, boundary treatment, landscaping, character and visual quality. SPW is a large development site that the site can be developed in accordance with the minimum standards set out in adopted and emerging policies and Supplementary Planning Guidance.
- 29.8 In addition Reserved Matters will ensure that the development delivers a layout and homes with a satisfactory level of residential amenity.
- 29.9 All the above will ensure there is no harm to residential amenity of both existing and future properties, providing a satisfactory quality of life to existing and prospective residents in accordance with Core Strategy Policy CS14.

## **30. Design**

- 30.1 The NPPF attaches great importance to the design of the built environment, and securing high quality design is one of the core planning principles of the NPPF.
- 30.2 Core Strategy Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area.
- 30.3 Core Strategy CS3 requires the SSSA to deliver a high quality development.



- 30.4 Core Strategy Policy CS4 expects residential developments to contribute to the delivery of an appropriate mix of dwelling types and sizes, having regard to the character of the surrounding area, the accessibility of the location and housing need. They will make efficient use of land with greater intensity of development at places with good public transport accessibility. In the areas outside town centres, new residential development should predominantly consist of family sized housing, achieving densities of between 30 and 50 dwellings per hectare and should enhance the distinctive suburban character and identity of the area.
- 30.5 Core Strategy Policy CS14 requires that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area and makes positive contribution to the quality of life in West Berkshire. Good design relates to the appearance of the development and also the way it functions. Considerations of design and layout must be informed by both the immediate area and the wider locality, including local distinctiveness and sense of place and lists a number of expected design parameters and principles.
- 30.6 The Sandleford Park SPD provides a framework for the SSSA and its central principle to achieve a comprehensive development and secure timely provision of infrastructure while deliver its vision and strategic objectives of a sustainable urban extension to the south of Newbury providing a desirable place to live with good access to shops and services. It sets out a number of Urban Design Principles that reflect the parameters of Policies CS3 and CS14 and include creation of a series of streets and spaces and public realm accessible to the whole community, with good permeability, connectivity, legibility and adaptability. It identifies a number character areas, with more detailed design principles and street typology for each. The central framework plan identifies SPW as a development area, with the exception of Brick Kiln Copse.
- 30.7 The Council has adopted Quality Design SPD which provides detailed design guidance. Part 1 of the Quality Design SPD sets out key urban design principles. Part 2 of the Quality Design SPD provides detailed design guidance on residential development. Part 3 of the Quality Design SPD provides a residential character framework for the prevailing residential developments in the district.
- 30.8 The SPE Appeal Inspector concluded that in relation to such an outline *proposal* “a Design Code condition is necessary to ensure that the proposal will be of a high-quality design”. In response to concerns that “the suggested condition fails to ensure consistency with the Sandleford Park West scheme”, the Inspector considered that “the consistency and compatibility of the two sites in terms of design and layout could be achieved by the imposition of a similar Design Code condition on any permission granted in respect of Sandleford Park West, and it would be for the Council when discharging the conditions to ensure that the adjacent neighbourhood areas would be consistent and compatible with each other” (IR para. 15.7) and that “a condition in relation to Secure by Design is unnecessary, since this matter would be addressed by the Design Code” (IR para. 15.51).
- 30.9 The SPE appeal Inspector considered that “the layout and design proposed closely follows the principles and Masterplan Framework within the Sandleford SPD in terms of the location of built development and pedestrian and access routes within the site. No evidence was submitted to suggest that the Council propose to revise or alter the Sandleford SPD” (IR para. 16.48)
- 30.10 The SPE Appeal Inspector continued that “the suggested conditions include a design code, a landscaping scheme, protection for the woodlands, the design and management of the Country Park, and measures to protect the trees and hedgerows during construction. Subject to compliance with these conditions there is no reason why a high-quality residential environment could not be delivered” (IR para. 16.87).

- 30.11 The SPE Appeal Inspector also agreed *“with the Council that the MOU is not binding. Nevertheless, there are planning applications for both parts of the allocation. The combined plans show how both sites could be developed. The layout, design, access, woodland and arboricultural impacts are all matters that can be controlled by the Council as part of its assessment of the DNH site. The mechanism of a Design Code would allow for the physical and visual integration of both sites”*. (IR para. 224)
- 30.12 In allowing the SPE appeal (Decision Letter DL para 18) *“the Secretary of State (SoS) agrees with the Inspector that the proposal will alter the character of the landscape. He agrees that whilst this cannot be considered to be a positive change, this is an allocated site and development will be located within the areas indicated by Policy CS3 and the Sandleford SPD.... The Secretary of State agrees that subject to compliance with conditions, including a design code, a landscaping scheme, protection for the woodlands .... and measures to protect the trees and hedgerows during construction, there is no reason why a high-quality residential environment could not be delivered”*.
- 30.13 The SoS in para 43 of the DL considered that *“the proposal has the potential to result in harm ... This must be assessed in the context of this site being the major part of an allocated housing site, and the Secretary of State considers that ... potential adverse impacts could be satisfactorily addressed and/or mitigated at the reserved matters stage to avoid any significant harm. However, it is of great importance that the final scheme is of a high quality ... The Secretary of State would like to set a clear expectation that, in line with the Framework, the design of the scheme at the reserved matters stage will be of a high standard reflecting local design policies and government guidance on design (in line with chapter 12 of the Framework)”*.
- 30.14 Accordingly, it is important that a similar condition requiring an Urban Design Code is imposed on any planning permission for SPW. This would ensure consistency across the two sites and a comprehensive approach to design across the SSSA.
- 30.15 The way the Parameter Plans have been presented the illustrative proposals are compatible and reflect each other across the two sites, including in relation to maximum heights of buildings, although both the approved scheme for SPE and the SPW proposals are at a slight variance with some of the heights suggested in the street typology of the Character areas. This however is only guidance and in view of the appeal decision it is not considered significant and it is not considered to be particularly harmful in the specific circumstances of the SPW site, where the proposed heights as amended are considered acceptable.
- 30.16 It is also expected that when the Urban Design Code is considered that the proposed illustrative layout at SPW will be re-considered to explore an alternative to residential properties backing onto Kendrick Road, while properties to the north should allow a slightly wider clearance of the tree canopies at Warren Lane at the nearest northernmost point.
- 30.17 Overall it is considered that the required Urban Design Code will be a useful tool to provide considerable consistency in detailed design principles across the two sites with a more cohesive and comprehensive result. Along with the HoTs of the Section 106 Legal Agreement set out later in this report and the various instances already referred to, where the proposals would assist with a comprehensive approach to the development of the SSSA, it is considered that the application proposals subject to the conditions and the Section 106 agreement will be able to deliver a cohesive and comprehensive development across the SSSA.
- 30.18 The proposal is therefore considered to be in accordance with Core Strategy Policies CS3, CS4, CS14 and CS19 and notwithstanding the variance with the street typology,

In accordance with the vision, objectives and design principles of the Sandford Park SPD, as well as the relevant Policies of the emerging LPR.

## **31. Other Matters**

- 31.1 Notwithstanding the extensive consideration of issues identified and reported in this document, it should be noted that in an effort to contain the length of its content to a reasonable level, there may be some areas/issues, including matters raised by the applicant's documentation and also consultees, residents and other third parties in their responses and representations, that, whilst not explicitly stated or referred to in this report, they have nevertheless been considered by officers in the assessment of the impacts and merits of this application proposal (as amended). This report necessarily focuses on the key determinative issues.

## **32. Planning Balance and Conclusion**

### ***Benefits of the proposal***

- 32.1 The application will give rise to a number of clear and public benefits, which carry positive weight in the planning balance. The most notable benefits are listed here.
- 32.2 The proposal would deliver up to 360 homes, including up to 216 market units (60%), with a predominant emphasis on family dwellings. Whilst the Council currently has in excess of a 5 year housing land supply the SSSA makes an important contribution in meeting the future housing needs of the District. The emerging Local Plan confirms that it remains a key part of the housing delivery strategy, and continues to be the most appropriate location for strategic housing delivery in Newbury. The proposal will make a significant contribution to meeting the housing needs of the District going forward and within the lifetime of the emerging Local Plan. This is an important social benefit attracting substantial weight.
- 32.3 The proposal would also deliver 40% of the dwellings as affordable homes (up to 144 units), all provided on site; with a tenure split of 70% social rent, 25% first homes and 5% shared ownership; a unit size mix to reflect affordable housing need; and pepper-potted distribution throughout the development in cluster sizes of between 5 and 12 units as per the SPE appeal decision. This affordable housing provision is policy and NPPF compliant, would assist with meeting the need for affordable housing in the District and it is an important social benefit attracting significant weight.
- 32.4 The proposal would deliver accessible Public Open Space (POS) with four play areas (3x LEAPS and 1x LAP) on site including forming a public route through Brick Kiln Copse and also providing connectivity through to public open space, other woodlands and the country park that will be provided at SPE. Although this POS would be provided first and foremost for the needs and use by the future residents of SPW to comply with the policy requirement (and in this respect it is neutral in the planning balance), it will also be for the benefit of residents from further afield. This social benefit is afforded moderate weight.
- 32.5 The proposal will contribute towards and enable the provision of a new bus service serving both SPW and SPE in mitigation of the needs of the future residents of the SSSA (including SPW) and is also a policy requirement and as such is neutral in the planning balance. However, it will also be used by residents from the wider community further afield including providing access to the new local centre facilities and the country park at SPE and to the wider public open space provided across the SSSA. In this respect it is an additional social benefit that attracts moderate weight.

