

Appeal Statement of Case

Local Planning Authority

Town and Country Planning Act 1990 Section 78 appeal against the refusal of planning permission

Appeal: APP/W0340/W/20/3265460

Site: Sandleford Park, Newtown Road, Newbury

Proposal: 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.

Date: 24 February 2021

Council Reference: 20/01238/OUTMAJ

Appeal Inquiry: Sitting Scheduled from 5 to 25 May 2021



West Berkshire Council's Appeal Statement of Case

Reference: Sandford Park, Newtown Road, Newbury

February 2021

NOTICE

Notice is hereby given that all the documents of relevance to this appeal may be viewed on the Council's website:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/01238/OUTMAJ>

Any additional documents will be made available as the appeal progresses. A hard copy of the evidence will be made available at the inquiry for public reference.

If you have any problems locating any relevant documents, please email appeals@westberks.gov.uk or call 01635 519111.

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Introduction

- 1.1 This Statement of Case has been prepared by West Berkshire District Council (“the Council”) in respect of an appeal lodged by Bloor Homes and Sandlesford Farm Partnership (“the Appellant”) with a start date of 20th January 2021, against the refusal of a planning application (Council reference 20/01238/OUTMAJ) for

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

at Sandlesford Park, Newtown Road, Newbury and dated 13th October 2020.

Reasons for Refusal

- 1.2 The application was refused for the following reasons:

Comprehensive Development of the Site

1. The proposed development fails to ensure the holistic comprehensive development of the Sandlesford Strategic Site Allocation (SSSA), with a view to maximising its potential as a well-planned and sustainable urban extension. The submitted application documentation fails to provide adequate certainty and confidence that this proposal will deliver the required comprehensive development of the SSSA as a whole, along with the co-ordinated and timely delivery of the associated infrastructure, services and facilities necessary to mitigate its impact across the entirety of the SSSA and beyond. The unacceptability of the proposal is exacerbated by numerous inconsistencies in the contents of the various submitted plans and reports, as well as in relation to the proposals for the adjoining site.

The failure to secure the comprehensive development of the SSSA renders this proposal unacceptable and contrary to:- i) Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); ii) the Vision, the Strategic Objectives and the Development Principles, including S1, of the Sandlesford Park Supplementary Planning Document (Sandlesford Park SPD, adopted March 2015); and iii) Policy CS5, CS13, CS14, CS17, CS18 & CS19 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012).

Strategic Landscape and Green Infrastructure

2. Policy CS3 requires infrastructure improvements to be delivered in accordance with the West Berkshire Infrastructure Delivery Plan (IDP, 2016). The IDP identifies the provision of green infrastructure to be necessary infrastructure. Development principle L1 of the Sandford Park SPD requires a planning application to be accompanied by a clear Strategic Landscape and Green Infrastructure Plan for the whole of the allocated site to integrate the development with the landscape and green infrastructure, and to incorporate the landscape, ecology/biodiversity, drainage and public open space / recreation development principles in the Sandford Park SPD.

The development proposal fails to secure a consistent Strategic Landscape and Green Infrastructure Plan for the whole of the allocated site.

The proposals for development are uncertain and contradictory, as a consequence of inconsistencies, omissions and unnecessary duplication within and between the relevant submitted drawings and associated reports. For example these include:- green links within the application site and also in relation to the remaining area of the Sandford Strategic Site Allocation (SSSA); strategic drainage mitigation elements; the location, size and extent of the education land offered as the Park House School extension, in this case proposed to provide a sports pitch; and tree and hedge removals and retention. There is no certainty in the proposal in respect of:- the required mitigation regarding the removal of existing green infrastructure (trees and hedgerow) along Monks Lane frontage to provide the proposed accesses; the future of the important row of mature trees along the southern boundary of Park House School adjoining Warren Road in the context of the need to provide a satisfactory public transport / all vehicle access through to Andover Road.

The unacceptable proposal of piecemeal development of only part of the SSSA gives rise to the need for unnecessary mitigation, which itself would result in harmful impact arising from, for example the proposed emergency access proposals for Development Parcel Central (DPC), incorporated as part of the central valley crossing structure and also the widened cycleway through the country parkland.

The proposed development does not form part of a well-planned comprehensive and satisfactory proposal for the SSSA in accordance with the Sandford Park SPD, nor does it secure the comprehensive delivery of the intended sustainable urban extension and fails to provide a holistic approach to the landscape, visual impact, green (and other) infrastructure for development of the whole of the SSSA.

For those reasons, this application for only part of the allocated site is considered to prejudice the successful delivery of the development of the SSSA and it is unacceptable and contrary to Policies CS3, CS5, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012), Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017), and the Development Principles, including L1 and F1 of the Sandford Park SPD (adopted March 2015).

Landscape and Visual Impact Assessment

3. The submitted Landscape and Visual Impact Assessment (LVIA) is unsatisfactory and unacceptable in that it fails to adequately and appropriately assess the landscape and visual impact of the proposed development of the application site, which forms part of a valued landscape. The LVIA was not undertaken using the latest West Berkshire Landscape Character Assessment 2019. As a result, the more up-to-date key characteristics, value attributes, sensitivities have not been identified/updated using the most recent information and this has not informed or influenced the scheme's design. As a consequence, the assessment of effects does not assess the correct Landscape Character Areas (LCAs) (WH2: Greenham Woodland and Heathland Mosaic; or the important interaction with the narrow, but critical UV4: Enborne Upper Valley Floor).

In addition, the LVIA and associated information fail to adequately consider the landscape and visual impact of a number of proposed elements and on a number of existing features, including those listed below:-

- i) the embankment structure within the central valley;
- ii) the suite and extent of encroaching proposals within the northern valley;
- iii) the NEAP and LEAP locations;
- iv) the engineered nature of Sustainable Drainage Systems (SuDS) features, and their close proximity to ancient woodlands;
- v) ancient and other woodlands and their buffers;
- vi) ancient, veteran and category A trees;
- vii) the western access point at the boundary with Sandleford Park West (SPW);
- viii) the Monks Lane accesses; and
- viii) the creation of emergency accesses and associated works to serve Development Park Central (DPC).

Notwithstanding the above, the submitted LVIA acknowledges that the proposal results in harm, at times significant, to the landscape and visual resources of the site. The proposals fail to take account of key characteristics and special features, which are sensitive and form highly valued components in this complex landscape and they will result in an unacceptable level of harm, with significant impact on the landscape character and visual resources. The application proposals fail to protect or enhance a valued landscape, as set out in NPPF paragraph 170, which also recognises the intrinsic character and beauty of the countryside, including the benefits of trees and woodland.

The lack of an adequate LVIA for the proposed development, and the identified harm to the landscape character and visual resources without sufficient mitigation is contrary to Policies CS14 and CS19 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); and the Vision, Strategic Objectives and the Development Principles in category L of the Sandleford Park SPD (adopted March 2015).

Affordable Housing

4. The Council's policy on affordable housing (CS6 of the Core Strategy) requires a 40% on-site provision for major developments on greenfield sites, 70% of which should be for social rented. Although the application satisfies the overall 40% affordable housing requirement, it proposes that 70% of that provision to be for a

mixture of affordable rented and social rented units. In this respect the proposal is unacceptable and unsatisfactory in that it fails to deliver the required proportion of units for social rent, for which there is the greatest need in the District.

In addition Schedule 8 of the accompanying draft Section 106 Legal Agreement submitted by the applicant proposes 80 extra care units (70x 1-bed & 10x 2-bed), which are all to be provided in one location within Development Parcel Central (DPC) and which form part of the affordable housing provision. Schedule 8 of the draft Section 106 stipulates that in the event that it was not feasible to progress the Extra Care Housing, the said units shall become General Affordable Housing Units. However, the unit mix and spatial distribution requirements of General Affordable Housing within the site are substantially different, to that of Extra Care Housing. Unless the proposal were to be considerably adjusted in good time, such a scenario would result in an unacceptable concentration of 80 units with an unacceptable unit mix. The development would fail to create a successful, sustainable, mixed and balanced community and to make satisfactory affordable housing provision.

Furthermore Schedule 8 of the draft Section 106 also provides that, under certain circumstances, the 30% intermediate housing would be allowed to switch to market housing, failing to make the required 40% affordable housing provision. Should the above occur, this would also result in a material change to the description of the development proposed, for which planning permission is hereby sought.

In all three of the above respects the application would be unacceptable and harmful to the community's need for affordable housing. The application therefore fails to make a policy compliant provision of affordable housing and it is contrary to Policies CS3, CS4 and CS6 of the West Berkshire Core Strategy Development Plan Document (Core Strategy adopted July 2012); the Vision, Strategic Objectives and the Development Principles in category F of the Sandford Park SPD (adopted March 2015); and the affordable housing provisions of the West Berkshire Planning Obligations Supplementary Planning Document (PO SPD, adopted December 2014).

Sustainable Development and Renewables

5. *This major development proposal, on the larger portion of the Sandford Strategic Site Allocation (SSSA), fails to use this significant opportunity to fully exploit the specific potential of the SSSA's inclined south facing orientation, greenfield status and scale to deliver an exemplar development regarding carbon dioxide emissions reduction, in the form of renewable energy generation, and to deliver a zero carbon residential-led mixed use urban extension. In this respect the proposal fails to demonstrate a high quality and sustainable design or that it would be built to high environmental standards. It is considered to be an unsustainable and harmful development, failing to reduce carbon dioxide emissions through the extensive use of renewables on site and otherwise contributing to climate crisis.*

In this respect the proposal is anachronistic, unacceptable, inappropriate, inadequate and unsatisfactory. It is contrary to Policies ADPP2, CS3, CS14 and CS15 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); the Vision, Strategic Objectives and Development Principle R1 of the Sandford Park SPD (adopted March 2015); the West Berkshire Corporate Environment Strategy (2019) and associated Declaration of Climate Emergency and objective to achieve Carbon Neutrality in West Berkshire by 2030.

Development Parcel Central, Emergency Access and the Central Valley Crossing

6. *Development Parcel Central (DPC) would effectively comprise a substantial residential quarter, as well as a local centre which would serve the entire urban extension at Sandleford and provide the necessary mix of uses required by the allocation of the site. The piecemeal nature of this development proposal for only the eastern part of the Sandleford Strategic Site Allocation (SSSA, and the failure to put forward a well-planned, co-ordinated, comprehensive and holistic development for the SSSA, mean that the proposed development does not on its own provide and/or guarantee the necessary vehicular access through to Andover Road to the west. As a result, DPC would stand as an island with a single point of vehicular access being via the central valley crossing from the north east, forming a very large scale cul-de-sac. This is considered inadequate in urban design terms, in respect of permeability and connectivity.*

The application includes two proposals for emergency access, one across the central valley and one along the cycle route within the country parkland. Both of these fail to provide satisfactory vehicular emergency access for DPC and its community. This is unacceptable, inappropriate and unsatisfactory in highways terms, for the necessary emergency and service vehicles, as well as for all the residents and users of DPC. The proposals would result in an unacceptable form of development, failing to provide a successfully integrated urban extension.

Access is not a reserved matter and it is considered that the detailed access proposals fail to provide satisfactory access to DPC and in this respect the proposed access details are inadequate and insufficient and therefore unacceptable.

In addition, the critical issue of access to DPC and the applicant's proposed design response have a number of harmful and unnecessary consequences for the development and the site as follows:-

i) in highways terms satisfactory emergency access could only be provided in this case in the form of two separate and independent access road structures across the entire width of the central valley. The applicant's illustrative solution is for a single substantial earthworks embankment bridge structure instead. This would result in unnecessary and unacceptable harm to:- a) the landscape character and visual quality of the valley; b) trees on the valley side; and c) the ecology of the riparian valley, including the priority habitat of rush pasture, with the area of purple moor grass of county importance. Similar concerns are also raised in respect of the potential adverse harmful impact of the proposed construction access across the central valley to DPC and also to PHS. The proposed central valley crossing embankment would also introduce an unacceptable and unnecessary obstacle to the proposed pedestrian and cycle routes running along the two sides of the central valley, which seek to connect the country parkland and the whole of the SSSA to the Rugby Club site to the north; and

ii) the other emergency access in the form of the Grasscrete widening of the proposed cycleway within the country parkland and its consequent diversion in part from running adjacent to the public right of way (PROW9), would introduce an unnecessary additional element of domestication within the country parkland, which results in unnecessary and unacceptable harm to the landscape character and visual quality of the landscape, as well as to an ancient woodland (Waterleaze Copse) and associated riparian valley crossing, through which it would pass.

The proposal, by disregarding the importance to deliver a comprehensive and co-ordinated holistic development, is ill-thought out, will cause unnecessary substantial material harm to a whole range of interests of acknowledged importance, would fail to deliver a satisfactory form of development and is therefore unacceptable and inappropriate on a number of levels. In this respect it is contrary to Policies ADPP2, CS3, CS5, CS13, CS14, CS17, CS18, CS19 of the West Berkshire Core Strategy Development Plan Document (CS DPD, adopted July 2012); Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); and the Vision, the Strategic Objectives and the Development Principles including S1, L1, L2, L4, L6, L7, E1, E2, A1, A2, A6, F1, F2, U1, U4, U5, CA7 & CA9 of the Sandford Park SPD (adopted March 2015).

The A34

7. *The application fails to provide sufficient information to demonstrate that the development proposed would not result in a severe impact requiring mitigation on the A34 Strategic Road Network, despite the IDP identifying the A34/A343 junction as critical infrastructure. The proposal is therefore contrary to Policies ADPP2, CS3, CS5 and CS13 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012).*

Ancient Woodlands

8. *The application site includes a network of six ancient woodlands and one other woodland with a number of ancient indicators. All the trees on the site are the subject of a Tree Preservation Order (TPO 201/21/1016-W15-MIXED). In accordance with NPPF paragraph 175(c) ancient woodlands are irreplaceable habitats. Although the submitted documentation refers to the intended provision of 15m buffers to the ancient woodlands and 10m buffers to the other woodland, the proposals indicate that in certain instances works will encroach into the 15m buffers, as in the case of the sports pitch proposed to the south of Barns Copse, or the proximity of conveyancing channels and detention basins in relation to Dirty Ground Copse, Highwood and Slockett's Copse, or the proposed cycle route and Grasscrete works in relation to Waterleaze Copse. The Planning Authority considers that notwithstanding the 15m buffers metric in Sandford Park SPD, 15m buffers should be a minimum in accordance with Natural England standing advice and the development should be providing appropriate and more generous buffers as appropriate, to ensure unnecessary deterioration and harm to these irreplaceable habitats. At the same time the existing connectivity of Crooks Copse with Highwood and Slockett's Copse, is seriously at risk from the encroachment of the development proposals into the area of the northern valley, significantly narrowing that corridor beyond what is envisaged by the SP SPD. Furthermore the proposed drainage strategy gives rise to concerns in respect of potential direct surface water drainage from Development Parcel Central (DPC) and Development Parcel North 2 (DPN2) into the adjacent Dirty Ground Copse and Slockett's Copse respectively.*

The proposed development fails to provide acceptable indications, and therefore sufficient confidence and certainty, that the proposed development will not cause the avoidable deterioration of and harm to the ancient woodlands on site. The application proposal fails i) to adequately set out and explain any wholly exceptional reasons

which apply in this case and justify any such harm; and ii) to clearly set out the suitable compensation strategy that would be put in place to address this harm.

In this respect the application is unacceptable, inappropriate and contrary to Policies CS3, CS14, CS17, CS18, CS19 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); and the Strategic Objectives and Development Principle L4 of the Sandleford Park SPD (adopted March 2015).

Impact on and Loss of Ancient, Veteran and Tree Preservation Order Trees

9. *In addition to the woodlands the site contains many individual trees and also others forming part of hedgerows. All the trees on the site are the subject of a Tree Preservation Order (TPO 201/21/1016-W15-MIXED).*

The proposal will result in the loss of an ancient oak (T34) and the potential loss of a veteran oak (T127) to facilitate aspects of the development. In both cases the application has failed to explain why their loss cannot be avoided, as it appears that it could be, and to set out the wholly exceptional reasons and to provide details of the suitable compensation strategy that would justify their loss.

The proposal will also result in works within the root protection area of four other veteran trees and their potential deterioration, the loss of a category A tree within the central valley and the loss of a number of trees and hedgerow in relation to the extension land to PHS. All these works appear to be avoidable and the proposal does not demonstrate alternative approaches to avoid such harm to trees that are the subject of a TPO.

The proposal will also result in the extensive loss of trees and hedgerow along Monks Lane without satisfactory strategic mitigation, to the detriment of the amenity, visual quality and verdant character of this important thoroughfare street scene.

The proposed development will cause harm to a number of irreplaceable priority habitats comprising ancient and veteran trees and a number of other important trees that are the subject of a TPO, without satisfactory justification and compensation / mitigation. The proposal is therefore poor, unacceptable and inappropriate and contrary to Policies CS17 and CS18 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); and the Strategic Objectives and Development Principle L4 of the Sandleford Park SPD (adopted March 2015).

Education Land

10. *The proposal seeks to set aside part of the site to form an extension to Park House School in order to mitigate the impact of the development proposed on secondary education provision, as required by Policy CS3 of the Core Strategy. The applicants have proposed that the expansion land to be provided is used to facilitate the identified need for an additional sports pitch. The proposal however will result in the loss of the ancient tree (T34), as well as a number of trees and hedgerow along its western boundary, while also encroaching onto the buffer of the Barns Copse ancient*

woodland. It is apparent that these impacts could be avoided by a small increase in the area of proposed expansion land to be secured, the size of which remains inadequate, or, through an alternative proposal for the alterations to the school.

The proposal is unacceptable as it stands and as a result the proposal would fail to make adequate provision in relation to secondary education, to mitigate the needs of the development and to also ensure the satisfactory provision of a sports pitch. The proposal is therefore contrary to Policy CS3 and CS5 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); and the Vision, Strategic Objectives and design Principles S1 and F1 of the Sandford Park SPD (adopted March 2015).

Ecology

11. It is considered that the proposed development gives insufficient regard to the post-construction adverse impacts on the existing retained habitats. The current proposals are expected to lead to:-

i) a gradual but significant decline in the quality of the habitats on site, such as:- ancient woodland, rush pasture (including Purple Moor Grass), ponds, riparian/fluvial habitats, secondary woodland / Lowland mixed deciduous woodland, hedgerows, and Woodpasture and Parkland BAP priority habitat; and

ii) an unacceptable reduction in the suitability of habitats for a number of protected species, such as:- bats, reptiles, skylarks, lapwings, dormice and badgers; and also notable species such as native amphibians and hedgehogs.

These are caused by increased anthropogenic pressures on the site which have neither been adequately considered, nor mitigated for with appropriate compensation measures.

Furthermore, the submitted Biodiversity Net Gain Assessment (ES Vol. 3 Appendix F2 1) is considered inadequate as it does not account for the degradation of the retained existing habitats.

In addition there are a large number of inconsistencies within the submitted documentation, and the considerations being made have the potential to also have an adverse impact of the local natural environment, with environmental impacts not adequately addressed / mitigated for.

The proposal is unacceptable on ecological and biodiversity grounds and it is contrary to Policies CS14, CS17 and CS18 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); and the Vision, Strategic Objectives and Design Principle L4 of the Sandford Park SPD (adopted March 2015).

Impact on SACs

12. The proposed development could have potential significant effects on European Designated Special Areas of Conservation (SAC), namely Kennet Valley Alderwoods SAC, Kennet and Lambourn Floodplain SAC and the River Lambourn SAC. With regard to the Conservation of Habitats and Species Regulations 2017, the

proposal provides insufficient information regarding the likely impacts on air quality of the development proposed. The lack of provision prevents the necessary assessment of the potential significant effects on these SACs and any necessary mitigation required. The proposal does not include the information that is necessary to determine the significance of these impacts and the scope for mitigation.

The lack of sufficient information is contrary to the Conservation of Habitats and Species Regulations 2017, Policies CS17 of the West Berkshire Core Strategy Development Plan Document (CS DPD, adopted July 2012) and Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017).

Drainage / Sustainable Drainage Systems (SuDS)

13. *The proposal does not provide sufficient information in respect of:-*

- i) the interrelationship of surface water runoff between the application site and the remainder of the Sandford Strategic Site Allocation;*
- ii) the impact of the proposed conveyance channels on ground water levels; and*
- iii) the impact of surface water runoff on ancient woodland.*

In the absence of that information there is potential for adverse impact on ground water and the woodlands.

Furthermore, the proposed drainage strategy proposes detention basins within the country park (A, B and C) with approximately the same surface area in square metres as volume in cubic metres, resulting in basins approximately 1 metre in depth with near vertical sides. This would be unacceptable as basin side slopes should be constructed ideally with a 1 in 4 gradient in accordance with SuDS Manual C753. The use of conditions to address this concern would not be reasonable given the limited area around the basins and high potential to detrimentally impact on existing streams (which require an 8 metre buffer zone on both sides), proposed footpaths and ancient woodland.

In addition, the Drainage Strategy Plan submitted (ES Vol. 3 Appendix K1, drawing number 10309-DR-02) is incomplete, omitting a significant element of green infrastructure comprising the River Enborne, appears to show surface water flowing almost in line with the contours in several places, rather than angled to them as would be expected. Furthermore, surface water flow appears to be directed through the ancient woodlands of Dirty Ground Copse and Slockett's Copse which is unacceptable due to potential ecological damage that would cause. With regard to the status of those woodlands as irreplaceable habitats, the development proposal has failed to determine through modelling that new surface water flow will not detrimentally affect the ancient woodland.

The lack of sufficient information prevents a full consideration of the impact of the proposed development on ground water levels and ancient woodlands and the necessary mitigation required. Furthermore, the provision of acceptable and adequate detention basins are unlikely to be achievable whilst respecting the existing watercourses, proposed pedestrian infrastructure and ancient woodlands. As such the proposal is unacceptable and contrary to Policies CS3, CS14, CS16, CS17 and CS18 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); the Vision, Strategic Objectives and Development Principle H11 of

the Sandleford Park SPD (adopted March 2015); and the West Berkshire Sustainable Drainage Systems SPD (adopted 2018).

Infrastructure provision and Planning Obligation(s)

14. *The development fails to secure satisfactory Section 106 planning obligation/s to deliver the necessary infrastructure, mitigation and enabling works (on and off site), including in terms of: affordable housing, travel plan, highway works including pedestrian and cycle facilities (off-site), country parkland, public open space and play facilities, sports pitch provision, other green infrastructure, public transport, primary and secondary education, healthcare and local centre, including community and commercial uses.*

The application is therefore contrary to Policies CS3, CS4, CS5, CS6, CS13, CS17, CS18 of the West Berkshire Core Strategy Development Plan Document (CS DPD, adopted July 2012); the Vision, Strategic Objectives and the Development Principles of the Sandleford Park SPD (adopted March 2015); and the West Berkshire Planning Obligations Supplementary Planning Document (PO SPD, adopted December 2014).

Scope of Council's Statement of Case

- 1.3 This Statement of Case has been prepared in accordance with the Planning Inspectorate's *Procedural Guide (Planning Appeals – England)*. It supports the Council's reasons for opposing the proposed development as refused. The Council's extensive delegated Officer's Report setting out the case is attached as Appendix SoC1. This Statement does not seek to duplicate the Officer's Report, but is prepared in the context of the Appellant's Statement of Case, and supplements the Officer's Report as appropriate. It will be supplemented in due course by Proofs of Evidence of the Council's witnesses.
- 1.4 It should also be noted that at the time of preparing this Council's Statement of Case, the Council is liaising with the Appellant on the draft Statement of Common Ground. The Appellant has also indicated that they will be providing to the Council a draft s.106 Unilateral Undertaking for the Council's consideration. The Council will be reviewing and responding to that in due course. In addition the Appellant's additional and amended submissions at appeal stage are currently the subject of a "Wheatcroft" consultation. The Council will be reviewing the responses and considering the merits of those submissions in the context of the refusal of the appeal proposal and responding in due course, provided of course that the Inspector indicates that she is minded to accept the additional submitted information for consideration as part of this appeal, either in part or in whole.

Procedural Matters

1.5 Further to the above stated Reasons for Refusal:

i) in respect of Reason of Refusal 7, Highways England wrote to the Council and the Appellant on the 30th October 2020 removing its previous holding objection. Highways England do not object in relation to the impact of the proposed development on the Strategic Highway Network, subject to planning conditions relating to a construction traffic management plan and a travel plan (both of which are already anticipated by the Appellant and Council). Reason for Refusal 7 therefore is no longer being pursued by the Council;

ii) in respect of Reason for Refusal 12 and the potential Air Quality Impacts on Special Areas of Conservation (SACs) raised by Natural England, the Appellant submitted information in relation to this on the 1st September 2020 which was forwarded to Natural England by the Council. Natural England confirmed in response that this information was not sufficient to address their objection. The Appellant submitted further information on Air Quality Impacts on SACs (along with other additional information, now submitted as part of the appeal additional information and the subject of the "Wheatcroft" consultation) on 25th September 2020 to the Council, but the Council did not accept this information onto the planning file and therefore did not re-consult Natural England. The Appellant submitted that information directly to Natural England who confirmed to the Council on 16th November 2020 (after the refusal of the application) that Natural England agreed with the conclusions in the information submitted on 25th September 2020 that air quality impacts on nearby European sites can be ruled out, both alone and in combination, and that it is sufficient to remove Natural England's previous maintained objection to the application. Therefore, Reason for Refusal 12 is no longer being pursued by the Council;

iii) notwithstanding the reference to Woodpasture and Parkland Priority BAP Habitat in Reason for Refusal 11 on Ecology, the Council confirms that it does not intend to pursue this issue at the appeal; and

iv) the Council also confirms that further to information provided as part of the FRA to the finally disposed of application 18/00674/OUTMAJ, it no longer intends to pursue the reference in point (i) in Reason for Refusal 13 in relation to the interrelationship of

surface water runoff between the application site and the remainder of the Sandford Strategic Site Allocation (SSSA), i.e. the New Warren Farm Sandford Park West site.

- 1.5 The Council has sought to include the above confirmation in the Statement of Common Ground, currently under discussion between the Council and the Appellant.

2. Appeal Site and Proposal

The Appeal Site

- 2.1 The appeal site is outlined in red on the Appellant's Application Boundary Parameter Plan 14.273/PP01. The appeal site forms part of the Sandleford Strategic Site Allocation (SSSA) situated in south Newbury. Section 5 of the Officer's Report describes the appeal site, which comprises 114 hectares of agricultural land and several areas of woodland, the majority of which are ancient woodland.

Relevant Planning History

- 2.2 The relevant planning history of the appeal site, as well as of the adjacent sites of New Warren Farm, Warren Road and Highwood School, is set out in Table 2.1. below.