- 32.6 The proportionate contribution towards the expansion of facilities at Park House School is primarily provided in mitigation to satisfy the demand for additional school places arising from the new homes at SPW. However the improvement to the facilities will also have a small wider social benefit and in this respect it attracts limited weight.
- 32.7 The application proposal would provide economic benefits such as temporary employment opportunities during the 5-6 years construction phase; secondary employment through future residents' spending in the local area and using expanded local services, while a number of them are likely to be involved/employed in the local economy during the operational phase of the development. The proposal would also increase expenditure in the local area. These economic benefits attract considerable weight.
- 32.8 The proposed off-site highway improvements are required to mitigate the effect of the proposed development on the local highway network. Whilst the introduction of road crossing and traffic signals and improved pedestrian and cycling facilities through the site and along Andover Road is necessary to mitigate the effect and the needs of the proposed development on the local highway network, these facilities would also be used by the wider public and enable the local highway network to operate more efficiently. They are benefits that are afforded moderate weight.
- 32.9 Bringing forward the development of SPW alongside the already approved stand-alone SPE, thus enabling the comprehensive, cohesive and connected development of the SSSA, despite it being a policy objective, is an important benefit which should carry considerable weight in the planning balance.
- 32.10 Incidental extraction of minerals; identification and recording of archaeological assets, providing a zero carbon development and other matters are all benefits that attract limited weight.
- 32.11 Retention and protection of trees and hedgerows and woodland; provision of replacement trees and hedges and also reinforcement planting and other landscaping in and around the site; protection and enhancement of biodiversity; provision of an extensive scheme of sustainable drainage measures to deal with surface water and which will contribute to biodiversity on site; and delivery of a high quality residential development along with other positive attributes are provisions proposed in response to policy requirements and in mitigation of change and impacts caused by the development. It is therefore arguable as to whether these are actually benefits. In this respect they carry little if any weight in the planning balance.
- 32.12 Associated financial payments to the Council arising from the development are irrelevant as they are not used in relation to the development and therefore carry no weight. CIL is used for infrastructure provision and improvement, but, even if it ends up being used in mitigation to the development, it is not ring-fenced to be used exclusively in connection with it and thus carries no weight in the determination of this particular application. Similarly Section 106 payments although directly related to the development are provided in response to policy requirements and in mitigation of its impacts and therefore are neutral in the planning balance.

### ***Disbenefits of the proposal***

- 32.13 As any development the proposal will result in substantial change to the existing situation on site, some of which has the potential to have an adverse impact, which the proposals seek to mitigate. However, in this case this has to be considered in the context that the actual principle of this wholesale change and potential for associated impacts, has long been accepted by the original formal strategic allocation of the SSSA for up to 2,000 dwellings along with the inevitable permanent associated

impacts as part of the Core Strategy in 2012 and the adoption of the Sandleford park SPD in 2015. The plan-making process enables consideration of reasonable alternatives for delivering the local developments needs of the area, and the SSSA was adopted following this comprehensive process. Furthermore the likely overall numbers of dwellings at the SSSA are likely to be reduced by about 40% from the above upper limit, thus also reducing the associated impacts. The above has a moderating effect on the weight to be apportioned to any disbenefits. The disbenefits assessed from that perspective carry negative weight in the planning balance.

- 32.14 Replacement of the agricultural fields / pasture at SPW with a suburban residential albeit high quality development, will change the character and appearance of the site wholesale. In the context of the longstanding and continuing SSSA allocation this is an environmental disbenefit which would carry moderate weight.
- 32.15 The change to the nature, role, character and appearance of the Warren Road corridor from a cul-de-sac and associated part of PROW NEWB/5/1 to one of the four all-vehicle accesses to the SSSA with associated traffic, is an environmental disbenefit, which should be afforded considerable weight.
- 32.16 Residual impact on the remainder local highways network and its users after mitigation measures are applied, is a social disbenefit which should carry moderate weight.
- 32.17 Impact on existing residents both perceived and actual is a social disbenefit which should carry moderate weight.
- 32.18 Disturbance of and impact on existing biodiversity on site without taking into account any mitigation and/or enhancement measures, is an environmental disbenefit, which should be apportioned considerable negative weight in the planning balance.
- 32.19 Loss of a comparatively small number of TPO trees and hedgerows on site and without taking into account their proposed replacement in mitigation, are environmental disbenefits which would carry considerable weight. However all the tree losses will be compensated through replacement in full.
- 32.20 Loss of potentially some ecologically important grassland on the site, which is all allocated specifically as a development area for housing. This environmental disbenefit attracts more than considerable but less than significant weight, under the circumstances.
- 32.21 Loss of best and most versatile agricultural land, which would attract limited negative weight.

### ***Impact on Heritage Assets Significance and the NPPF test***

- 32.22 As discussed earlier in the report SPW is situated approximately 1.4km west of the Sandleford Priory Grade I listed building and the Grade II registered park and garden Sandleford Prior and is within its wider setting, albeit screened entirely by the existing topography and various intervening woodlands, while the intervening SPE development and associated advanced woodland planting would provide further additional screening in the future. In accordance with NPPF paragraph 205 "great weight should be given to the asset's conservation". The proposal would not have any material impact on the heritage significance of the setting of those assets. Therefore, no further consideration in respect of the setting of those heritage assets is required.
- 32.23 The SPW proposals and change in the character of the site would have an impact on the setting of two Grade II listed buildings (Warren Lodge and Squirrel Cottage) to the west of the site. The particulars of the outline proposal are such that the setting of

Squirrel cottage with its current open space set back and additional planting would not suffer any material impact on the significance of that asset.

32.24 With regard to Warren Lodge (Presbytery) there would be some residual impact on the significance of its setting, despite the proposed additional boundary planting, at least in the short term. The latter may be moderated by improved intervisibility with Park Cottage in the future following demolition of Warren House and associated building and the making good and replacement on that site. Either way, there would be some residual less than substantial harm to the significance of that heritage asset, however of very low level on that scale.

32.25 Taken as a whole (in accordance with NPPF paragraph 208), the benefits of the scheme range from 'limited' to 'significant' in magnitude as set out above. They can be regarded as public benefits and set against the very low level of less than substantial harm to the significance of the heritage assets. They would provide clear and convincing justification for that harm (NPPF paragraph 206). Having special regard to the desirability of preserving listed buildings and their setting in accordance Section 11(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the development would have an acceptable effect in terms of heritage assets.

### ***The Presumption in Favour of Sustainable Development (NPPF Paragraph 11)***

32.26 As set out in Section 9 of this report, the Council can demonstrate both a 4 year and 5 year housing land supply, and housing delivery over the past years passes the Housing Delivery Test. There are many 'relevant' development plan policies and of those development plan policies there is a wide basket of policies, which are 'most important' to the determination of the application and (most of) which are consistent with the relevant 2023 NPPF policies and provisions.

32.27 In view of the above, the 'most important' development plan policies for the determination of this application are 'not out-of-date'. For these reasons the NPPF paragraph 11(d) (ii) tilted balance (i.e. the presumption in favour of sustainable development) is not engaged in this case.

32.28 Furthermore, the proposal would not have any material adverse effect in any way on any irreplaceable habitats, to provide a clear reason for refusing the development proposed. Having said that the application would be subject to a Section 106 planning obligation, whereby a contribution would be made towards the costs of upkeep and public access to the G&C SSSI in the area. NPPF paragraph 11(d)(i) and Footnote 7 do not apply and thus again the tilted balance (i.e. the presumption in favour of sustainable development) is not engaged in this case.

### ***Assessment against 'the most important policies' in the development plan and other material considerations***

32.29 As set out in section 11 of this report, in view of the strategic site allocation (Policy CS3), the residential development on this site accords with the Core Strategy spatial strategy Policies ADPP1 and ADPP2 and Policy CS1 relating to housing development, as well as with the HSA DPD Policy C1, which extended the Newbury settlement boundary to include the SSSA (and SPW) and as such the Policy C1 presumption in favour of development applies in this case. Thus the residential development of the site is not objected to in principle and has to be supported, but it would have first to be assessed against the requirements of the 'most important' policies to understand whether the proposal is in accordance with the development plan as a whole.

- 32.30 Further to the in-principle acceptability of residential development, in view in the preceding sections of this report of the analysis, and conclusions in the various assessment section, the outline proposals (subject to conditions and mitigating planning obligations) is in accordance with the whole suite of Core Strategy Policies namely CS3, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18 and CS19. In addition, the proposal is in accordance with most of HSA DPD Policy GS1, with the exception of the issue of the 'single application', which is no longer being pursued. As mentioned above it is considered that all these policies are up-to-date and should carry full weight.
- 32.31 The proposal also accords with most of the Vision, Strategic Objectives and Development Principles of the supporting Sandleford Park SPD, and it is also in accordance with the provisions of other West Berkshire SPDs.
- 32.32 In respect of the NPPF the proposal is in accordance with most of its policies and provisions.
- 32.33 In view of the above the application is in accordance with the 'most important' policies in the development plan, which are up-to-date. In addition it is also in accordance with the policies in the NPPF, as well as most of the principles in the Sandleford Park SPD, which carries significant weight and also other SPDs.
- 32.34 The proposal is therefore considered to be in accordance with the development plan as a whole and it is not a departure from the adopted plan. This outline application proposal therefore (subject to conditions and planning obligations) represents sustainable development for the purposes of the NPPF. The application therefore can be approved without delay as per NPPF paragraph 11(c).
- 32.35 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the application should be determined in accordance with the development plan, unless there are material considerations that indicate otherwise.
- 32.36 Again, as mentioned above in this case the proposal is in accordance with the policies of the NPPF, the Sandleford Park SPD and other SPDs, which are material considerations in the assessment of this application.

### ***The Planning Balance***

- 32.37 In considering the planning benefits of the proposal, it is considered that these outweigh the disbenefits. In addition, the proposal is in accordance with the development plan and its policies, which attracts substantial weight and indicates that the proposal should be approved unless there are material considerations that would justify a decision to the contrary.
- 32.38 In this case none of the disbenefits, individually and/or in their totality, outweigh the benefits and/or the compliance with the development plan and its policies. Furthermore the NPPF and SPDs are material considerations which carry significant weight, while the LPR carries limited weight. Assessment against their policies and principles reinforces further the 'policy' accordance and adds to the acceptability and appropriateness of the proposal. Also, as indicated in the report all of the concerns, could be overcome through conditions, and/or the provisions of planning obligations in a satisfactory Section 106 Legal Agreement.

## **Conclusion**

32.39 In view of the above this outline planning application, as amended, is acceptable and satisfactory and should be granted outline planning permission subject to conditions and the prior satisfactory completion of a Section 106 Legal Agreement. The proposed resolution includes the ability to refuse the application if the S106 is not completed within a reasonable timeframe.

## **33. Full Recommendation**

33.1 PROVIDED THAT a satisfactory Section 106 Agreement has been completed pursuant to the Heads of Terms listed below by 31 August 2024 (or such longer period that may be authorised by the Development Manager, in consultation with the Chairman or Vice Chairman of the Western Area Planning Committee), to delegate to the Development Manager to GRANT PLANNING PERMISSION subject to the conditions listed below.

33.2 OR, if a Section 106 Legal Agreement is not completed, to delegate to the Development Manager to REFUSE PLANNING PERMISSION for the reasons listed below.

33.3 AND, delegate to the Development Manager to make any minor and/or consequential amendments to conditions, in consultation with the Chairman or Vice Chairman of the Western Area Planning Committee.

## **Conditions**

### **1. Reserved matters**

Details of the access (except for the site access from Warren Road), appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) for each phase of development shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase takes place. The development shall be carried out in accordance with the approved details.

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

### **2. Phasing Plan**

Before or alongside the first application for reserved matters approval a plan shall be submitted to the local planning authority identifying the phasing for the development and shall include the following:

- (a) Advance planting.
- (b) Archaeology investigation.
- (c) Demolition and repair/replacement of Warren House.
- (d) Works to Warren Road.
- (e) Other on-site highway works and infrastructure (including but not limited to on-site roads, footways, cycleway and green links).
- (f) Demolition of other buildings.
- (g) Residential phases.
- (h) Works to other accesses including Andover Road, to the boundary with SPE and the Kendrick Road emergency access.
- (i) Public open space including, SuDS, LEAPs and LAPs.
- (j) Broad housing numbers and housing mix for each phase of development.



No development shall commence until the local planning authority has approved in writing the phasing plan and the development shall thereafter be constructed in accordance with the agreed phasing plan.

For the avoidance of doubt, with the exception of works relating to Advanced Planting, Archaeology and/or Land Contamination, no demolition, excavation, laying of foundations and/or building works hereby approved shall commence within the confines of the New Warren Farm part of the site, until the detailed works hereby approved along the Warren Road Corridor have been implemented to base course in relation to the roadway and to wearing course in relation to the cycleway / footways.

The approved Phasing Plan shall be implemented thereafter in the course of the build-out of the hereby approved development.

Reason: To facilitate the phasing of the development in the interests of timely and sufficient infrastructure delivery and secure the housing mix upon which the EIA has considered. This condition is applied in accordance with the National Planning Policy Framework, and Policies ADPP2, CS3, CS4, CS5, CS6, CS13, CS14, CS16 and CS18 of the Core Strategy 2012 - 2026. A pre-commencement condition is necessary because the phasing plan will need to be adhered to throughout the entire construction phase.

### **3. Time Limits for Submission of Reserved Matters**

Application for approval of the reserved matters for at least one of the phases shown on the phasing plan approved by condition 2 shall be made to the Local Planning Authority. The application for the approval of all of the reserved matters for the final phase shown on the phasing plan approved by condition 2 above shall be made to the Local Planning Authority no later than the expiration of 7 years from the date of this permission.

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

### **4. Commencement of Development**

The development of each phase pursuant to conditions 2 and 3 above shall not commence any later than 2 years from the date of approval of the last of the reserved matters to be approved for that phase.

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

### **5. Approved Plans**

The development hereby permitted shall be carried out:

i) in accordance with the details shown on the:

- Proposed 6m wide Warren Road Scheme (drawing no. 5011406\_RDG\_C0003C last updated on 26/01/2024); and

ii) in substantial accordance with the details shown on the following Parameter Plans:

- Access and Movement Parameter Plan (drawing no. P20-2234\_15\_E\_01)
- Green Infrastructure Parameter Plan (drawing no. P20-2234\_DE\_17\_G)
- Building Heights Parameter Plan (drawing no. P20-2234\_DE\_16\_G)

- Land Use Parameter Plan (drawing no. P20-2234\_18\_E\_01)

Reason: For the avoidance of doubt and in the interest of proper planning. Outline planning permission is granted on the basis of the above plans within these approved details, against which the EIA has been carried out. In addition and for the avoidance of doubt, reference to compliance in terms of particular elements of other submitted plans is also made within individual conditions as appropriate.

## 6. Design Code

Prior to, or at the same time as, the submission of the first reserved matters application, an Urban Design Code document for all built areas identified in the Phasing Plan approved pursuant to Condition 2 shall be submitted to the Local Planning Authority for its approval.

The Urban Design Code document shall accord with the Key Design Principles specified in Section F of the Sandford Park Supplementary Planning Document (March 2015). The following details for each of the character areas CA1, CA2, CA3, and CA8 identified within Section F of the Sandford Park Supplementary Planning Document shall be provided.

- (a) the built form of the character area, namely the structure of blocks, key groupings or individual buildings, density, building form and depth, massing, scale, building heights (in accordance with the approved plan), orientation of buildings, roofscape, including ridge lines and pitches, building elements such as eaves, openings (windows and doors) and porches, external materials, boundary treatment;
- (b) the street network, cycle routes, footpaths and public spaces, providing typical street cross-sections.
- (c) landscaping, areas of public realm, green links, woodland buffers, sustainable urban drainage, and open space within the areas of built development (excluding the woodland), including enclosure, shading, natural surveillance, public art, materials, street furniture, signage and lighting.
- (d) the approach to vehicular and cycle parking including the amount of parking, location and layout of parking for all purposes, including but not restricted to parking for people with disability, visitor parking and electric vehicle charging facilities.
- (e) Each reserved matter application shall accord with the details of the approved Urban Design Code document and be accompanied by a statement which demonstrates compliance with the approved Urban Design Code document.

Reason: To ensure that a development of high quality design will be delivered. This condition is applied in accordance with the National Planning Policy Framework, and Policies ADPP2, CS3 and CS14 of the Core Strategy 2012 - 2026. A pre-commencement condition is necessary because the design code will need to be adhered to in subsequent detailed reserved matters applications.

## 7. Market Housing Size Mix

Proposals for the number and type of open market housing on any individual phase of the development shall be submitted to the local planning authority for approval either prior to or as part of any reserved matters application relating to Layout. In combination, the residential phases approved in the Phasing Plan (pursuant to Condition 2) shall provide the following mix of market housing:

- 2 bed flats 10%
- 2 bed houses 20%

3 bed houses 42.5%

4 bed houses 27.5%

The development shall thereafter be implemented in accordance with the approved scheme.

Reason: In the interests of timely and sufficient infrastructure delivery and to secure the housing mix upon which the EIA has been considered. This condition is applied in accordance with the National Planning Policy Framework, and Policies ADPP2, CS3, CS4, CS5, CS14 of the Core Strategy 2012 - 2026.

#### **8. Zero Carbon and Renewables**

The first reserved matters application, relating to any or all of the reserved matters (namely layout, scale, appearance and landscaping) for each phase of residential development submitted pursuant to Condition 2 above, shall be accompanied by a fully detailed scheme of on-site energy generation from renewable, low carbon and/or zero carbon energy sources. No development within each phase shall take place until approval of the above scheme of energy generation on site has been granted in writing by the Local Planning Authority. Thereafter the development within each phase shall be implemented in full accordance with the approved details.