Table 2.1: Planning History

Application	Proposal	Decision
118884	Farm incorporating erection of 3 dwellings country park touring caravan site.	Application Approved 14/11/83
14/01456/SCOPE	EIA Scoping request for the development of the Sandleford Strategic Site Allocation.	Response issued 20/08/14
14/02416/FUL	Proposed improvements to Warren Road and create new access. Alterations (part demolition and two storey extension) to Park Cottage.	Application Approved 8/12/14
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.	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	Application Approved 16/3/18

	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.	
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.	Application Refused 08/11/17
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).	Application Refused 08/11/17
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.	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	Application Finally Disposed Of 18/9/20

	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.	
18/00828/OUTMAJ	<p>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.</p> <p>A fully revised set of proposals received on 25th September with a view to go out to re-consultation with a view to go out to re-consultation if the submitted package is found to be valid.</p>	Application Under Consideration
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 18/9/20
20/01238/FUL	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 (the subject of this appeal)
20/03041/FUL	Improvements and enhancements to Warren Road including demolition of Warren House	Application Outstanding, pending submission of an Environmental

		Statement in accordance with issued Screening Opinion.
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The Appeal Proposal

- 2.3 The Appellant's submitted planning application form ticked Access as one of the "reserved matters for which approval is being sought". As such the description of the proposed development as consulted (as per the advert and consultation site notices) and refused (as per the decision notice) (all of which have been provided with the appeal questionnaire) was and remains:

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.

- 2.4 Section 6 of the Officer's Report provides an extensive summary of the appeal proposals. It seeks to describe the refused application proposal as it was put forward in the Appellant's various plans, suite of reports, Environmental Statement and accompanying appendices and the draft s.106 legal agreement, all submitted as part of the planning application. These also include reference in relation to development proposals on adjacent land, for which the appellant has submitted "combined" plans and a Memorandum of Understanding with the adjoining owner/developer, Donnington New Homes and Applicant of the current outstanding applications Reference Numbers 18/00828/OUTMAJ and 20/03041/FUL.
- 2.5 Section 6 of the Officer's Report also provides commentary to the associated interplay between the various elements of the appeal proposals and it highlights some of the inconsistencies and contradictions contained within the various parts of the submitted documentation, which are also highlighted in other sections of the officer's report.

- 2.6 Section 2 of the Officer's Report sets out the contextual perspective of the Council's history of extensive positive engagement with the Appellant team (and also the Applicant team for the adjoining Sandleford Park West part of the SSSA) over a period of approximately seven years.
- 2.7 It was against this background, including three refused planning applications applications, that revised application 18/00764/OUTMAJ was followed by the unsolicited submission of the "duplicate" planning application proposal 20/01238/OUTMAJ, now the subject of this appeal. Prior to the submission of this application it is understood the Applicant indicated informally to the Council that they intended to submit it to allow them the option to appeal.
- 2.8 A number of consultee responses raised considerable concerns and objections to the 20/01238/OUTMAJ application scheme and they recommended refusal from their respective perspectives. The older "duplicate" application 18/00764/OUTMAJ was "finally disposed of" by the Council. Initial assessment of the application proposal, in the context of the consultee responses, indicated that the scheme was unacceptable for a number of reasons and that revisions to overcome a number of those would necessitate extensive material submissions of amendments and additional information , which would require full re-consultation, which the Council wished to avoid for a number of reasons. Furthermore the Council wanted to avoid the lodging of a non-determination appeal.
- 2.9 Two weeks before the statutory sixteen week expiry date the Appellant submitted a notice indicating that they intended to lodge a non-determination appeal to be heard by way of an inquiry in respect of application 20.01238/OUTMAJ.
- 2.10 In the meantime the Appellant had already been drip feeding additional information in response to two consultee responses, one of which did not overcome the objection (Natural England). The Appellant were also approaching other consultees directly.
- 2.11 The Council wrote to the Appellant and advised the reasons why it would not accept any further submissions and that it would complete assessment of the proposal and that it would proceed to determine it as it stood. As well as that, the Council advised the Applicant that consultees were requested not to negotiate on application 20/01238/OUTMAJ proposal itself directly.

- 2.12 The Applicant submitted additional information, which on the face of it did not overcome many of the concerns and objections raised by consultees, and the submission itself would have necessitated a full re-consultation exercise, which the Council was not prepared to undertake, nor was it prepared to risk a non-determination appeal, were the application to be assessed unacceptable overall. The Council confirmed to the appellant that it would not accept nor re-consult on the 228 page submission, which now forms part of the Appellant's "Wheatcroft" consultation, and that it would proceed to assess and determine the proposal as it stood.
- 2.13 The application was assessed to be unacceptable and was refused accordingly within the statutory period.

3. Planning Policy

- 3.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise¹. The development plan is therefore the starting point for decision making. Where a planning application/appeal conflicts with an up-to-date development plan, permission should not usually be granted (NPPF paragraph 12).

Statutory Development Plan

- 3.2 The Development Plan for West Berkshire is currently made up of a number of different documents². Table 3.1 sets out those development plan documents that are relevant to the appeal proposal, together with a list of the relevant policies in those development plan documents. Copies of these documents and policies have already been submitted with the appeal questionnaire.

Table 3.1: Statutory Development Plan - Relevant Policies

Development Plan Document	Relevant Policies
West Berkshire Core Strategy 2006-2026 (WBCS) http://info.westberks.gov.uk/corestrategy	ADPP1, ADPP2, CS1, CS3, CS4, CS5, CS6, CS9, CS11, CS13, CS14, CS15, CS16, CS17, CS18, and CS19
Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD) http://info.westberks.gov.uk/hsa	GS1, C1 and P1
West Berkshire District Local Plan 1991-2006 Saved Policies 2007 (WBDLP) http://info.westberks.gov.uk/article/28783	OVS.5, OVS.6, TRANS.1, SHOP.5, RL.1, RL.2 and RL.3
Replacement Minerals Local Plan for Berkshire (1997/2001) https://info.westberks.gov.uk/CHttpHandler.ashx?id=34864&p=0	1, 2 and 2a

¹ S.38(6) of the Planning and Compulsory Purchase Act 2004 and s.70(2) of the Town and Country Planning Act 1990.

² Full development plan: West Berkshire Core Strategy 2006-2026 (adopted July 2012); Housing Site Allocations DPD 2006-2026 (adopted May 2017); West Berkshire District Local Plan 1991-2006 Saved Policies 2007 (as amended in July 2012 and May 2017); Stratfield Mortimer Neighbourhood Development Plan (adopted June 2017); South East Plan, Natural Resource Management Policy 6 (relating to the Thames Basin Heaths Special Protection Area); Replacement Minerals Local Plan for Berkshire (incorporating alterations adopted in December 1997 and May 2001); Waste Local Plan for Berkshire (adopted December 1998).

Table 3.2 sets out a subset of the above relevant policies, comprising those Development Plan policies, which the Council considers to be ‘the most important’ for determining this outline appeal proposal.

Table 3.2: Statutory Development Plan

Development Plan Document	Most Important Policies
West Berkshire Core Strategy 2006-2026 (WBCS) http://info.westberks.gov.uk/corestrategy	ADPP1, ADPP2, CS1, CS3, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18, and CS19
Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD) http://info.westberks.gov.uk/hsa	GS1 and C1

Weight to be given to development plan policies

- 3.3 It is a fundamental principle of the planning system that the weight to be afforded to each issue is solely a matter for the decision maker. However, the NPPF provides some guidance on what weight should be given to development plan policies given the status of the NPPF as a material consideration in deciding planning applications/appeals. NPPF paragraphs 212 and 213 state:

“212. The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this replacement Framework has made. This should be progressed as quickly as possible, either through a partial revision or by preparing a new plan.

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

- 3.4 This is a residential led development proposal. The Council is able to demonstrate an up-to-date Five Year Housing Land Supply (5YHLS) and satisfactory delivery against the Housing Delivery Test. In addition all the above mentioned Development Plan policies have been assessed against the NPPF and (with the exception of the part of CS15 relating to the Code of Sustainable Homes) they have been found to be consistent with its objectives, provisions and policies. The Development Plan and its policies which are considered to be the most important for determining the appeal

proposal, are therefore up-to-date in terms of the NPPF and are the appropriate policy framework for assessing and determining this appeal proposal. They should therefore carry full weight and the NPPF paragraph 11(d)(ii) tilted balance is not engaged.

- 3.5 As concluded in paragraph 10.9 of the Officer's Report, notwithstanding the allocation of the appeal site, the proposal remains contrary to the Core Strategy Policies ADPP2, CS3, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18 and CS19, as well as HSA DPD Policy GS1. The Council will demonstrate in its evidence that this policy conflict of the refused appeal proposals with this wide-ranging basket of "most important" Development Plan Policies, renders it in conflict with the Development Plan as a whole.

Material Considerations

- 3.6 A number of documents, listed below, which are material considerations and relevant to this appeal are listed below. Their policies and provisions and their weight, will be referred to in evidence by the Council's witnesses. Other documents, which may emerge in the course of this appeal, will also be outlined and referred to in the relevant proofs of evidence.
- 3.7 The **National Planning Policy Framework (NPPF)** sets out the Government's planning policies for England and how these should be applied. The NPPF is a material consideration in planning decisions. The NPPF should be read as a whole, including its footnotes and annexes. The latest version was published in February 2019. As of February 2021 the Government is consulting on some amendments and updating of the NPPF, which are at a very early stage of their emergence. Where relevant they will be cited in the respective proofs of evidence.
- 3.8 The **Planning Practice Guidance (PPG)** is an online publication which supplements the NPPF and, as a statement of government policy, may also be material when deciding applications/appeals.
- 3.9 The **Sandleford Park Supplementary Planning Document (SPD)** was originally adopted in 2013 and subsequently amended in 2015 to include development principle S1, following seven weeks of consultation between 12th December 2014 and 30th January 2015. It sets out the environmental, social, economic and design objectives, which are relevant to delivering the allocated urban extension at the Sandleford Park

site (SSSA), as a well-planned comprehensive development, building upon the key principles for the site which have been established through the Core Strategy. Its development principle S1 requires proposals are brought forward by means of a single planning application for the SSSA site in order to achieve a comprehensive development and to ensure the timely and co-ordinated provision of infrastructure, services and facilities.

3.10 The **Planning Obligations SPD (2014)** was adopted by the Council in December 2014, following a period of consultation which took place in Summer 2014. It sets out the Council's approach for securing contributions and requiring obligations from development, alongside the Community Infrastructure Levy (CIL). This approach is in accordance with national CIL Regulations and the council's pdf CIL Regulation 123 List.

3.11 The **Sustainable Drainage Systems (SuDS) SPD (2018)** was adopted by the Council in December 2018, following a period of consultation which took place in the summer of 2018. It provides guidance on the approach that should be taken to SuDS in new developments in West Berkshire, so as to manage and mitigate surface water flood risk.

3.12 Other documents comprising material considerations which may be referred to at this appeal include:

- West Berkshire CIL Charging Schedule;
- Manual for Streets (DfT; March 2007);
- National Planning Policy for Waste (NPPW, 2014);
- West Berkshire 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);
- 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);
- The Berkshire Landscape Character Assessment (2003)
- Highways Act 1980 (as amended);
- Town and Country Planning Act 1990 (as amended);
- Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended);
- Cycle and Motorcycle Advice and Standards for New Development (2014)
- West Berkshire Council Environment Strategy 2020-2030
- West Berkshire Council Playing Pitch Strategy (2020)
- White Paper Planning for the Future (2020)

Emerging Policies

3.13 The Local Plan Review 2020-2037: Emerging Draft, was consulted on between 11 December 2020 and 5 February 2021. Comments received are currently being reviewed. It contains inter alia a suite of relevant Strategic SP Policies, including notably Policy SP16 Sandford Strategic Site Allocation, as well as a suite of relevant Development Control DC Policies.

3.14 The policies in the Emerging Draft of the Local Plan Review, which is at a very early stage towards its adoption, carry little weight at this stage.

3.15 The Local Plan Review policies of any relevance to the appeal proposal, which may be referred to as part of the appeal are:

SP1, SP3, SP5, SP6, SP7, SP8, SP9, SP10, SP11, SP12, SP13, SP16, SP18, SP19, SP22, SP23, DC1, DC2, DC3, DC4, DC5, DC6, DC7, DC9, DC10, DC11, DC13 and DC14.

4. Principle of Development

- 4.1 The strategic allocation of Sandleford Park (SSSA) for an urban extension, reflects and effects the housing delivery objectives of the Core Strategy spatial strategy Policies ADPPI and ADPP2 and also Policy CS1, while the inclusion of the allocated development area at Sandleford within the Newbury settlement boundary as reviewed extended and adopted by the HSA DPD accords with policy C1 in that document, which sets out a presumption in favour of development within settlement boundaries. Thus the residential-led development of the SSSA (as it is within the Newbury settlement boundary) is acceptable in principle.
- 4.2 In this respect the residential-led development of the part of the appeal site that falls within the adopted Newbury settlement boundary as part of the satisfactory, holistic, comprehensive, co-ordinated and coherent development of the entire SSSA would be acceptable in principle given its allocation.

5. Main Issues

- 5.1 Taking into account the Council's reasons for refusal and the Appellant's Statement of Case, the main issues that the Council seeks to address at this appeal can be broadly listed as follows:
- Landscape Character Visual Impact and Strategic Landscape and Green Infrastructure;
 - Trees and Woodland;
 - Drainage / Sustainable Drainage Systems (SuDS)
 - Ecology;
 - Transport and Highway issues and Access to Development Parcel Central ;
 - Sustainable Development and Renewables;
 - Education;
 - Affordable Housing;
 - Planning Obligations and CIL;
 - Comprehensive Development of the SSSA.
- 5.2 Other matters have been reviewed/addressed in the Officer's Report.