Reason: To ensure the delivery of adequate renewables and low/zero carbon on-site energy generation, reduce the impact on climate change, contribute to the reduction of CO2 and other emissions, deliver a carbon neutral residential development and contribute to the West Berkshire 2030 Carbon Neutrality target. This condition is imposed pursuant to the National Planning Policy Framework, Policy CS3, CS14 and CS15 of the West Berkshire Core Strategy 2006-2026, the Sandleford Park SPD and the West Berkshire Environment Strategy 2020-2030.

#### **9. Electric Vehicle Charging Points**

Prior to the occupation of any dwellings within any phase or sub-phase, electric vehicle charging points shall be installed in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and the charging points shall thereafter be retained and kept available for the charging of electric vehicles.

Reason: To promote the use of electric vehicles and provide a sustainable development. This condition is imposed in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocation DPD and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

#### **10. Construction Traffic Management Plan**

No development (including demolition, ground works, and vegetation clearance) shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall be based upon the submitted Framework Construction and Environmental Management Plan prepared by Ridge. It will include local construction traffic routing as per figure 3.1 of the Framework CEMP whereby all Sandleford Park West-bound construction traffic and building material deliveries for the hereby approved development shall only approach the site from the south west via the A34/A343 junction travelling northwards along the A34 Andover Road and turning right into Warren Road and shall only leave the site in the reverse direction. Furthermore at no time no construction traffic in connection with this development shall enter the site from the east (i.e. Sandleford Park East). Also at no time shall Warren Road and

the Sandford Park West site provide access to construction traffic associated with the development of Sandford Park East. The approved CTMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: The management of traffic during construction is a necessary mitigation measure identified by the Environmental Impact Assessment submitted with the application to mitigate the impact the highway network, to safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CTMP will need to be adhered to throughout demolition and construction.

#### **11. Construction Method Statement and Plan**

No development shall take place until a Construction Method Statement and Plan 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) A site set-up plan during the works
- (i) A plan to ensure the retention of PROW NEWB/5/1, and access to existing and approved /future dwellings.
- (j) The management of deliveries to and from the site and precluding deliveries during school opening and closing times and provision of construction traffic management including a banksperson at the Warren Road junction.
- (k) The management of any large and hazardous loads.

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, Policies CS5 and CS13 of the West Berkshire Core Strategy (2006-2026), Policy TRANS 1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

#### **12. Road construction**

No development hereby approved shall take place at each phase of the development until full details of road construction for each phase of the development have been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied in each phase, until associated road construction has been implemented to provide access to the local highway network to respective dwellings in accordance with the approved drawings. The road construction shall comply to the Local Highway Authority standards and shall thereafter be maintained by appropriate legal agreements when required.

Reason: In the interest of road safety and flow of traffic and to ensure waste collection. 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).

**13. Vehicle parking and cycle parking/storage**

No individual dwelling or unit shall be first occupied until vehicle parking and turning spaces and cycle parking and/or storage associated with each dwelling/unit has been provided in accordance with the details previously approved in writing by the Local Planning Authority. Such details shall show how the parking spaces are to be surfaced and marked out. Thereafter the vehicle parking shall be kept available for the parking of private cars and/or private light goods vehicles and the cycle parking provision shall be kept available for the parking of cycles.

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).

**14. Warren Road Access construction**

With the exception of any necessary early works associated with Advanced Planting, Archaeology and/or Land Contamination, no demolition, excavation, laying of foundations and/or building works associated with the part of the development hereby approved within the confines of the New Warren Farm part of the application site (i.e. not including the Warren Road corridor), until the detailed works hereby approved along the Warren Road Corridor have been implemented to base wearing course in relation to the roadway and to in relation to the cycleway / footways. The development shall not be brought into use until the associated accesses have been provided and have been constructed in accordance with the approved drawing(s).

Reason: For the avoidance of doubt, In the interest of road safety. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

**15. Warren House site repair and replacement following demolition**

None of the dwellings hereby approved shall be occupied, until a scheme for the making good of the site of Warren House (hereby approved to be demolished to enable the implementation of the Warren Road scheme), including the submission and approval of reserved matters approval to replace the demolished Warren House dwelling and the implementation of such approval. Any replacement dwelling will have special regard to the desirability of preserving the setting of the neighbouring Grade II listed Warren Lodge (Presbytery).

Reason: In the interest of providing satisfactory access to the development hereby approved, safeguarding the character and appearance of the street scene and the setting of the neighbouring heritage asset. This condition is imposed in accordance with the National Planning Policy Framework and Policy CS13, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026).

**16. Access to SPE**

The Main Access Road shall be built to the eastern boundary of the Site as shown on the Access and Movement Parameter Plan (drawing no. P20-2234\_15\_E\_01) in advance of occupation of 200 dwellings on site. For the avoidance of doubt, the alignment of the Main Access Road shall be determined pursuant to Condition 1 (Reserved Matters Approval – Layout).

Reason: To ensure the timely and necessary delivery of the road network within the site and access to the remainder of the allocated site to ensure appropriate distribution of the traffic generated by the development and a comprehensive development of the SSSA. 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.

#### **17. Emergency Access on Kendrick Road**

No more than 100 dwellings will be occupied before details of the lockable feature on the western boundary of the site to provide emergency vehicle access through Kendrick Road to the hereby approved development as shown on the Access and Movement Parameter Plan (drawing no. P20-2234\_15\_E\_01), have been submitted to and approved by the Local Planning Authority and the approved details have been implemented. The emergency vehicle access will be maintained thereafter at least until connected vehicular access has been provided through to the Sandleford park East site and all the way through to Monks Lane.

Reason: To ensure the timely and necessary delivery of emergency access for the site and the safety of the future residents of the development in accordance with Core Strategy Policies CS13 and CS14.

#### **18. Visibility splays**

Within the access from the A343 Andover Road and within any part of the development site, any boundary planting near to junctions shall be planted a minimum of 1.0 metre back from the highway boundary and any required visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety. 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).

#### **19. Ground and Floor Levels (Pre-commencement)**

The first reserved matters submission relating to layout, scale, appearance and landscaping for each phase of residential development submitted pursuant to Condition 2 shall be accompanied by details of existing and proposed ground levels, and finished floor levels of the dwellings and other buildings to be constructed in that phase. No development within each phase shall take place until approval of the proposed ground levels and finished floor levels has been received in writing from the Local Planning Authority as part of the reserved matters application. Thereafter the development within each phase shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. These details are required before development commences because insufficient information accompanies the application, and the agreed details

will affect early construction activities. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and the Quality Design SPD (June 2006) and Sandford Park SPD.

**20. Detailed Surface Water Drainage Strategy**

Further to the outline Surface Water Drainage Strategy, prior to, or at the same time as, the submission of the first reserved matters application a detailed Drainage Strategy for the whole site shall be submitted to and approved in writing by the Local Planning Authority. The approved SWDS shall inform the sustainable detailed drainage measures for each phase.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018).

**21. SuDS detailed scheme for each phase for each phase**

The first reserved matters application for each phase of the development pursuant shall provide details of the sustainable drainage measures to manage surface water within that phase or areas affected. No development within each phase of the development shall take place until approval of the sustainable drainage measures for that phase has been received in writing from the Local Planning Authority as part of the reserved matters application. These details shall be pursuant to the Detailed Surface Water Drainage Strategy and shall:

- (a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS Supplementary Planning Document December 2018, to include a range of, but not be limited to, the following : green roofs and rainwater harvesting measures; localised bio-retention measures in built areas; trees planted in tree-pits incorporated into the built development as well as SuDS areas; ponds and wetlands; carriageway filter strips; roadside swales; attenuation basins as local source control with dry and wet areas;
- (b) Include a revised flood risk assessment (FRA) for each phase incorporating any changes to the approved proposal as part of detailed design
- (c) Include a drainage strategy for surface water run-off within the site since no discharge of surface water from the site will be accepted into the public system by the Lead Local Flood Authority;
- (d) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse or piped system at no greater than 1 in 1 year Greenfield run-off rates;
- (e) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels pertinent to the locations of proposed SuDS measures. Any soakage testing should be undertaken in accordance with BRE365 methodology;
- (f) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

- (g) Include run-off calculations based on current rainfall data models, discharge rates (based on 1 in 1 year greenfield run-off rates), and infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm +40% for climate change;
- (h) Include with any design calculations an allowance for an additional 10% increase of paved areas (Urban Creep) over the lifetime of the development;
- (i) Include construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;
- (j) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil, groundwater, watercourse or drain;
- (k) Ensure permeable paved areas are designed and constructed in accordance with manufacturers guidelines if using a proprietary porous paved block system; otherwise ensure any permeable areas are constructed on a permeable sub-base material, such as MoT/DoT Type 3;
- (l) Show that attenuation storage measures have a 300mm freeboard above maximum design water level. Surface conveyance features must have a 150mm freeboard above maximum design water level;
- (m) Include written confirmation from Thames Water of their acceptance of the discharge from the site into the surface water sewer and confirmation that the downstream sewer network has the capacity to take this flow;
- (n) Include details of how surface water will be managed and contained within the site during construction works to prevent silt migration and pollution of watercourses, highway drainage and land either on or adjacent to the site;
- (o) Include an Application for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e stream, ditch etc) and approval in principle;
- (p) m) Include a management and maintenance plan showing how the SuDS measures will be maintained and managed after completion for the lifetime of the development. This plan shall incorporate arrangements for adoption by the Council, Water and Sewage Undertaker, Maintenance or Management Company (private company or Trust) or individual property owners, or any other arrangements, including maintenance responsibilities resting with individual property owners, to secure the operation of the sustainable drainage scheme throughout its lifetime. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises;
- (q) Include measures with reference to Environmental issues which protect or enhance the ground water quality and provide new habitats where possible;
- (r) Include a timetable for its implementation.

No occupation of any dwelling within a phase shall take place until the sustainable drainage measures for that phase have been fully implemented. The above sustainable drainage measures shall be implemented in full accordance with the approved details. 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), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018).

## 22. SuDS post-construction for each phase



No dwelling in any phase of the development hereby approved above shall be occupied until and unless the following conditions have been satisfied for that phase:

- (a) Submission of a verification report carried out by a qualified drainage engineer demonstrating that the drainage system has been constructed as per the approved scheme (or detail any minor variations thereof), to be submitted immediately following construction to be approved by the Local Planning Authority. This Report shall include plans and details of all key drainage elements (surface water drainage network, attenuation devices/areas, flow restriction devices and outfalls) and details of any management company managing the SuDS measures thereafter.
- (b) Ordinary watercourse consent has been granted.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018).

### **23. Foul Drainage (Pre-commencement)**

No development shall commence until a foul drainage strategy has been submitted with accompanying approval from the adopting water company for the approval of the Local Planning Authority. Evidence should be provided stating that any connecting foul water system has capacity to accommodate waste flow from the site. The strategy shall include a development and foul water network infrastructure phasing plan (on and off site) together with a timetable of the implementation of the foul water infrastructure to be installed and the corresponding number of dwellings that can be occupied. The foul drainage proposals will be implemented in accordance with the approved details. The foul drainage measures shall be maintained in the approved condition thereafter.

Reason: To ensure that foul water will be managed in a sustainable manner. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS16 of the West Berkshire Core Strategy (2006-2026), and Part 4 of Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition is required because insufficient information accompanies the application and such measures may need to be incorporated into early building operations.

### **24. Woodland and woodland Buffers (Pre-commencement)**

Prior to or as part of the first reserved matters application, a Woodland Management Plan describing a fully detailed scheme for the protection and management of all the woodlands and their respective woodland buffers, namely Brickkiln Copse and the western buffer to Gorse Covert, shall be submitted to and approved in writing by the Local Planning Authority. The submitted detailed scheme for the woodland and woodland buffers shall include the following:

- (a) A detailed ecological and arboricultural assessment of all the woodland and boundary trees and the proposed buffer zone, to establish if there are any ancient/veteran trees or trees of note within or surrounding the woodland or woodlands relating to that phase;

- (b) A detailed assessment of the existing landscape, botanical and ecological value of the woodlands and its buffer zones;
- (c) A detailed scheme of enclosure to prevent all access and/or storage of materials during construction to the woodland buffer zone.
- (d) Details of fencing or other forms of enclosure for the buffers ensuring retention for the duration of the site construction period and in perpetuity following the onset of the operational phase of the development. Such details will include special measures for installation of fence posts and means of enabling continued wildlife transfer into the woodlands (including badger gates / gaps and hedgehog gaps), whilst minimising ingress of domestic pets.
- (e) Details of soft landscaping and planting specifications of a habitat creation scheme, including locally indigenous and appropriate native species of trees, shrubs and characteristic woodland edge flora, within the buffer zones;
- (f) A detailed assessment of any basins, conveyance channels and other infrastructure including outfalls proposed to be located within the woodland buffer zones, including the Sustainable Urban Drainage Systems (SuDS) and their effect on the hydrology, water table, or roots of adjacent trees/woodlands. SuDS should not be located within the root protection area.
- (g) Details of tree protection barriers, ground protection and methods for installation;
- (h) Details of signage and interpretation boards where relevant and methods for installation;
- (i) Details of the locations of the access points and paths through buffers to footpaths within the woodlands;
- (j) Details of No-dig permeable surfacing and methods for installation of the proposed access provision along specified and agreed routes;
- (k) Details of the extent of buffer zones, to be set out on site as 'no-go' Nature Conservation Areas prior to the onset of any enabling or construction works on Site together with an agreed programme of conservation management and monitoring to be undertaken by the Project Ecologist. Contractor's access (plant and personnel) will only be permitted to allow the construction of access paths within buffer zones (but only where these are to allow direct access into the woodland).
- (l) Details of planting regimes for the buffer areas to enhance biodiversity including seeding of a wildflower meadow mix such as 'Emorsgate EM3 special general purpose meadow mixture' as suggested in the ES chapter 11 (Ecology).

Buffer zone definitions:

- The woodland buffer should be at least 15m as measured from the edge of the woodland (that being from the fixed physical woodland boundary such as a fence, ditch, stream or other physical demarcation), or at least 15m from the edge of the Forestry Commission's National Forest Inventory mapping4 <https://www.forestergis.com/Apps/MapBrowser/>, whichever is the greater.
- For any ancient/veteran trees identified, the buffer zone radius should be extended from the BS5837 default to measure at least 15 times the diameter of the tree or to at least 5m from the edge of the tree's canopy, whichever is the greater <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions>. The exact full extent of the woodland buffer width at any point is to be clearly identified on all plans submitted to discharge of this Condition.

Unless specified otherwise in the approved scheme, the buffer zone habitat creation and fenced protection measures, are to be installed within the first planting season following commencement of development at the beginning of the construction period for each phase.

Any public access to the woodland buffer zone is only permitted to allow direct access to paths within the woodland.

No construction activity, other than that subject to written approval by the Local Planning Authority, shall be carried out at any time within the minimum 15m woodland buffer zone.

There is to be no access for construction of Site infrastructure (e.g. roads, bridges, drainage facilities) or other earthworks and no storage of materials, plant, no fires or other potentially damaging operations within any of the buffers unless otherwise approved as part of the details submitted above.

No lighting is to be erected or installed within buffer zones or directed towards buffer zones.

No development shall take place in the phase concerned, until the above details have been approved by the Local Planning Authority and implemented for that phase.

Reason: This condition is required to ensure the protection of Woodlands (all of which are designated Local Wildlife Sites) and associated trees on site, allow successful establishment of the woodland edge habitat, prior to onset of operational use of the development and to fully mitigate against harmful 'edge effects' of the development on the woodland and Local Wildlife Sites habitats. As SuDS are designed to channel rainwater away from developments, great care needs to be taken to ensure that they will not cause more water than is usual to enter woodland or its buffer zones, or deprive the woodland of water, adversely affecting the characteristic woodland flora and dependant fauna. Both flooding and drought can cause stress to trees, which in turn can cause them to become more unstable and therefore potentially dangerous. Raising or reducing the water table can also cause soils either to become waterlogged, washed away, or desiccated and blown away detrimentally impacting on the woodlands. Woodland buffer zones are to be maintained as 'dark zones' to ensure no impact on biodiversity. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS3, CS17, CS18 and CS19 of the Core Strategy 2012 - 2026. A pre-commencement condition is necessary because the identified size of woodland buffers will need to be adhered to in subsequent detailed reserved matters applications.

## 25. **LEAPS and LAPS**

The first reserved matters submission relating to layout, scale, appearance and landscaping for each phase of residential development submitted pursuant to Condition 2 shall be accompanied by details of any LEAP or Local Areas for Play (LAP) to be provided within or in the vicinity that phase, including details of play equipment to be provided. No development within each phase shall take place until approval of any LEAPs or LAPs to be provided within that phase has been received in writing from the Local Planning Authority as part of the reserved matters approval. No dwelling shall be first occupied until the approved details have been implemented in full in accordance with the details approved at reserved matters stage. The implemented details shall continue to be provided and be maintained thereafter.

Reason: To ensure that the play facilities within each phase are planned and provided at the appropriate time. This condition is applied in accordance with the National Planning Policy Framework, Policies CS5 and CS14 of the West Berkshire Core Strategy 2006-2026, and the Sandford Park SPD.

## 26. Landscaping

Details of both hard and soft landscape works for each phase pursuant to condition 2 above, shall be submitted to and approved in writing by the local planning authority. Each reserved matter submission for landscape shall include details of:

- (a) the timing of implementation, which shall be no later than the end of the first planting season following the substantial completion of development of that phase;
- (b) planting plans;
- (c) written specifications;
- (d) a schedule of plants noting species, plant sizes and proposed numbers;
- (e) existing landscape features such as trees, hedges and ponds to be retained, accurately plotted (where appropriate);
- (f) existing landscape features such as trees, hedges and ponds to be removed, accurately plotted (where appropriate);
- (g) existing and proposed finished levels (to include details of grading and earthworks where appropriate);
- (h) hard landscaping such as any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking).

The soft landscaping shall be completed in accordance with the approved details including the programme of implementation.

With the exception of Advanced Structure Planting secured by condition 27, any planting that is removed, uprooted, severely damaged, destroyed or dies within five years of the date of planting shall be replaced by the approved type planting by the end of the first available planting season.