6. Landscape, Character and Visual Impact

- 6.1 The issue of the impact of the appeal proposal in landscape and visual terms, concerns and cuts across a number of Reasons for Refusal (RfR), either in whole and/or in part, namely RFR2 Strategic Landscape and Green Infrastructure, RfR3 on 'Landscape and Visual Assessment'; RfR6 on 'Development Parcel Central, Emergency Access and the Central Valley Crossing'; RfR8 on 'Ancient Woodlands'; and RfR2 on 'Strategic Landscape and Green Infrastructure'.
- 6.2 The site does not lie within the area of the district covered by the North Wessex Downs AONB national designation. The site is not specifically designated as a valued landscape in the Development Plan; however, the Development Plan does not designate any specific site in the District as a valued landscape. The Council's appointed Landscape Consultant considers the site to comprise a valued landscape for the purposes of paragraph 170 of the NPPF.
- 6.3 As set out in his consultation response and in paragraphs 9.39 to 9.78 of the Officer's Report the Council will provide evidence to show that:
- i) the submitted Landscape and Visual Impact Assessment (LVIA) is deficient and requires updating to reflect the 2019 Landscape Character Assessment;
 - ii) the submitted LVIA fails to adequately assess the landscape and visual impact of a number of important elements and components of the appeal proposal. These include the proposed embankment structure for the Central Valley Crossing; the North Valley Crossing and encroachment of the proposed development into the sides of the shallow north valley corridor beyond the extent of the adopted Newbury settlement boundary; the proposed location of the NEAP beyond the extent of the Development Parcel Central (DCP) and the LEAP within the North Valley; the impact of SuDS features, paths, football pitch, emergency vehicular access and watercourse crossings on ancient woodlands and their buffers, and ancient, veteran and other trees; (including category A TPO), as well as the aggregation/accumulation of new built features being proposed within the 15m buffer zones of the ancient woodlands, which also form part of the shallow valley corridor;

- iii) the LVIA Landscape Effects fail to assess the change to the character in Year1 Post Construction, or Year 15 Post Establishment;
- iv) the LVIA understates the Value, Susceptibility and Sensitivity of a number of key intrinsic and linked landscape features/elements within the character area, such as woodland, arable land and the central valley and footpath network, the topography, open views, importance of woodland block (ancient woodland), which form an attractive and valuable mosaic in the southern setting of the town;
- v) the LVIA overstates the landscape effect (of Major Magnitude and Substantial Significance) of the scheme in relation to the clear change in character resulting from the change in use of an agricultural landscape to a well-used accessible country park land associated with an enlarged urban edge with public access;
- vi) the assessment fails to recognise the scale of change arising through the direct loss of trees and hedge vegetation affecting the change in character and views along the Monks Lane frontage, resulting from the introduction of the three proposed accesses with associated infrastructure; these are not reserved matters and where the proposals do not provide sufficient confidence that adequate mitigation in the form of a replacement landscaping scheme can be provided;
- vii) whilst the Council agrees with location/selection of the visual receptors in the LVIA, the assessment of visual effects have been underestimated and are not agreed. It is also noted that the photographs used date back to the 2017 assessment, and it is not clear if the assessment considers any baseline changes that may have occurred, while the assessment does not appear to distinguish between winter or summer effects;
- viii) the submitted documentation includes a whole series of inconsistencies and unresolved issues which have the potential for adverse impacts on landscape and visual resources. At the same time as a result of the failure to come forward with a comprehensive, coherent and fully co-ordinated development, across the whole SSSA. In this respect the appeal proposal would result in i) unnecessary duplication of for example the provision of expansion land and playing pitch for Park House School; ii) the need to provide unnecessary emergency vehicular access/es to Development Parcel Central via a combination of both, a more

complex and larger scale central valley crossing solution, as well as the provision of an emergency access route through the country parkland, resulting in a direct impact on Waterleaze Copse, which has been overlooked; and failure to explore a better all transport mode access point to Sandleford Park West in terms of impact on boundary vegetation. As a result the refuse appeal proposals would cause unnecessary harm to the landscape and visual resources, than they might otherwise have done;

- ix) furthermore and notwithstanding the submission of an Strategic Landscape and Green Infrastructure (SLGI) Plan together with a combined SLGI Plan, the appeal proposals are uncertain and contradictory, as a consequence of inconsistencies, omissions and unnecessary duplication within and between the relevant submitted drawings and associated reports. The proposal fails to secure a consistent Strategic Landscape and Green Infrastructure Plan for the whole of the allocated site and to provide a holistic approach to the landscape, visual impact and green infrastructure for the whole of the SSSA.

- 6.4 The appeal proposals fail to take account of key characteristics and special features, which are sensitive and form highly valued components in this complex landscape and will result in an unacceptable level of harm, with significant adverse effects on the landscape character and visual resources of the site, and therefore the Council will demonstrate that the proposal is contrary to

Core Strategy Policies, which carry full weight

- CS3 as the proposed development encroaches into the open countryside of the north valley failing to respect the landscape sensitivity of the site;
- CS5 as it relates to infrastructure
- CS14 as the proposal fails to respect and landscape of the area;
- CS18 as the proposal results in the loss of green infrastructure;
- CS19 as the proposal fails to give sufficient regard to the sensitivity of the area to change and not been informed through the most up to date landscape character assessment;

HSA DPD Policies, which carry full weight

- GS1 as the LVIA is inadequate and fails to satisfactorily inform the proposed development design (e.g. in relation to Central Valley Crossing, North Valley, emergency access through country park)
- C1 as the encroachment of development into the north valley narrowing its width and isolating Crooks Copse, is outside of the adopted settlement boundary, where there is a presumption against new residential development, and where the proposal harms and undermines the relationship of the settlement within the open countryside and does not contribute to the character of the area

Local Plan Review Emerging Draft Policies, which carry limited weight

- SP7 on Design Principles
- SP8 on Landscape Character
- SP16 on the Sandlesford Strategic Site Allocation

Sandlesford Park SPD Vision and Development Principles, which carry full weight

- L1, L4, L7, F1, CA4, CA7 and CA9.

- 6.5 The appeal proposal would fail to protect or conserve a valued landscape and is in conflict with NPPF paragraph 170, which also recognises the intrinsic character and beauty of the countryside.

7. Trees and Woodlands

- 7.1 The appeal site includes a network of six Ancient Woodlands, measuring 25 acres in area, and one other woodland with a number of Ancient Woodland indicator species. There are also many other trees on site. All the trees, including all the woodlands, on the appeal and in the remainder of the SSSA and the locality are the subject of a Tree Preservation Order (TPO 201/21/1016-W15-MIXED). There is one Ancient Oak on the site within the proposed expansion area to Park House School. In addition there are a number of veteran trees on site. The Ancient Woodlands on the site are mostly Ancient Semi-Natural Woodland (ASNW), which are composed of native trees and shrubs and are generally more biodiverse than other Ancient Woodlands, such as Planted Ancient Woodland Sites. The ASNWs on the appeal site are a rare and irreplaceable resource, of not just local, but also of national importance.
- 7.2 RfR8 and RfR9 deal with matters relating to the impact of the appeal proposal on Ancient and other Woodlands, as well as on Ancient, Veteran and other TPO trees.
- 7.3 As set out in the Council's Tree Officer's consultation response to the refused application proposal and in paragraphs 9.79 to 9.115 of the Officer's Report, the Council will provide evidence in respect of its case concerning impact on woodlands and trees on the appeal site.
- 7.4 NPPF paragraph 175(c) states that "*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁵⁸ and a suitable compensation strategy exists*".

7.5 NPPF Footnote 58, defines exceptional reasons as follows: *“For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.”*

7.6 The tree officer considers that with regard to woodlands the appeal proposals:

- i) isolate Crooks Copse, the most ancient indicator species diverse of the six Ancient Woodlands on site, from the other Ancient Woodlands to the south and southwest, resulting in loss of connectivity, not properly reflected in the AIA. This will lead to deterioration and degradation of Crooks Copse, without any wholly exceptional reasons to justify such a harmful and unacceptable impact;
- ii) the proposed cycle path and footpath through Gorse Covert will have an unacceptable fragmenting effect on that woodland;
- iii) will have additional pressures on the ancient and other woodlands including by way of domestic pets, recreation/trampling, health and safety, drainage and hydrology and air pollution. These impacts are not assessed adequately at this outline proposal stage and as it is necessary to ensure that they are addressed and fully mitigated. The proposal is considered unacceptable and harmful for that reason;
- iv) some of the buffer zones are inadequate and the proposals indicate the likelihood of intrusive works within those areas. There is a need to provide wider buffer zones beyond the stated 15m width in particular areas and for all the buffer zones to be fully effective;
- v) the proposed tree/woodland planting on site is inadequate, both in seeking to replenish lost woodland on site, increase the resilience of existing woodlands to the proposed development and climate change and to improve CO₂ capture in terms of the climate emergency; and
- vi) there are inconsistencies between the AIA and proposed SLGI and layout plans.

7.7 The Council’s Tree Officer considers that with regard to individual trees the appeal proposals indicate that:

- i) the AIA is not consistent with all the other submitted documents, including the plans proposed against which the development is to accord with, as to all the trees that are proposed to be removed as a result of the appeal proposals,
- ii) the AIA shows the unacceptable and harmful loss of significant trees outside of the appeal site, but within the SSSA as part of the withdrawn proposal to potentially provide the access to the west;
- iii) the entirely unjustified and unacceptable loss of Ancient Oak T34 to provide a football pitch to the school;
- iv) the unjustified and unacceptable potential loss of and/or works to Veteran Oak T127;
- v) the unacceptable and unjustified and inadequately mitigated loss of a whole host of category A, B and C TPO trees on site, a number of which include bat roosts, barn owl nests, or the documented potential for such;
- vi) what appear to be avoidable works to the root protection areas of a number of trees, including veteran trees, without exploring any alternatives; and
- vii) unacceptable loss of trees and hedgerow along Monks Lane without adequate mitigation to the detriment of the character of this important thoroughfare.

7.8 The Council will provide evidence to the effect that the proposed impacts on Ancient and other woodlands, including their degradation and deterioration, and on Ancient, Veteran and other TPO trees, including their loss, are unjustified, inadequately mitigated, harmful, and unacceptable.

7.9 The proposal is therefore contrary to

Core Strategy Policies, which carry full weight

- CS3 as it impacts ancient woodlands
- CS14 as the proposal fails to respect character and landscape and to consider landscaping opportunities;
- CS17 as the proposal will harm habitats of principal importance to conserving biodiversity, without considering reasonable alternatives;
- CS18 as the proposal results in the loss of green infrastructure, without sufficient justification ;

HSA DPD Policies, which carry full weight

- GS1 as proposal would have adverse impacts on habitats and species of principal importance for the conservation of biodiversity, without sufficient mitigation and buffering

Local Plan Review Emerging Draft Policies, which carry limited weight

- SP10 on Green Infrastructure
- SP16 on the Sandleford Strategic Site Allocation

Sandleford Park SPD Development Principles, which carry full weight

- L4.

7.10 The appeal proposal would result in the deterioration and degradation of Ancient Woodlands, the loss of an ancient tree and the potential loss one veteran tree and impact on other veteran trees, all of them irreplaceable habitats, without there being any wholly exceptional reasons. The appeal proposal is in conflict with NPPF paragraph 175(c).

8. Drainage / Sustainable Drainage Systems (SuDS)

8.1 The majority of the appeal site, including all the proposed development area, is located within Flood Zone 1. The Application was accompanied by a Flood Risk Assessment. There are no objections from the Environment Agency on Fluvial Flooding, or Thames Water on Waste Water Drainage, subject to conditions.

8.2 The Lead Local Flood Authority in its consultation response has reviewed the application submission and as set out in paragraphs 9.125 to 9.151 considers that the appeal proposal, as refused, raises concerns and objections in respect of ground and surface water drainage and RfR13 relates to the issue of drainage.

8.3 In this respect the Council will provide evidence to show that the refused appeal proposal remains unacceptable in terms of ground and surface water drainage, as it provides insufficient and questionable information to enable:

- i) the impact of the proposed conveyance channels on ground water levels; and
- ii) the impact of surface water runoff and of proposed drainage mitigation works on ancient woodlands, which comprise irreplaceable habitats.

As such there is potential for adverse impact on ground water and material harm to Ancient Woodlands. There are also concerns with regard to the provided details relating to the proposed detention basins including their relationship with existing water courses, proposed pedestrian infrastructure and adjacent Ancient Woodlands. Furthermore the submitted Drainage Strategy Plan is incomplete in that it omits the River Enborne and the southern part of the appeal site.

8.4 As such the proposal is contrary to

Core Strategy Policies, which carry full weight

- CS3 which seeks the development of the SSSA to conserve the areas of ancient woodland
- CS14 which seeks inter alia for developments to conserve and enhance biodiversity
- CS16 which seeks to ensure that the development would not have a detrimental impact on surface water or obstruct run-off of water due to high levels of ground water and requires the use of satisfactory SuDS;
- CS17 as the drainage proposals pose a risk to habitats of principal importance to conserving biodiversity, without considering reasonable alternatives; and
- CS18 as the drainage proposal may result in unnecessary harm to irreplaceable assets of green infrastructure;

Local Plan Review Emerging Draft Policies, which carry limited weight

- SP10 on Flood Risk
- SP11 on Biodiversity and Geodiversity

Sandleford Park SPD Development Principles, which carry full weight

- H1.

9. Ecology

9.1 RfR11 relates to ecology. The Council's case on Ecology and Biodiversity is set out in the Ecologist's consultation response and paragraphs 9.152 to 9.179.

9.2 The Council accepts that, apart from the badger and the bat surveys, all the other ecological surveys submitted with the Environmental Statement, are appropriate for the purpose of ecological impact assessment. The Council also does not seek to pursue any matters relating to Woodpasture and Parkland BAP priority habitat.

9.3 The Council however considers that the badger survey effort was inadequate and raises concerns about the potential adverse impacts of the development on the local and meta population of badgers.

- 9.4 With respect to bats, no bat surveys were conducted inside the woodlands at the site. Therefore the bat survey effort has been insufficient to adequately inform the potential adverse impact of the appeal proposal on this statutory protected species.
- 9.5 The Council will also provide evidence that insufficient regard has been given to the post-construction adverse impacts on the existing retained habitats. The proposal will involve anthropogenic pressures on the site which have neither been adequately considered, nor mitigated for with appropriate compensation measures. The proposed development will likely lead to a significant decline in the quality of habitats on site such as Ancient Woodland, ancient/veteran trees, rush pasture (including purple moor grass), ponds, riparian/fluvial habitats, secondary woodland / lowland mixed deciduous woodland and hedgerows. It will also likely result in an unacceptable reduction in the suitability of habitats for a number of protected species, such as:- bats, barn owls, reptiles, ground nesting birds, dormice and badgers; and also notable species such as:- native amphibians and hedgehogs.
- 9.6 The Council notes the submitted Biodiversity Net Gain Assessment, but it considers it inadequate because it does not fully account for the degradation of retained existing habitats, including Local Wildlife Sites. In addition the Council considers that the submitted documentation includes a number of inconsistencies. These have the potential to also result in an adverse impact of the local natural environment.
- 9.7 The Council will provide evidence to show that the proposal is unacceptable on ecological and biodiversity grounds contrary to

Core Strategy Policies, which carry full weight:-

- CS3 as it impacts on Ancient Woodlands;
- CS14 as the proposal adversely impacts biodiversity;
- CS17 as the proposal will impact on Local Biodiversity Sites and habitats of principal importance for the purpose on conserving biodiversity, without considering reasonable alternatives;
- CS18 as the proposal results in the loss/degradation of green infrastructure.
-

HSA DPD Policies, which carry full weight:-

- GS1 as proposal would have adverse impacts on habitats and species of principal importance for the conservation of biodiversity, without sufficient mitigation and buffering
- C1 as developing land outside the settlement boundary within the countryside adversely affecting the quality of existing retained habitats.

Local Plan Review Emerging Draft Policies, which carry limited weight:-

- SP10 on Green Infrastructure

- SP11 on Biodiversity and Geodiversity

on the Sandleford Strategic Site Allocation Sandleford Park SPD Development Principles, which carry full weight

- L4, E1 and E2.

10. Transport and Highway issues and Access to Development Parcel Central

10.1 The Appellant has submitted a Memorandum of Understanding together with an associated/appended set of illustrative combined plans, with the Applicant of the proposed development at Sandleford Park West, at the adjoining Upper Warren Farm, showing the development of the whole SSSA area. None of the above submissions are legally binding and they cannot be conditioned or controlled in any way in order to provide the comprehensive development of the SSSA and the delivery of the associated required infrastructure in mitigation. The Appellant is not proposing any measures or vehicles which would tie-in and guarantee in any way their proposed development of the appeal site with the required comprehensive and co-ordinated development of the whole SSSA.

10.2 Furthermore the Appellant has submitted their application for their site comprising only part of the SSSA for consideration and assessment as a stand-alone self-contained proposal. In this respect their application proposal could not depend on and remains separate to the development of New Warren Farm in any way. The Appellant considers that their stand-alone proposal does not require the provision of a fourth access through to west via New Warren Farm and Warren Road through to Andover Road. The proposal seeks the assessment of their Development Parcels North (DPN1 and DPN2) and Development Parcel Central on the basis of the two Monks Lane proposed accesses to the north. In addition it shows a third cul-de-sac access off Monks Lane at the north-western corner. In addition it shows a third all transport mode access to the east through the new link road to the A339 provided by the Council, which the Appellant indicated as part of the draft s.106 that they will contribute £1.5m towards its cost.

10.3 The Council's Highways Officer assessment of the highway and transport impacts of the application proposal is set out in paragraphs 9.196 to 9.266 of the Officer's Report. He advises that the proposed design of the accesses appears to be capable to be

satisfactory subject to appropriate detailed design conditions. However he considers that accessing the appeal development solely through the two Monks Lane accesses, without the A339 link road access, would be unacceptable in highways terms.

- 10.4 The Appellant has undertaken highway modelling of the development proposals using the Council's VISSIM model. The VISSIM model covers much of Newbury and included a number of committed development, VISSIM modelling work undertaken. The modelling results demonstrated that, considering the proposal on its own with the three proposed access points (two Monks Lane accesses and the A339 link road access), without any mitigation, the impact on the highway network as projected in 2031 would be severe, harmful and unacceptable, contrary to the NPPF.
- 10.5 However, on the assumption that the appeal proposal proceeds on its own as a stand-alone development, with the mitigation detailed in tables 1 and 3 in paragraph 9.248, secured to be implemented at the trigger points stated, the residual cumulative impacts on the local highway network are not considered to be severe so as to warrant a refusal in accordance with the NPPF.
- 10.6 However, the Council shall provide evidence that in the absence of an adequate, completed, planning obligation to secure the delivery of the identified necessary local highway improvements mitigation, the development would result in a severe, harmful and unacceptable impact on the local highway network.
- 10.7 Furthermore, the Council's Highways Officer considers that accessing the appeal development solely through the two Monks Lane accesses, without the use of the A339 link road access, would be unacceptable in highways terms.
- 10.8 In view of the above, the proposal therefore remains contrary to paragraph 109 of the NPPF, as well as:

Core Strategy Policies, which carry full weight:-

- ADPP2 as it relates to improving highway infrastructure to manage flows along the A339
- CS3 as it includes transport infrastructure in relation to the SSSA
- CS5 as it relates to infrastructure delivery
- CS13 as it relates to local transport network.

HSA DPD Policies, which carry full weight:-

- GS1 as it relates to infrastructure delivery.

Local Plan Review Emerging Draft Policies, which carry limited weight:-

- SP16 as it relates to the SSSA and transport infrastructure
- SP22 as it relates to Transport and the local Highway Network
- SP23 as it relates to Infrastructure requirements and delivery.

Sandleford Park SPD Development Principles, which carry full weight

- S1 as it relates to infrastructure delivery.

10.9 In the absence of a proposal that secures the holistic and comprehensive development of the SSSA, the appeal proposal for the development of the stand-alone appeal site does not guarantee the provision of the fourth access to Andover Road / A343 to the west. The proposal includes Development Parcel Central which comprises of at least 450 residential units as well as a local centre. The stand-alone nature of the proposal means that the sole vehicular access would be via the Central Valley Crossing. As a result this arrangement requires satisfactory emergency vehicular access to render the proposal satisfactory in access/highways terms

10.10 The Appellant has sought to provide vehicular emergency access for Development Parcel Central (DPC) via: i) the proposed Central Valley Crossing single embankment structure; as well by ii) augmenting the width of the proposed cycleway with a strip of Grasscrete, and which is proposed to run south eastwards from DPC to the A339 through the proposed country parkland and in the main alongside the existing public footpath right of way PROW9. The Council will provide evidence that neither of the two emergency access proposals for DPC are acceptable in highways terms. As access is not a reserved matter, the Council will provide evidence to show that the inadequate vehicular access arrangements for Development Parcel Central and its community, mean that the appeal proposal fails to provide adequate and satisfactory vehicular access to all development areas within the site and as such the appeal proposal is unacceptable in access terms.

10.11 Furthermore, the arrangement of the proposed development, whereby the sole vehicular access for DPC, would be via the proposed single Central Valley Crossing, would mean that the proposed substantial development area of DPC and its community would stand as an island forming a very large scale cul-de-sac accessed solely from the north east. This fails to provide a development with sufficient vehicular permeability and connectivity through to its surrounding area and is considered inadequate and unsatisfactory in urban design terms. This is indicative of the unacceptable failure of the appeal proposal to provide and secure the required holistic, comprehensive and coherent development of the SSSA as a whole.

10.12 For these reasons the Council will show that the proposal is contrary to

Core Strategy Policies, which carry full weight:-

- CS3 as it requires a sustainable transport link, including bus access to Andover Road to the west through Warren Road
- CS14 in terms of high quality design, good access provision and accessible environments

HSA DPD Policies, which carry full weight:-

- GS1 as it requires the allocated site to be master-planned and delivered as a whole to achieve a comprehensive development that ensures the inter alia timely and coordinated provision of infrastructure.

Local Plan Review Emerging Draft Policies, which carry limited weight:-

- SP7 in terms of design principles, ease of movement, connectivity accessibility and legibility and permeability;
- SP16 as it relates to the sustainable, comprehensive development and ensure the timely and co-ordinated provision of infrastructure for the SSSA, and the delivery four primary all vehicle accesses, including one through to Andover Road via Warren Road; including such a public transport through route;

Sandleford Park SPD Development Principles, which carry full weight

- S1, A1 & A2.

11. Sustainable Development and Renewables

11.1 RfR5 relates to the issue of Sustainable Development and Renewables, further to the relevant section in paragraphs 9.331 to 9.342 of the Officer's Report.

11.2 The Core Strategy first Strategic Objective "*Tackling Climate Change*" highlights the need for carbon dioxide reduction and Spatial Strategy Policy ADPP2 requires the urban extension allocation at Sandleford to be well designed and built to high environmental standards. Policy CS3 is explicit and clear that clear that the SSSA allocation shall deliver "*a sustainable and high quality mixed use development (to) be delivered in accordance with parameters (which include) generation of on-site renewable energy*". "*The incorporation of renewable energy*" requirement is also reflected in Design Policy CS14.

11.3 Core Strategy Policy on Sustainable Construction and Energy Efficiency relates minimum standards of construction for new residential development to the Code for Sustainable Homes (CfSH). However the CfSH was withdrawn and no longer applies and in that respect the policy is not up to date and this part of the policy does not carry

any weight. However the remainder of Policy CS15, which relates minimum standards of construction for non-residential development to BREEAM and the requirements for all development to achieve reductions in total CO₂ emissions from renewable and/or low/zero carbon energy generation on site or in the locality, still applies, is up to date and should carry full weight.

- 11.4 The Vision and Strategic Objectives of the Sandford Park SPD identifies the development of the SSSA as important to mitigate against climate change and minimise CO₂ emissions including through renewable energy generation. Development Principle R1 expects the development *“to fully exploit sustainable construction techniques together with ‘building embedded’ technology (such as photovoltaic roof panels)”*. The commentary to R1 explains that the circumstances of the site is such that *“there is significant potential to deliver an exemplar site regarding carbon dioxide reduction in the form of renewable energy generation and sustainable construction standards”*.
- 11.5 On 2nd July 2019 West Berkshire Council declared a Climate Emergency, and the Environment Strategy 2020-30 was adopted in 2020. This is a corporate rather than a ‘Planning’ policy. One aim is for West Berkshire to become carbon neutral by 2030.
- 11.6 The above are fully supported by, and compliant with, the transition to a low carbon future NPPF policies in Chapter 14 of the NPPF. These also provide renewed vigour to the revived and up-to-date Policy CS15.
- 11.7 The aim of carbon neutrality and requirement for renewables is also reflected in the Local Plan Review emerging Policies, including:
- i) SP5, which, depending on the nature and scale of proposals, expects developments to generate and supply renewable, low and zero carbon energy for its own use and /or local distribution networks;
 - ii) SP16, where the development of the SSSA will be expected to provide on-site renewable energy to assist in the delivery of a carbon neutral development.
- 11.8 The Local Plan Review is an Emerging Plan, at an early stage and there is limited weight to be afforded to the emerging policies, may well be further developed and refined. However, it does show the strong direction of travel, especially in relation to

sustainable developments, CO₂ emissions reduction and carbon neutrality and energy generation inter alia from renewables.

11.9 The small non-residential development component at the appeal site will seek to achieve BREEAM Excellent and that is welcome.

11.10 However in respect of the residential proposals, which comprise the overwhelming majority of the development on the site, the Appellant relies on the withdrawal of the CfSH and the prevailing Building Regulations, further to the 2015 Ministerial statement, which do not require residential developments to achieve CO₂ reductions from renewable energy generation on sites. The appellant proposes and intends to provide no renewables on site in relation to this important residential development.

11.11 The appeal proposal fails to use this significant opportunity to fully exploit the specific potential of the SSSA's inclined topography, south facing orientation, greenfield status and large strategic scale to deliver as envisaged in the Sandleford Park SPD an exemplar development regarding CO₂ emissions reduction, in the form of renewable energy generation, and to deliver a zero carbon residential-led mixed use urban extension at Sandleford. In this respect the proposal fails to demonstrate a high quality and sustainable design or that it would be built to high environmental standards.

11.12 The appeal proposal is considered to be an unsustainable and harmful development, failing to reduce CO₂ through the extensive use of renewables on site and would be contributing to the climate crisis and it is therefore contrary to:

Core Strategy Policies, which carry full weight:-

- ADPP2 as it relates to a development of high quality and environmental standards
- CS3 as it fails to deliver generation of on-site renewable energy in relation to the residential development
- CS14 as it does not incorporate renewable energy technology
- CS15 as it fails to achieve CO₂ emissions reduction and indeed zero carbon through inter alia renewable energy generation.
- CS13 as it relates to local transport network.