No dwelling in a phase shall be first occupied, until the approved hard landscaping works have been implemented in full in accordance with the details approved at reserved matters stage.

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

## 27. Advance Planting

No development shall commence until a scheme for early/advanced planting, the location of which is shown on the Updated Landscape Masterplan, Green Infrastructure and Building Heights Parameter Plans, and situated immediately to the south of the south boundary of the site within land shown outlined in blue on the Location Plan, which is in the applicant's ownership, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:

- (a) the timing of implementation, which shall be no later than the end of the first planting season following the commencement of development;
- (b) planting plans;
- (c) written specifications;
- (d) a schedule of plants noting species, plant sizes and proposed numbers;
- (e) existing landscape features such as trees, woodlands, hedges and ponds to be retained accurately plotted (where appropriate);
- (f) existing landscape features such as trees, hedges and ponds to be removed accurately plotted (where appropriate);

- (g) existing and proposed finished levels (to include details of grading and earthworks where appropriate).

The planting scheme approved as part of this condition shall be completed and thereafter maintained in accordance with the approved timing details.

Any trees, shrubs, plants or hedges planted in accordance with the approved details which are removed, die, or become diseased or become seriously damaged within 15 years of completion of the Advanced Structure Planting scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: Landscaping is an integral element of achieving high quality design and the early provision and retention of this strategic planting is necessary to protect and enhance views from the Enborne Valley and to provide a green link between Brick Kiln Copse and Gorse Covert This condition is applied in accordance with the National Planning Policy Framework, Policies CS3, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Sandlesford Park SPD. A pre-commencement condition is necessary because insufficient detailed information accompanies the application and the implementation of advanced strategic planting must take place when development commences to ensure that sufficient time is provided for the planting to mature before the later stages of the development are constructed.

#### **28. Refuse/recycling**

No individual dwelling shall be first occupied, until refuse storage and recycling facilities in accordance with the details for that residential dwelling have been constructed in accordance with the details approved at reserved matters stage. Where dwellings do not have a curtilage on the adopted public highway providing access and turning space for the Council's waste and recycling collection vehicles, a waste management plan shall be provided for such properties as part of the submission.

Thereafter the recycling and refuse storage shall be kept available and used for that purpose, and any waste management plans shall be implemented in full.

Reason: To ensure that there is adequate and safe refuse/recycling facilities within the site. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

#### **29. SuDS during construction**

No development shall commence until details of sustainable drainage measures to manage surface water within the site during the construction period have been submitted to and approved in writing by the Local Planning Authority. Those details shall include timings of when the measures are to be implemented, the decommissioning of those measures and any necessary restoration. The sustainable drainage measures shall be implemented, maintained and managed in accordance with the approved details thereafter and the construction of development shall be undertaken in accordance with the approved details.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system

can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006) and SuDS Supplementary Planning Document (Dec 2018).

### 30. **Tree Protection during construction (Pre-commencement)**

No development (including any site clearance or any other preparatory works) within any phase approved pursuant to condition 2 shall commence until a detailed, site-specific Arboricultural Method Statement (AMS) has been prepared prescribing:

- (a) Tree protection measures for seven trees recorded in the Ancient Tree Inventory, following detailed assessment of whether they are veteran trees.
- (b) A scheme for the protection of all trees, hedges and woodlands to be retained within that phase, which has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location and type of the protective fencing. The protective fencing shall be as specified at Chapter 6 and detailed in figure 2 of BS 5837 or alternatively as agreed with the Local Planning Authority. All such fencing shall be erected prior to any development works taking place in that phase and at least 2 working days' notice shall be given to the Local Planning Authority that it has been erected. Fencing shall be retained for the full duration of construction works within the phase or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.
- (c) No development (including site clearance and any other preparatory works) shall take place within any development parcel shown on the illustrative masterplan (DRWG:P20-2234\_11\_B) until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring for that main development parcel, which has been submitted to and approved in writing by the Local Planning Authority.

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 National Planning Policy Framework, Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026 and the Sandford Park SPD. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

### 31. **Land Affected by Contamination**

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until the following sub-conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

#### 1 - Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess

the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: • human health, • property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, • adjoining land, • groundwaters and surface waters, • ecological systems, • archeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

#### 2 - Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### 3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

#### 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of sub-condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of sub-condition 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition sub-3.

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

### 32. **CEMP**

No development (including demolition, ground works, vegetation clearance) within each phase of the development, shall take place until a Construction and

Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- (a) Risk assessment of potentially damaging construction activities including any updated ecological survey reports where necessary.
- (b) Identification of “biodiversity protection zones”.
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction on biodiversity and landscape (may be provided as a set of method statements).
- (d) The location and timing of sensitive works to avoid harm to biodiversity features.
- (e) The times during construction when specialist ecologists need to be present on site to oversee works.
- (f) Responsible persons and lines of communication.
- (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person together with their contact details.
- (h) Use of protective fences, exclusion barriers and warning signs.
- (i) A scheme of works for the retention and reuse of the best and most versatile soils in accordance with best practice as set out in the Code of Practice for the Sustainable Use of Soils on Construction Sites.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: The environmental management of construction activities for each phase of development, including the retention and reuse of the soil resources, is a necessary mitigation measure identified by the Environmental Impact Assessment submitted with the application to mitigate the impact on landscape, soils, water resources, transport and biodiversity. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.

### **33. Piling Method (Pre-commencement by Phase)**

No piling or other deep foundations, investigation boreholes or ground source heating and cooling systems using penetrative methods shall take place until a Piling Risk Assessment and Piling Method Statement has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for the reduction of ground permeability and impacts on groundwater flow and levels, and the programme for the works, including timing, duration and schedule. Any piling or other deep foundation designs, investigation boreholes and ground source heating and cooling systems using penetrative methods must be undertaken in accordance with the terms of the approved Piling Method Statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers. Furthermore, this condition is requested by Thames Water as the proposed works will be in close proximity to underground water utility infrastructure which piling has the potential to adversely impact. This condition is applied in accordance with the National Planning Policy Framework, Policy CS5 of the West Berkshire Core Strategy 2006-2026, and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the piling activities will need to be adhered to during construction.



### 34. **Ecological Mitigation and Management Plan (Phased Pre-commencement)**

For each phase of development identified on the Phasing Plan, an Ecological Mitigation and Management Plan (phase specific EMMP), together with a timetable for implementation, comprising a schedule of avoidance, mitigation and management measures shall be submitted to the Local Planning Authority. It shall be prepared in accordance with Chapter 11 Ecology of the ES and informed by the recommendations arising from any updated ecology surveys completed to inform the Reserved Matters Applications in that parcel. Each phase specific EMMP shall accord with the Surface Water Drainage Strategy and the Construction Environmental Management Plan prepared for that phase of the development. No plant, machinery or equipment shall be brought onto any phase until the phase specific EMMP relevant to that main development parcel has been approved by the Local Planning Authority and the phase specific EMMP's measures shall thereafter be implemented in accordance with the agreed details, including the timetable for implementation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance the biodiversity of the site as identified in the ES (Chapter 6). This condition is applied in accordance with the National Planning Policy Framework, Policies CS3 and CS17 of the West Berkshire Core Strategy 2006-2026, and the Sandford Park SPD. A pre-commencement condition is required to ensure adequate protection of biodiversity before construction commences and timely delivery of mitigation measure in tandem with the development of the site.

### 35. **Arboricultural Supervision**

No development (including site clearance and any other preparatory works) shall take place within any phase pursuant to condition 2 until the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring for that phase, which has been submitted to and approved in writing by the Local Planning Authority, has first been secured. The approved watching brief shall be implemented accordingly.

Reason: To ensure the protection of trees identified for retention at the site in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 and the Sandford Park SPD. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation, other measures and works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.

### 36. **Lighting Strategy**

No development within any phase of the development permitted by condition 2 shall take place until a "lighting design strategy for biodiversity" scheme with regard to all external lighting for that phase has been submitted to and approved in writing by the Local Planning Authority. The details of the lighting scheme shall accord with the updated Lighting Assessment and shall:

- (a) Identify those areas within that phase of development that are likely to cause disturbance to bats and other nocturnal animals, including dormice, owls and badgers.
- (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species.
- (c) Include an isolux diagram of the proposed lighting.

No external lighting shall be provided, installed or operated in the development, except in accordance with the approved detailed lighting scheme.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site and to protect residential amenity. This condition is applied in accordance with the National Planning Policy Framework, Policies CS3 and CS17 of the West Berkshire Core Strategy 2006-2026 and the Sandford Park SPD. A pre-commencement condition is required to ensure that an acceptable lighting scheme is adequately planned for prior to development commencing.

**37. Noise: Off Site Sources**

For each phase of development a scheme of measures for protecting the proposed dwellings/gardens/external amenity areas of the approved development from road traffic noise and noise from Park House School (including the Multi-Use Games Area) shall be submitted, for written approval, to the Local Planning Authority. These shall identify noise mitigation measures required to achieve internal levels of 30 dB LAeq(15mins) or 45 dB L<sub>Amax</sub> throughout the night-time (23:00 - 07:00) or 40 dB LAeq(1hr) during the daytime (07:00 – 23:00) and 50 dB LAeq(1hr) in the quietest part of private amenity spaces. Each phase of the development shall not be occupied until the noise mitigation measures identified in the approved scheme, have been fully implemented. The noise mitigation measures shall be retained and maintained thereafter.