Local Plan Review Emerging Draft Policies, which carry limited weight:-

- SP5 in relation to climate change and generation of renewable energy generation; and
- SP16 as it relates to the SSSA and renewables generation.

Sandleford Park SPD Development Principle, which carry full weight

- Vision, strategic objective 13 and R1.

12. Education

- 12.1 Paragraphs 9.343 to 9.362 of the Officer's Report, sets out and expands on the Council's Education Service consultation response to the refused appeal proposal.
- 12.2 Core Strategy Policy CS3 and the Sandleford Park SPD require provision for education facilities on site to mitigate the needs of the development of the SSSA.
- 12.3 The Council's Education Service considers that subject to a satisfactory s.106 Planning Obligation, the application proposals for early years' provision are acceptable. Also the proposed location and 2FE and reception class capacity of the fully funded primary school is also acceptable, although the size of the school site needs to be reviewed and agreed to reflect national guidance together with the mechanism and triggers for its delivery. These matters are to be considered and discussed further once the Appellant provides a draft s.106 Unilateral Undertaking for consideration.
- 12.4 In respect of secondary education the Appellant has submitted a feasibility study, which sets out one way of achieving the required expansion of facilities and land at the adjoining Park House School to mitigate for the impact of the development of the site and the SSSA, though no details of the extent and nature of work necessary to bring the expansion land up to the required specification have been provided. In terms of the expansion of the facilities that, subject to the mechanism and triggers for delivery, the proposals appear acceptable and the Council will be considering the contents of the forthcoming s.106 Unilateral Undertaking and responding accordingly.
- 12.5 Furthermore the appeal proposal, in accordance with the Appellant's feasibility study, gives rise to the need for additional land including the provision of a full size (adult) football pitch at the school, which is proposed to be provided by expanding the school site onto the appeal site. No details of the extent and nature of work necessary to bring the expansion land up to the required specification have been provided. The Council's Education Service will also consider the Appellant's forthcoming s.106 Unilateral Undertaking in terms of the mechanism and triggers for delivering the expanded facilities and will comment accordingly.

12.6 In the absence of a satisfactory completed s.106 obligation, the issue of education facilities mitigation remains at issue and is dealt with under RfR 14 and section 14 in respect of Planning Obligation.

12.7 The expansion land adjoins Barns Copse, and Ancient Woodland and it includes an Ancient Oak tree (T34) in a central position, while the southwestern side comprises a mature hedge with TPO trees, including Veteran trees. The Appellant's proposal for the location of the required football pitch, as refused, will result in the loss of ancient tree T34, a considerable part of the boundary hedge and TPO trees and works within the root protection area of the veteran trees, as well as encroachment into the buffer zone of Barns Copse, adversely affecting the Ancient Woodland. These matters have already been rehearsed under the section Trees and Woodlands. As such the proposal will result in unacceptable harm to irreplaceable habitats and TPO trees without exceptional reasons to provide sufficient justification for their loss and harmful impact. The proposed laying out of the expansion land is therefore unacceptable and the land remains encumbered by physical features the impact on which has not been overcome. It is for the Appellant to find a solution and to propose a scheme that overcomes the harm and can deliver school expansion land which in an unencumbered and suitable condition to accommodate the required social space and football pitch. In this respect the appeal proposal, as refused, fails to provide a scheme that makes acceptable and adequate mitigation for secondary education provision in respect of the appeal development.

12.8 In addition the Council will also refer to inconsistencies in the submitted documentation as to the size and extent of the proposed school expansion area, as well as to the fact that the failure to provide a comprehensive development of the whole of the SSSA has resulted in unnecessary duplication of proposals for school expansion land and football pitches in the two development sites of the SSSA.

12.9 The appeal proposal as refused is contrary to:-

Core Strategy Policies, which carry full weight:-

- CS3 as it relates to education infrastructure in relation to the SSSA
- CS5 as it relates to infrastructure delivery

HSA DPD Policies, which carry full weight:-

- GS1 as it relates to infrastructure delivery.

- Local Plan Review Emerging Draft Policies, which carry limited weight:-

- SP16 as it relates to the SSSA and education infrastructure
- SP23 as it relates to Infrastructure requirements and delivery.

Sandleford Park SPD Development Principles, which carry full weight

- Vision, Strategic Objectives and S1 & F1.

13. Affordable Housing

13.1 RfR4 relates to Affordable Housing. The Council's case regarding Affordable Housing is set out in paragraphs 9.14 to 9.39 of the office's Report.

13.2 Core Strategy Policy CS6 on affordable housing requires a 40% on-site provision of affordable housing for developments over 15 units on greenfield sites. The policy also requires a tenure split of 70% of the total affordable housing provision of a development site to be specifically for "*social rented*" accommodation and not for any other form of affordable rented accommodation. The remaining balance of 30% should be for "*intermediate affordable units*". The latter 30% proportion includes both affordable ownership, such as shared ownership and/or shared equity units, as well as intermediate rented accommodation.

13.3 Local Plan Review (2020-2037) Emerging Draft Policy SP19 on affordable Housing maintains the thrust of Policy CS6, requiring 40% affordable housing on major greenfield sites and a tenure split that provides 70% of the affordable units specifically as "*social rented*" and not for any other form of affordable rented accommodation. It also seeks the balance of 30% to be for affordable home ownership.

13.4 The commentary to both policies confirms that the Housing Need Assessments concluded that the core requirement to meet the need in the District is for social rented housing. This is supported by the Berkshire (including South Bucks) Strategic housing Market Assessment (SHMA - GL Hearn) (February 2016) and the Updated Housing Needs Evidence (Iceni Projects Ltd) (May 2020).

13.5 In addition both of the above policies require strictly the on-site provision of affordable housing and also the continued future retention of that housing as affordable to meet the needs of current and future occupiers. Only in exceptional circumstances where site specific issues inhibit such provision, alternative provision elsewhere could be considered. Similarly exceptional circumstances would need to exist and to be fully

justified by the Applicant / Appellant, through the submission of clear evidence set out in a viability assessment.

- 13.6 Core Strategy Policy CS3 and Local Plan Review Policy SP16 on the SSSA, by reason that circumstances of this site are exceptional as it is a strategic allocation, require the provision of “*at least 40%*” affordable housing on site. This minimum “*at least 40%*” requirement is also set out in the first Strategic Objective of Sandleford Park SPD and mentioned in the commentary to Design Principle N1.
- 13.7 The Appellant’s planning application submission as per their Planning Statement Appendix 2: Combined Housing Mix indicates the provision of a total of 432 affordable units out of a total of 1080 proposed housing units, thus 40% affordable housing provision. This exact overall number of affordable units would be the absolute minimum required, but would still be policy compliant and therefore acceptable. Indeed the policies and the SPDs require pepper-potting and as far as possible equal amounts and tenure split of affordable housing in each phase / neighbourhood of the development.
- 13.8 However, it should be noted that the documentation supporting the refused appeal proposal is inconsistent and unclear in respect of the overall proportion of affordable housing for which planning permission is hereby being sought to be provided as part of this appeal, with references in the Appellant’s documentation of “up to 40%” affordable housing.
- 13.9 At no time over the long history of development proposals at the Sandleford site, including as part of the refused appeal scheme, has the Appellant or any other developer in the SSSA alleged or claimed or provided a viability report to the effect that it would be unviable to provide at least the minimum 40% affordable housing policy requirement with the required tenure split (including 70% for social rent) on the appeal site itself, or for that matter on any part of the SSSA. In this respect the Appellant’s proposal is concerning, and if it is the case that the appellant is, for whatever reason, seeking to provide a lesser overall proportion of affordable housing (below 40%) and/or reduced social rented proportion below 70%, this would be unacceptable, inappropriate and unsatisfactory and harmful to the community’s need for affordable housing contrary to the policies and SPDs set out at the end of this section 13.

- 13.10 The refused appeal proposal also seeks to provide 80 out of the required total of 432 units of affordable housing as “Extra Care Accommodation” comprising 70x 2-bed units and 10x 1-bed units all provided within one location which, it is understood is intended to be within Development Parcel Centre. This is further to the reference to the requirement for affordable housing in the commentary to Sandford Park SPD Development Principle N1 (p. 51), which states “*extra care housing and ‘move on’ accommodation could be provided as part of this requirement*”. The Council and its policies neither require nor compel the Appellant to make this level of extra care provision. Current evidence indicates that there is a waiting list for only 20 affordable extra care units in the District.
- 13.11 The proposed 80 affordable extra care units are therefore entirely a matter of the Appellant’s choice and decision to advance as part of their proposal for this development. Presumably the Appellant has carried out their own extra care housing need and market assessment and are satisfied that they can provide the proposed development. Clearly such affordable extra care accommodation will need to comply with the required tenure split mentioned earlier, while it is understood that it will need to be concentrated in one location within the site.
- 13.12 However it is apparent from the Appellant’s submission, including their draft s.106 legal agreement, that they cannot guarantee the necessary need and demand for the future occupation of their proposed primarily small size specialised units. Furthermore the Appellant’s submission indicates that, as it is part of the affordable housing component, were this accommodation to be built and then for whatever reason not to be used for the specialised purpose it was specifically applied and granted permission for, it would give rise to an unacceptable concentration of small sized and substandard housing units on site and potentially under-provision of affordable housing. In this case the appeal proposal would fail to create a successful, sustainable, mixed and balanced community and to make satisfactory affordable housing provision.
- 13.13 Furthermore the Appellant’s proposal, including the draft s.106 legal agreement, does not guarantee the provision of permanently available affordable housing. It is proposing a cascade effect whereby any affordable units could become intermediate housing, while the intermediate housing could be allowed to switch to market housing. This again would fail to deliver the minimum required 40% affordable housing provision on site, rendering the proposal unacceptable and harmful to the community’s need for affordable housing.

13.14 Furthermore the Appellant's documentation, including the draft s.106 legal agreement, fails to explicitly confirm and guarantee that the proposal will provide at least 40% permanently available affordable housing (432 units) on site, pepper potted and of an appropriate mix (subject to the extra care units if they are guaranteed by the Appellant). 70% of all the affordable units (302 units) would be for permanently available social rent. Out of the remainder 30% (130 units), at least 108 units (10% of the total number of units in the development) would be for permanently available affordable home ownership (preferably for shared ownership, although it can also include shared equity units). The remainder 22 units can be for a mixture of any intermediate units. The Council would also be flexible and would consider if some of the latter units were proposed to be for affordable rent. In addition the Council is concerned about the thresholds and triggers suggested in the draft s.106 legal agreement, resulting in unacceptable provision of affordable housing on site.

13.15 Any planning permission for the proposed development on this allocated, strategic and largely unencumbered site should be fully policy compliant in respect of affordable housing provision. The Council will provide evidence to show that the refused appeal scheme is unacceptable and harmful in respect of affordable housing provision and contrary to:

Core Strategy Policies, which carry full weight:-

- CS3 as it relates to affordable housing in the SSSA;
- CS4 as it relates to housing type and mix;
- CS6 as it relates to affordable housing

Local Plan Review Emerging Draft Policies, which carry limited weight:-

- SP16 as it relates to affordable housing in the SSSA
- SP18 as it relates to housing type and mix
- SP19 as it relates to affordable housing Infrastructure requirements and delivery.
-

Sandleford Park SPD, which carries full weight

- Vision, Strategic Objective 1 and Development Principle F1.

Planning Obligations SPD, which carries full weight

- Affordable Housing section

14. Infrastructure Provision and Planning Obligation(s)

14.1 Further to various consultation responses in respect of different types of infrastructure, and in the absence of a satisfactory and completed s.106 Planning Obligation(s) the appeal proposal remains unacceptable as it has failed to make satisfactory provision for necessary items in mitigation of policy requirements and impacts of the proposed development, including: affordable housing, travel plan, highway works including pedestrian and cycle facilities (off-site), country parkland, public open space and play facilities, sports pitch provision, other green infrastructure, public transport, early years, primary and secondary education, healthcare and local centre, including community and commercial uses.

14.2 In this respect the appeal proposal is contrary to:

Core Strategy Policies, which carry full weight:-

- CS3 as it relates to affordable housing and infrastructure in the SSSA
- CS4 as it relates to mix in terms of infrastructure and housing mix
- CS5 as it relates to infrastructure requirements and delivery
- CS6 as it relates to affordable housing
- CS13 as it relates to transport network and travel plans
- CS17 as it relates to biodiversity
- CS18 as it relates to green infrastructure.

HSA DPD Policies, which carry full weight:-

- GS1 as it relates to infrastructure

Local Plan Review Emerging Draft Policies, which carry limited weight:-

- SP10 as it relates to green infrastructure
- SP16 as it relates to affordable housing and infrastructure at the SSSA7
- SP19 as it relates to affordable housing
- SP22 as it relates to transport infrastructure
- SP23 as it relates to infrastructure requirement and delivery

Sandleford Park SPD various Development Principles, which carry full weight

Planning Obligations SPD, which carries full weight

- In relation to including affordable housing and education

15. Comprehensive Development of the Site

15.1 RfR1 and RfR2 raise the central issue of the serious concerns and failure of the Appellant's refused proposal to provide certainty and confidence that it will result in the required holistic, comprehensive and cohesive development of the SSSA and the cohesive, co-ordinated and timely delivery of the required infrastructure in mitigation for the development of this long awaited well-planned and sustainable urban extension and its important green infrastructure. The unacceptability of the proposal is exacerbated by numerous inconsistencies, omissions and contradictions in the contents of the various submitted plans and reports, as well as in relation to the proposals for the adjoining site. In this context the refused appeal proposal of piecemeal development of only part of the SSSA gives rise to and includes duplicating and unnecessary elements and mitigation, which do not make sense, detract from and / or are harmful to interests of acknowledged importance and have adverse unintended consequences. These matters are also raised in relation to specific areas of assessment and other reasons for refusal, and form a pattern and theme, which permeate the appeal proposal and amplify the potential adverse impacts, the uncertainty and the lack of confidence in respect of the comprehensive development of the SSSA.

15.2 The failure to secure the comprehensive development of the SSSA renders this proposal unacceptable and contrary to:

- Core Strategy Policies, which carry full weight:-
- CS5 as it relates to infrastructure requirements and delivery
- CS13 as it relates to transport network and travel plans
- CS14 as it relates to integrated design and landscape impacts
- CS18 as it relates to green infrastructure; and
- CS19 as it relates to the holistic approach to landscape character.

HSA DPD Policies, which carry full weight:-

- GS1 as it relates to the principle of comprehensive development and infrastructure delivery

Local Plan Review Emerging Draft Policies, which carry limited weight:-

- SP10 as it relates to green infrastructure
- SP16 as it relates to comprehensive development of the SSSA
- SP22 as it relates to transport infrastructure
- SP23 as it relates to infrastructure requirement and delivery
-

Sandleford Park SPD, which carries full weight:-

- Vision, Strategic Objectives and Design Principles including S1

16.Planning Balance

Benefits of the proposal

16.1 The appeal proposal will give rise to a number of clear and public benefits, which carry positive weight in the planning balance. The most notable ones are listed below.

16.2 Social benefits which attract less than significant weight

- 432 units of non-policy compliant affordable housing, including 80 extra care units; and
- 648 residential units of market housing in the context of a 5YHLS;
- provision of country parkland in mitigation against the policy requirement, but also a publicly accessible facility.

16.3 Economic benefits which attract considerable weight

- temporary construction employment opportunities;
- secondary employment through future residents' spending in the local area, while many of them are also likely to be involved/employed in the local economy.

16.4 Other benefits which attract limited weight

- Pedestrian/cycling facilities, primarily in mitigation
- incidental extraction of minerals;
- identification and recording of archaeological assets.

16.5 The following items are not regarded as benefits with positive weight in the planning balance

- Primary school provision is purely education mitigation for the development therefore attracts no or neutral weight;
- New Homes Bonus and Council tax are not relevant local financial considerations
- CIL will be in mitigation

Dis-benefits of the proposal

16.6 The application will also have a number of adverse impacts and give rise to a whole range of disbenefits, which carry negative weight in the planning balance. A number of notable ones are listed below.

16.7 Dis-benefits which attract considerable negative weight

- Impact of proposals on highways network; although this attracts substantial weight, this would be reduced to moderate negative weight if full mitigation works were to be fully agreed as part of planning obligations;
- Failure to provide a satisfactory extension to Park House School and associated sports pitch as part of the necessary secondary education mitigation also carries substantial weight.

16.8 Dis-benefits which would carry significant negative weight in the planning balance:

- failure to agree satisfactory healthcare mitigation;
- proposal results in an unacceptable form of development vis-a-vis Development Parcel Central in terms of emergency access and permeability;
- impact of proposed earthworks embankment central valley crossing in visual / landscape terms in respect of integrity/character/connectivity of central valley as well as in ecological terms (wetland corridor priority habitat);
- failure to provide renewable energy generation to reduce CO₂ emissions towards a zero carbon development on what should be an exemplar site in view of the climate emergency situation;
- adverse impact on and fragmentation of irreplaceable ancient woodland habitats, including as a result of the drainage strategy;
- loss of ancient tree (T34) and potential loss/deterioration of veteran and category A TPO trees;
- impact (including unquantified and unmitigated) on priority habitats and species and including bats.

16.9 Dis-benefits which would carry considerable negative weight

- Loss of TPO trees and hedgerows in connection with the proposed access without full mitigation and justification;
- elements of 'domestication' within the country parkland..

16.10 Dis-benefit which would attract limited negative weight.

- Loss of best and most versatile agricultural land.

Impact on Heritage Assets

16.11 As set out in the section on the historic environment, the country parkland area has open views both from and to Sandford Priory. It is meant to reflect the Capability Brown landscape on the priory and it forms part of the setting of the Sandford Priory Grade I listed building and the Grade II registered park and garden. In accordance with NPPF paragraph 193 great weight should be given to the asset's conservation. The proposed introduction of various elements in the country parkland, such as the cycleway and Grasscrete surface to provide emergency access, associated bollards,

stream crossing bridge structure, effect on Waterleaze Copse ancient woodland at the point where it cuts through, detention basins, NEAP, and potentially some benches and bins will have a domesticating effect and a negative impact on the significance of the setting of the identified designated heritage assets. It is considered that the proposals will result in less than substantial harm to the significance of these heritage assets, and the Council's witness evidence would be that this is at the lower end of the 'less-than-substantial' scale.

16.12 The Council's evidence will be that taken as a whole (in accordance with NPPF paragraph 196), the benefits of the scheme range from 'limited' to 'less than significant' in magnitude as set out above. They can be regarded as public benefits and set against the low level of harm the significance of the heritage assets. They would provide clear and convincing justification for that harm (NPPF paragraph 194). 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.

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

16.13 As set out in section 9 of the Officer's Report and sections 5 to 15 above, in view of the strategic site allocation (Policy CS3 and taken forward in Policy SP16), the residential development on this site accords with the Core Strategy spatial strategy Policy ADPP1 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 as such the Policy C1 presumption in favour of development (within the settlement boundary) applies in this case. Thus the residential development of the site, which falls within the Newbury settlement boundary is not objected to in principle and would 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.

16.14 Notwithstanding the in-principle acceptability of residential development within the settlement boundary as part of the allocated site, in view of the analysis and conclusions in sections 5 to 15 above, the proposal is contrary to the whole suite of Core Strategy Policies namely ADPP2, CS3, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18 and CS19, as well as HSA DPD Policies GS1 and C1. Policy GS1

developed the need for comprehensive planning of major sites, which was first cited in ADPP1. As explained in Section 3 above, all the above policies are up-to-date and should carry full weight.

16.15 The Local Plan Review (Emergency Draft) policies include policies that reflect the above closely, which confirms the continued consistency, relevance and up-to-datedness in the thrust of the currently adopted policies.

16.16 The proposal also goes contrary to the Vision, a number of the Strategic Objectives and many of the Development Principles of the supporting Sandleford Park SPD, and it is also contrary to the provisions of other West Berkshire SPDs.

16.17 In respect of the NPPF the proposal is also contrary to a number of its policies and provisions including paragraphs 108, 109, 110, 111 (Highways), 127, 130, 131 (Design), 148, 150, 153 (Renewables), 170 (Valued landscape and biodiversity), 174, 175 (Biodiversity and habitats and ancient woodland and ancient / veteran trees).

16.18 In view of the above the application is contrary to parts of all the identified 'most important' policies in the development plan, which are up-to-date. This includes identified in-principle conflict of the part of the development areas of the proposal on either side of the north valley, which extend beyond the adopted settlement boundary into what is open countryside, where there is a presumption against development. At the same time regard is had to the in-principle policy acceptability and presumption in favour. Nevertheless, the proposal still results in extensive and wide-ranging development plan policy conflict, which is also reflected in the conflict with various policies in the NPPF, the emerging Local Plan Review, as well as the Sandleford Park SPD, which carries significant weight and also other SPDs.

16.19 The proposal is therefore considered to be contrary to the development plan as a whole and if approved would represent a departure from the adopted plan. The application proposal does not represent sustainable development for the purposes of the NPPF. The application therefore cannot be approved without delay pursuant to NPPF paragraph 11(c).

16.20 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.

16.21 Again, as mentioned above in this case the proposal is contrary to various NPPF policies, the Sandleford Park SPD and other SPDs, which are material considerations in the assessment of this appeal.

The Planning Balance

16.22 In considering the planning benefits of the refused appeal proposal, it is considered that these are outweighed by the resulting dis-benefits. In addition the policy conflict with the up-to-date development plan attracts substantial weight and indicates that the proposal should be refused unless there are material considerations that would justify a different decision.

16.23 In this case none of the benefits, individually and/or in their totality, outweigh the dis-benefits and/or the extensive policy conflict. Furthermore the NPPF and SPDs are material considerations which carry significant weight, while the Emerging Local Plan Review at the moment carries limited weight, but it is clear as to the direction of travel, and that is one of consistency and reinforcement. Assessment against the policies and principles of the above material considerations reinforces further the 'policy' conflict and adds to the unacceptability and inappropriateness of the proposal. Also, as indicated in the report the totality of the concerns, the harm and the unacceptability could neither be overcome through conditions, nor through the provisions of the submitted Draft s.106 legal agreement.

Conclusion

16.24 In view of the above the Council's evidence will show that the refused appeal proposal is unacceptable, inappropriate and unsatisfactory and needs to address its serious shortcomings on all the identified areas. The Council will respectfully request that the appeal is dismissed and outline planning permission is refused.

17. Wheatcroft Proposals and s.106 Unilateral Undertaking

17.1 The Appellant has submitted additional and amended proposals which are the subject of a Wheatcroft consultation. At the time of writing of this Statement of Case, the Council is awaiting for consultees' evaluation and assessment. Provided the Inspector accepts the Wheatcroft submissions, the Council will take into account and address those as appropriate and necessary as part of the evidence of its witnesses and/or if possible as part of Statement(s) of Common Ground.

17.2 The Appellant has indicated that they will be submitting a draft s.106 Unilateral Undertaking. Once received the Council will review and comment accordingly.

18. Witness topics

18.1 These are anticipated to be as follows:

- i) Landscape, Character, Visual Impact and SL&GI;
- ii) Trees and Woodlands;
- iii) Drainage / Sustainable Drainage Systems (SuDS)
- iv) Ecology;
- v) Transport and Highway issues and Access to Development Parcel Central;
- vi) Education;
- vii) Affordable Housing;
- viii) Planning including Policy, Renewables; Comprehensive Development and Planning Balance.

18.2 The Appellant considers that their forthcoming s.106 Unilateral Undertaking will address the matters set out in RfR14. The Council will review, assess and advise of its position in due course. If matters are overcome, issues will fall away, if they do not, the concerns will remain and matters are likely to be included in witnesses' evidence and also to be discussed as part of a round table session on the s.106.

19. Documents /Core Documents

19.1 The Council will refer to the documents referred to in this Statement of Case, its report and the submitted documentation from all parties as appropriate to date, as well as to other documents that come to the fore.

19.2 The Council and the Appellants shall liaise and compile an agreed list of core documents.

20. Suggested List of Conditions

20.1 Without prejudice to the Council's case at appeal, an initial list of suggested condition topic headings is hereby put forward by the Council. The Council will be liaising with the appellant on a full list of draft suggested conditions in the context of the Appellant's anticipated draft s.106 Unilateral Undertaking for submission in due course.

General Matters

1. Phasing Plan (outline)
2. Approval of Reserved Matters
3. Time Limit for Reserved Matters
4. Commencement of Development (phased outline)
5. Approved Plans
6. Primary School Site Area
7. Limit Number of Dwellings
8. Occupation Restriction of Extra Care Housing
9. Restriction of Extra Care Housing to Use Class C3
10. Secured by Design (reserved matters submission)
11. Details of Renewables (reserved matters submission)
12. Ground Levels and Finished Floor Levels (reserved matters submission)
13. Details of Materials (prior to slab level)

Highway Matters

14. Full Site Access Details, including pedestrian and cycle details (prior approval)
15. Highway Infrastructure Design and Construction (reserved matters submission)
16. Plot Access, Parking and Turning Arrangements (reserved matters submission)
17. Local Centre Parking including Cycle Parking and Electric Vehicle Charging Points (reserved matters submission)
18. Primary School Parking (reserved matters submission)
19. Country Parkland Parking (reserved matters submission)
20. Construction Access (pre-commencement prior approval)
21. Residential Cycle Parking/Storage (reserved matters submission)
22. Residential Electric Vehicle Charging Points (reserved matters submission)

23. Provision of pedestrian footpath from PROW along A339 to Service Crossing Opposite St Gabriel's School

Construction Management

24. Construction Access to Park House School (prior approval)
25. Contaminated Land (prior approval)
26. Construction and Environmental Management Plan (CEMP) (prior approval)
27. Construction Traffic Management Plan (CTMP) (prior approval)
28. Construction Hours of Work
29. Piling Method
30. Retention and Reuse of Best and Most Versatile Soils within the Development

Water and Drainage

31. Sustainable Drainage Systems (SuDS) (reserved matters submission)
32. Foul Water Drainage (prior approval)
33. Water Infrastructure (prior approval)
34. Emergency Water Supplies (reserved matters submission)

Landscape

35. Landscape and Green Infrastructure Design and Management Plan (LGIDMP) for each phase
36. Landscape Ecological Mitigation and Management Plan (LEMP) for each phase
37. Tree Protection (by phase)
38. Arboricultural Supervision (by phase)
39. Hard and Soft Landscaping Details for Country Parkland (prior approval)
40. Details and Provision of LEAPs and LAPS (reserved matters submission)
41. Details and Provision of NEAP (prior approval)
42. Advanced Structure Planting (prior approval)
43. Hard and Soft Landscaping (reserved matters submission)
44. Boundary Treatments (reserved matters submission)

Ecology

45. Protection of breeding birds during construction
46. Ecological Mitigation and Management Plan (EMMP) for each phase
47. Provision of Bat Bricks/Access Tiles and Bird Boxes Details (reserved matters submission)
48. Ecological Buffer Zones alongside Watercourses (prior approval)
49. Protection and Mitigation of Otters and Water Vole Habitats (prior approval)
50. Badger Sett Buffers (prior approval)
51. Channel and Bank Works (prior approval)
52. Lighting Scheme (Phased)

Non-residential Uses

53. Restriction of 'A Class' Uses Floorspace
54. Restriction of 'B1a Class' Use Floorspace
55. Restriction of 'D1 Class' Use Floorspace
56. Delivery/Collection Timings

- 57. Operating Hours (use/activity)
- 58. Customer Opening Hours
- 59. BREEAM

Noise Matters

- 60. Glazing Mitigation to Certain Dwellings (prior approval)
- 61. Plant, Machinery and Equipment

Archaeology

- 62. Archaeological Works (written scheme of investigation, by phase)

Minerals

- 63. Minerals Exploration and Incidental Extraction (by phase)

Waste Matters

- 64. Residential Refuse Storage (reserved matters submission)
- 65. Non-residential Refuse Storage (reserved matters submission)
- 66. Provision of Space for Mini Waste Recycling Centre in local Centre

Housing Mix

- 67. Securing Market Housing Mix for Development

Appendix 1

Appendix SoC1

Local Planning Authority Delegated Report

Town and Country Planning Act 1990
Section 78 appeal against the refusal of planning permission

Appeal: APP/W0340/W/20/3265460

Site: Sandleford Park, Newtown Road, Newbury

Proposal: 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.