Reason: To protect future residents from external noise in accordance with Core Strategy Policy CS14.

**38. Noise: Demolition and Construction Activities**

No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 07:30 and 18:00 Monday to Friday and 08:30 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays, unless agreed in writing by the Local Planning Authority.

Reason: To protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period further to Core Strategy Policy CS14.

**39. Noise from Plant and Machinery**

All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise therefrom does not exceed at any time a level of 5dB[A] below the existing background noise level [or 10dB[A] if there is a particular tonal quality [or is intermittent in nature] when measured in accordance with BS4142:2014 at a point one metre external to the nearest residential or noise sensitive property

Reason: To protect future residents of the site and the occupants of nearby residential properties from noise further to Core Strategy Policy CS14

**40. Archaeology**

No development including site clearance shall take place within the application area until a Stage 1 written scheme of investigation (WSI) for a programme of archaeological work has been submitted to and approved by the local planning

authority in writing. For land that is included within the Stage 1 WSI no demolition or development shall take place other than in accordance with the approved Stage 1 WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified through the Stage 1 programme of work, no site clearance work or development on those parts of the site which have archaeological interest as identified through Stage 1 shall take place until a Stage 2 WSI has been submitted to and approved by the local planning authority in writing. For land that is included within the Stage 2 WSI no site clearance work or development shall take place other than in accordance with the agreed Stage 2 WSI, which shall include:

- (a) The Statement of significance and research objectives, the programme and methodology of archaeological site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- (b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting archaeological material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.

Reason: To ensure that any significant archaeological remains that are found are adequately recorded. Such an approach follows the guidance set out in paragraph 205 of the 2021 National Planning Policy Framework and is accordant with the requirements of Policy CS19 of the West Berkshire Local Plan (2006-2026) 2012.

#### 41. **Water Infrastructure (pre-commencement)**

No development shall take place until a development and water infrastructure plan, to include phasing, have been submitted to and approved in writing by the Local Planning Authority. The development and water infrastructure plan shall include a timetable of the implementation of the water infrastructure and the corresponding number of dwellings that can be occupied. The development and water infrastructure plan will be implemented in accordance with the approved details.

Reason: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to provide sufficient water pressure to the development and existing users, as identified in the EIA and required by Thames Water. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS5 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because insufficient information accompanies the application and such measures may need to be incorporated into early building operations.

#### 42. **Statement of Mineral Exploration**

No excavations associated with the erection of the buildings hereby approved within any of the development parcels shall take place until a statement of mineral exploration and associated development management plan for that parcel of development has been submitted to and approved in writing by the Local Planning Authority. This statement shall include:

- (a) The methods to be used for investigating the extent and viability of the construction aggregate mineral resource beneath the areas of the application site proposed for built development.

- (b) Details of the necessary operations to be carried out to ensure that incidental extraction of construction aggregates that can be viably recovered during construction operations are extracted and put to beneficial use, such use to be agreed in writing with the Local Planning Authority.
- (c) Details of the timing of the investigative and extraction works, together with the timing of any further detailed submissions required during the construction operations.
- (d) A method to record the quantity of recovered mineral (for use on and off site) and the reporting of this quantity to the Local Planning Authority.

The approved scheme shall be implemented in full and complied with throughout the duration of the construction operations.

Reason: To ensure compliance with Policy 9 Minerals and Waste Local Plan 2022 and to secure the incidental prior extraction of viable underlying mineral deposits as part of the proposed development, as the application does not provide sufficient information in respect of the potential mineral resources located beneath the application site.

**43. PROW Newbury 5/1 bollard**

No development shall take place until bollard(s) has been provided on Public Footpath Newbury 5/1 at the eastern end of the Warren Road corridor, in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent unauthorised vehicle access onto the adjacent public footpath. This condition is applied in accordance with Policy CS18 of the West Berkshire Core Strategy 2006-2026.

**44. Replacement community orchard**

No development shall take place until details of a replacement community orchard, within the public open space of the development, have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include an implementation plan, including timings of provision and planting. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To mitigate the loss of the existing orchard. This condition is applied in accordance with Policies CS17 and CS18 of the West Berkshire Core Strategy 2006-2026.

**45. Framework screen planting along Warren Road**

No development shall take place until details of the framework screen planting to replace the loss of existing hedge along the south boundary of Park House School, north of Warren Road, and west of Park Cottage, have been submitted to and approved in writing by the Local Planning Authority. The details shall include detailed plans, planting and retention schedule, programme of works, and any other supporting information. All soft landscaping works shall be completed in accordance with the approved details within the first planting season following the completion of the shared cycleway/footway along Warren Road. Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within five years of completion of this completion of the approved soft landscaping scheme shall be replaced within

the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.

Reason: To mitigate the loss of the existing hedge. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD.

**46. GCN updated surveys**

No works that may affect nearby waterbodies shall take place until an updated Great Crested Newt survey has been undertaken of the affected area, and a report on the finding submitted to and approved in writing by the Local Planning Authority. If evidence of GCNs being present are found, the report shall include appropriate measures in response, and thereafter the development shall be carried out in accordance with the approved details.

Reason: The application documents indicate GCN is not present, however as a precaution updated surveys are required in case of future colonisation of waterbodies. This condition is applied in accordance with Policy CS17 of the West Berkshire Core Strategy 2006-2026.

**47. Bat mitigation strategy**

No development shall take place until a bat mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a minimum of 120 bat boxes within the development and woodland, and details of maternity and day roosts to replace loss of existing roosts. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure mitigation on bat species. This condition is applied in accordance with Policy CS17 of the West Berkshire Core Strategy 2006-2026.

**48. Badgers updated surveys**

No phase of development shall take place until an updated badger survey has been undertaken for that phase and a report submitted to and approved in writing by the Local Planning Authority. If evidence of badgers being present are found, the report shall include appropriate measures in response, and thereafter the development shall be carried out in accordance with the approved details.

Reason: The application documents indicate badgers will not be affected, however as a precaution updated surveys are required in case of future presence. This condition is applied in accordance with Policy CS17 of the West Berkshire Core Strategy 2006-2026.

**49. Biodiversity enhancements**

No development shall take place until details for the provision of biodiversity enhancements have been submitted to and approved in writing by the Local Planning Authority. Biodiversity enhancements shall include (but not necessary be limited to):

- (a) Enhancements for dormice including understorey planting and diversification of woody species to provide a year-round supply of food resources, and erection of nesting boxes within Brick Kiln Copse, and other suitable habitats to enhance biodiversity.
- (b) The provision of at least 180 swift brick/bird boxes throughout the development;

- (c) Enhancements for stag beetles (e.g. loggeries within Brick Kiln Copse) throughout the development;
- (d) Enhancements for barn owls (e.g. Barn Owl Boxes on the periphery of Brick Kiln Copse) throughout the development;
- (e) Enhancements for priority butterfly and moth species such as the implementation of new planting within new hedgerows, areas of grassland and within Brick Kiln Copse to tailor for larval feeding requirements for species such as but not limited to Greater bird's foot trefoil and Honeysuckle;
- (f) Enhancement for hedgehogs such as cut outs in garden fences.

The submitted details shall include an implementation plan, including timings of provision. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To secure biodiversity enhancements, in accordance with Policy CS17 of the West Berkshire Core Strategy 2006-2026.

**50. Tree details with landscaping reserved matters**

The landscaping reserved matters applications for each phase shall be accompanied by full details of all existing trees and hedges to be retained and removed as part of that phase.

Reason: To ensure full details are available as part of the detailed design. This condition is applied in accordance with Policy CS17 of the West Berkshire Core Strategy 2006-2026.

**51. Landscape and Ecological Management Plan (LEMP)**

No development shall take place until a Landscape and Ecological Management Plan (LEMP) (also referred to as a Habitat or Biodiversity Management Plan) has been submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- (a) Description and evaluation of features to be managed.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management.
- (d) Appropriate management options for achieving aims and objectives.
- (e) Prescriptions for management actions.
- (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- (g) Details of the body or organization responsible for implementation of the plan.
- (h) Ongoing monitoring and remedial measures.

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

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

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

Reason: To ensure the appropriate management of retained, enhanced and created habitat. A pre-commencement condition is required because the LEMP may need to be implemented during construction.

**52. Protection from external noise**

No dwelling shall be first occupied until mitigation measures to protect its occupants from externally generated noise have been provided in accordance with a scheme of works that has first been submitted to and approved in writing by the Local Planning Authority. The scheme of works shall be informed by an appropriately detailed investigation to address the noise impacts from local noise sources including roads and the adjacent school.

Reason: To protect future occupiers of the development from excessive noise levels, to ensure a good standard of amenity. The approval of this information is required before occupation because insufficient information has been submitted with the application. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy (2006-2026), Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Quality Design SPD.

**53. Landscaping abutting Warren Lodge**

The landscaping reserved matters applications for the phase(s) of development abutting Warren Lodge (Presbytery) shall be accompanied by a landscaping scheme to reinforce the existing planting.

Reason: To soften the impact of the development on the setting of the Grade II listed building. This condition is applied in accordance with Policy CS17 of the West Berkshire Core Strategy 2006-2026.

**54. Restrictions on operations involving invasive non-native species**

No development shall take place until an invasive non-native species protocol has been submitted to and approved by the Local Planning Authority, detailing the control and removal of cotoneaster on site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason: To ensure the removal of the invasive non-native species. This condition is applied in accordance with the National Planning Policy Framework and Policy CS17 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because measures may need to take place throughout the construction phase.

***Heads of Terms (HoTs) for Section 106 Legal Agreement***

**1. Affordable housing**

On-site provision of 40% affordable housing (up to 144 dwellings)  
Tenure mix: 70% Social Rented, 25% First Homes, 5% Shared Ownership  
Distributed evenly throughout the development  
Pepper-potted in cluster sizes of between 5 and 12 dwellings  
Affordable housing unit size mix to be agreed to reflect the SPE mix and have regard to the latest evidence in the SHMA and LHNE updates that informed the emerging LHR as set out in Section 13 of this report.

**2. Public open space**

To layout and complete the open space in each phase in accordance with an Open Space Landscaping and Green Infrastructure Delivery and Management Plan pursuant to the corresponding condition, to include Public Open Space, SuDS, Brick Kiln Copse, 3 x LEAPS and 1 x LAP and delivery triggers. To transfer the Open Space to the Council, by substantial completion of the development for its future management and maintenance along with a Commuted Sum of for this purpose of £195k (£13k over 15years) (index Linked to the date of the S106).

3. **Secondary Education**

Education Financial Contribution of £1,570,000 towards the expansion / improvement of Park House School facilities to be paid to the Council in two equal instalments by occupation of 100 and 200 units, Index Linked to 30.6.2021 (bloor Homes date of S106 Unilateral Undertaking at SPE.

4. **Off Site Highway Contributions for improvements to the A339 corridor**

To St John's Roundabout, Pinchington Lane Junction and Traffic Signals. A total sum of £2,953,720.38 index linked to 30.6.2021, to be paid at triggers to be agreed and in advance of 200 occupations .

5. **Public Transport / Bus Service**

Financial Contribution of £500,000, at triggers to be agreed index linked to 30.6.2021, and provide a bus service/s linking Andover Road and Monks Lane through the SSSA and linking SPW with SPE.

6. **Warren Road works**

Delivery trigger to be agreed for wearing course for roadway, south pavement and north shared footway and cycleway and inc. PROW NEWB/5/1.

7. **Andover Road works**

Including new crossing with traffic lights (TUCAN), works to junction with Warren Road and to pedestrian and cycling facilities north of Warren Road junction. Delivery triggers to be agreed.

8. **Travel Plan**

Financial contribution £142,910 index linked to 30.6.2021 (triggers to be agreed) towards the Council's comprehensive Travel Plan for the whole of the SSSA.

9. **Health Care**

Financial Contributions of £187,500 index linked to 30.6.2021 payable prior to commencement towards expansion of facilities/service at Falkland Surgery and/or primary health care provision in the locality/area.

10. **Greenham and Crookham Commons SSSI**

Financial contribution Commuted Sum £40,000 (£4k per annum over 10 years) towards its maintenance costs index linked to date of the S106.

11. **Off-Site Sports Facilities**

Financial Contribution of £437,000 index linked to date of the S106 towards the provision / improvement of playing pitch, swimming pool, sport centre and/or bowls.

12. **Contribution Strip to Sanfoin**

No construction or other access to Sanfoin via SPW for its future development until they enter into a S106 as part of a planning permission to make proportionate contributions to highways, education, sports facilities, health care, travel plan, public transport/bus service.



***Refusal Reasons (in the event that the S106 Legal Agreement is not completed)***

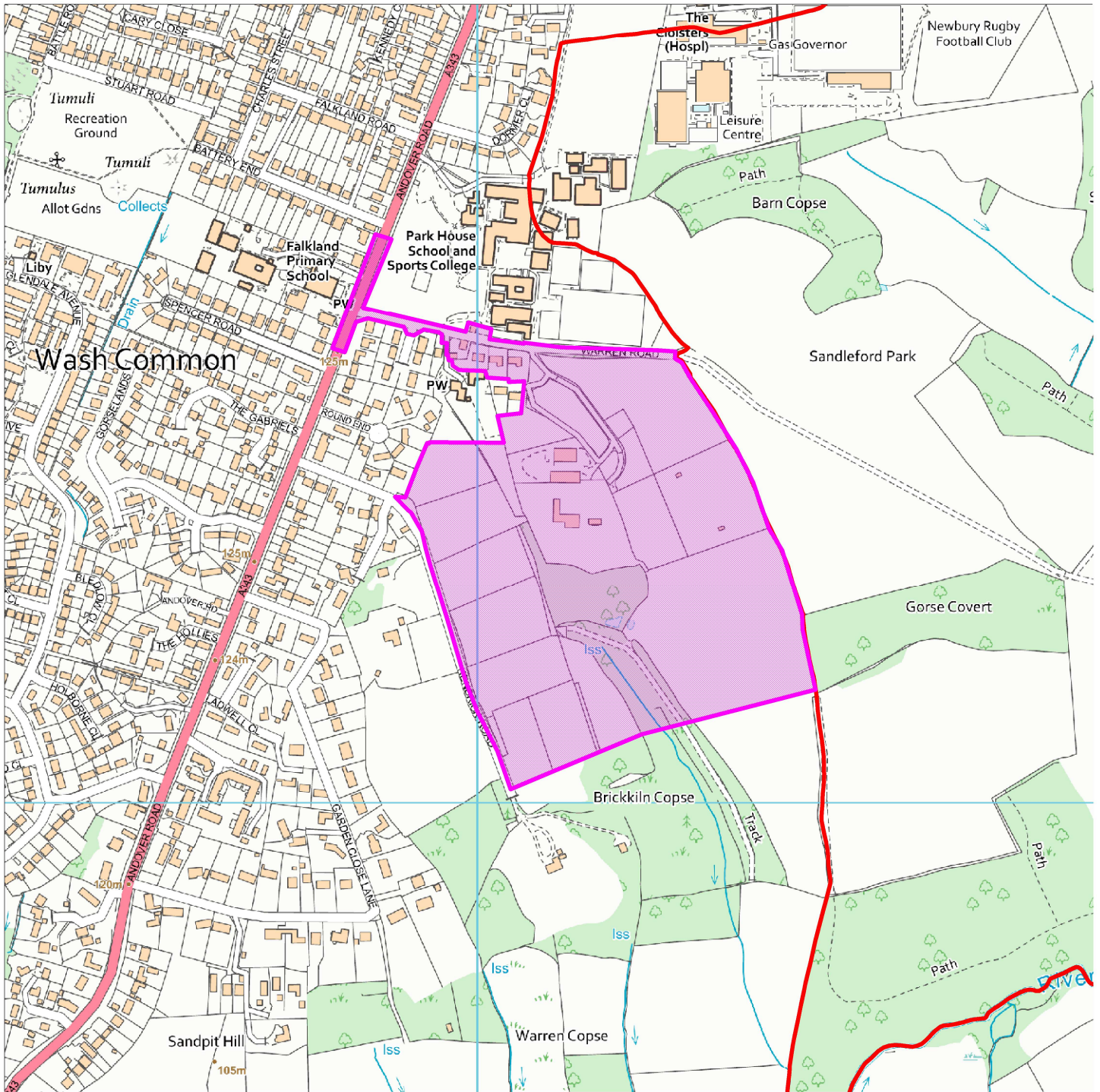
1. **Affordable housing (S106)**

The application fails to provide an appropriate planning obligation to deliver affordable housing. The district has a high affordable housing need and an affordability ratio above the national average. Compliance with Core Strategy Policy C6 through the provision of affordable housing is therefore necessary to make the development acceptable. In the absence of an appropriate planning obligation, the proposal is contrary to Policies CS3 and CS6 of the West Berkshire Core Strategy 2006-2026, the Planning Obligations Supplementary Planning Document, and the Sandford Park SPD, National Planning Policy Framework, as well as the relevant policies of the emerging Local Plan Review.

2. **Infrastructure mitigation (S106)**

The application fails to provide appropriate planning obligations to deliver the necessary on- and off-site infrastructure, namely: improvements to local highways network, public transport, travel plan, education, sports facilities, health facilities, the G&C Commons SSSI. In the absence of an appropriate planning obligation/s, the proposal is contrary to Policies CS3, CS5, CS13, CS17 and CS18 of the West Berkshire Core Strategy 2006-2026, the Planning Obligations Supplementary Planning Document, and the Sandford Park SPD, National Planning Policy Framework, as well as the relevant policies of the emerging Local Plan Review.

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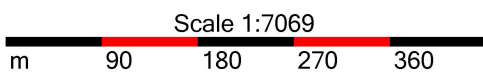
Map Centre Coordinates :

Scale : 1:7068

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	10 April 2024
<b>SLA Number</b>	0100024151



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