Date: 24 February 2021

Council Reference: 20/01238/OUTMAJ

Planning Application 20/01238/OUTMAJ DELEGATED REPORT

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1. Introduction

- 1.1 This application seeks outline permission with access only to be considered at this stage for the development of approximately two thirds of the development area of the Sandleford Strategic Site Allocation (SSSA), as allocated by Policy CS3 of the Core Strategy.
- 1.2 Three previous applications for development within the Sandleford Strategic Site Allocation submitted by the same applicants have been refused (Ref: 15/02300/OUTMAJ, 16/00106/OUTMAJ and 16/03309/OUTMAJ). Another application by the applicants on the application site (18/00764/OUTMAJ) was “Finally Disposed Of” on 25/09/2020. There is a current outstanding planning application under consideration (18/00828/OUTMAJ) for the development, by a different developer, of the adjoining site Sandleford Park West which includes the western portion of the SSSA. Descriptions of those applications are provided in the Relevant Planning History section of this report.
- 1.3 This report first sets out a summary of events leading to the submission of this application, followed by the planning history and publicity of the application. A description of the application site and the development proposal is then provided followed by the consultation responses and representations received and the relevant policy considerations. A detailed appraisal of the application submitted is then undertaken, the conclusions of which are considered in a planning balance exercise. A consideration of whether the proposal is considered to represent sustainable development, in accordance with the NPPF, precedes the conclusion of the report and Officers’ recommendation.

2. Sandleford – A Contextual Perspective

- 2.1 Following the adoption of the Core Strategy (July 2012), and the inclusion of the Sandleford Strategic Site Allocation (SSSA) by Policy CS3, the original Sandleford Park Supplementary Planning Document (SPD) was produced by West Berkshire Council in collaboration with the landowners of the whole of the allocated site to form the framework for the future development of the allocated site. The primary purposes of the SPD are to:
 - Guide future development and investment and to provide a framework for a planning application for the site.
 - To assist in the delivery of a comprehensive and sustainable development across the site as a whole.
 - To set out planning and design principles and requirements for the development of land and buildings at the site.
 - To help inform the local community and other stakeholders regarding the potential future development of the site and to engage them in the process.
- 2.2 The original SPD was adopted in September 2013.
- 2.3 The original SPD was produced in consultation with a wide range of consultees and all the landowners, and is accompanied by a Statement of Consultation that sets this out in some detail. The adopted SPD was subject to a formal 6 week period of consultation, from 22 March to 3 May 2013 in accordance with Regulations 12 and 13 of the Town and Country Planning (Local Planning) Regulations 2012.

- 2.4 At the Examination into the Core Strategy in 2012, the Council placed particular emphasis on the benefit of long term planning beyond 2026 so as to give all parties some certainty about how Newbury would develop in the longer term, and to add some flexibility into the housing numbers. The Inspector's Report into the Core Strategy confirms, in paragraph 88, that this ensures *"that the optimum approach to development in this area is achieved, rather than development taking place over time in a series of smaller proposals, resulting in a more piecemeal approach"*.
- 2.5 Approximately one third of the allocated site, at the western end (known as New Warren Farm), is owned by Donnington New Homes (DNH), whilst the remaining two thirds - comprising this application site - is owned by a group of landowners referred to as the Sandleford Farm Partnership (SFP).
- 2.6 An initial meeting in respect of the submission of planning applications for the Sandleford Strategic Site Allocation was held on 28th November 2013 between the Local Planning Authority (LPA), the SFP representative and DNH, their agents and the prospective developer for the SFP land, Bloor Homes. Further meetings took place during 2014; however, it became apparent early on that an agreement between the landowners, SFP and DNH, to enable all of the allocated site to be delivered as one comprehensive development had not been reached at that time.
- 2.7 To address concerns that there was the distinct possibility that the Sandleford site may not come forward in a comprehensive manner, the Sandleford Park SPD was then amended to reflect the need for a single planning application for the site, to ensure that the site is comprehensively delivered, with timely and well planned provision of infrastructure. The amended SPD includes a new development principle, S1, requiring a single planning application for the allocated site to achieve a comprehensive development and ensure timely provision of infrastructure, services, open space and other facilities in a properly coordinated fashion.
- 2.8 The amended SPD was adopted in March 2015 following a period of consultation for 7 weeks from 12th December 2014 to 30th January 2015.
- 2.9 The Council held a further series of meetings with SFP, DNH, their agents and Bloor Homes during early 2015. However, it became apparent that a positive agreement between SFP and DNH was unlikely because of what appeared to be solely a commercial disagreement between ownership parties.
- 2.10 During this time the applicants were advised that a Planning Performance Agreement (PPA) would be the most appropriate vehicle to set out the process and resourcing for formal pre-application work and discussions, and, determination of an application, in accordance with the National Planning Practice Guidance.
- 2.11 Despite a number of draft PPAs being exchanged between the agent for SFP, DNH, the Applicants' Agent, and the Local Planning Authority, with the last draft PPA being submitted by the LPA to the Applicants' Agent and DNH on 13th May 2015, no further comments from the applicants were received on this matter prior to the submission of the first application (15/02300/OUTMAJ) and no PPA was entered into. Furthermore, the applicants have not sought to enter into any PPA prior to the submissions of any of the applications since, including this latest application. This is unfortunate and disappointing, as the requirements of a PPA would have insisted and ensured the quality of submissions and the avoidance of inconsistencies in the documentation, while a PPA with both applicants as signatories could have been the catalyst in the objective of delivering the comprehensive development of the site.

- 2.12 The LPA considers that it fully encouraged suitable pre-application discussions in accordance with the National Planning Policy Framework. However, no formal pre-application discussions regarding the development proposed occurred prior to the submission of this application or any of the previous applications submitted. It is disappointing that such discussions did not take place particularly given the scale and complexities of this development.
- 2.13 This unsolicited and unheralded planning application was submitted during the period of consideration of a previous application (ref: 18/00764/OUTMAJ), submitted by the same applicants in April 2018. That application, together with one submitted by DNH (ref: 18/00828/OUTMAJ) at the same time, were subject to long negotiations during the course of the applications in relation to several principal issues, including highways and transport impact and mitigation, education provision, landscape and green infrastructure, ecology and the piecemeal approach to the development of the whole of the allocated site.
- 2.14 Following numerous meetings with various Officers in the Council, the applicants for application 18/00764/OUTMAJ (Bloor Homes and SFP) advised the Council at a meeting on 9th September 2019 that they intended to submit a package of amendments to the Council. They were advised at that meeting that a submission of a package of amendments at that stage would be premature given that there were still outstanding issues to be resolved which may impact on the content of the package of amendments to be submitted. The applicants disagreed and informed the meeting that they would be submitting a package of amendments and requested the LPA to consult on those amendments. The LPA advised the applicants that they would consider whether to accept a package of amendments onto the planning file when it is submitted.
- 2.15 Subsequent to that meeting of the 9th September 2020, an initial package of amendments to application 18/00764/OUTMAJ was submitted by Bloor Homes and SFP on 25th October 2019. A meeting then took place on 13th November 2019 for the applicants to present their package of amendments. At that meeting, and as detailed in the letter to Bloor Homes sent on 22nd November 2019, the applicants were informed that the LPA would, prior to formally accepting the amendments onto the planning file, check that all the information stated as being submitted by the applicants in their package of amendments had in fact been submitted and advise the applicants of any missing information, some of which had already been identified and the applicants informed at that meeting. Once all the missing information had been received, the LPA advised that they would informally assess the package of amendments to determine whether the proposed amendments to that application would be accepted onto the planning file and formal consultation on those amendments would take place. This approach was agreed at the meeting on 13th November 2019 as it would ensure that the information provided is complete and accurate so as to avoid delays during any consultation period and/or confusion among consultees, including the public.
- 2.16 Also in attendance at the meeting on 13th November 2019 were the applicants and their agent for application 18/00828/OUTMAJ (Sandleford Park West), DNH and WYG respectively. They informed the meeting that they also now intended to submit a package of amendments in the first week of December 2019. Both applicants considered that the simultaneous submission of their applications, together with appropriate legal agreements, demonstrated the comprehensive development of the whole of the allocated site and holistic provision of infrastructure and services. As such, both applicants agreed to submit draft S106 agreements which they considered would demonstrate the comprehensive and holistic provision of the necessary infrastructure and services in a coordinated and

timely fashion. DNH submitted their initial package of amendments in the second week of December (12th December 2019).

- 2.17 Between November 2019 and March 2020 both applicants were contacted by the LPA on numerous occasions to advise them of documents or plans that were relied upon or referenced in their package of amendments (or subsequent submissions) that had not been submitted.
- 2.18 The applicants for 18/00764/OUTMAJ (Bloor Homes and SFP) submitted missing documents and plans on 29th November 2019, 5th December 2019, 13th December 2019, 21st February 2020, 24th February 2020, 26th February 2020, 11th March 2020 and 13th March 2020. In their submissions made in February 2020 the applicants provided amended plans and documents to their original package of amendments that significantly changed what was proposed in the original package of amendments, in part as a consequence of changes to the layout of the scheme proposed by the other applicant, DNH. In total, the package of amendments and amendments to that package in relation to application 18/00764/OUTMAJ submitted by Bloor Homes and the SFP comprised c. 150 documents containing approximately 3200 pages. The amendments package, and subsequent amendments to that package, sought to amend every chapter of the Environmental Statement Volume 1 - Main Text and almost all of the plans originally submitted with that application.
- 2.19 The applicants for 18/00828/OUTMAJ, DNH, submitted missing documents and plans from their package of amendments on 18th December 2019, 13th January 2020, 31st January 2020, 6th February 2020, 7th February 2020, 26th February 2020, 16th June 2020 and 17th July 2020. During that time the applicants also provided amended plans to their original package of amendments, required as a result of changes to the layout of the scheme proposed by the other applicant, Bloor Homes and SFP. In total, the various amendments and additional information submitted by DNH comprised circa. 56 documents containing approximately 1500 pages. Since those submissions, DNH have amalgamated all of the above into one single package received on 25th September 2020.
- 2.20 An informal review of the content of both packages of amendments took place between December 2019 and June 2020. However, this was significantly hampered as a result of the delays in the submission of missing information from both packages of amendments and the subsequent, significant, further amendments to those packages made by both applicants. As the informal review was nearing completion, the applicants for 18/00764/OUTMAJ (Bloor Homes and SFP) submitted this further, fifth, unsolicited application for their part of the allocated site, which is the subject of this report. The applicants' state in their covering letter that this application is similar to that previously submitted (18/00764/OUTMAJ) and takes into account the amendments proposed to that application. The applicants also advise in their covering letter that one of the documents submitted in this latest application, the Memorandum of Understanding (MoU), may be amended further due to the applicant for the remainder of the allocated site (DNH) having requested additional changes. At the time of writing, no further changes to the MoU submitted have been made or submitted by the applicants.
- 2.21 Given the statement contained within the covering letter, and due to the lack of any communication from the applicants or their agent in respect of application 18/00764/OUTMAJ for more than six months, the Local Planning Authority considered, for the sake of clarity, transparency and certainty for all concerned, that application 18/00764/OUTMAJ was Finally Disposed Of.

- 2.22 Furthermore, given extensive discussions and negotiations that have taken place in respect of proposals for the development of the Sandleford Strategic Site Allocation for more than five years, together with the previously refused applications for clearly stated reasons and lack of appeal against those, it is reasonable to consider that this latest application is the applicants' distillation of all their earlier proposals and amendments, including (18/00764/OUTMAJ), in the context of all the extensive discussions and plethora of meetings offered by and held with Officers. The Local Planning Authority has worked hard, diligently, positively and pro-actively, seeking to assist the applicants to develop and refine their proposals over a number of years. This latest application proposal is therefore considered to be clearly representing the applicants' most up-to-date and complete manifestation of their intentions and aspirations for the development of their site.
- 2.23 As noted in this report, consultees to this latest application identified a wide range of issues and raise serious concerns and objections in respect of various aspects of the proposed development. These relate to points of substance, as well as the quality of the submitted documentation. A number of the consultees consider the current outline application proposal unacceptable as it stands and they recommend refusal accordingly. It is apparent and clear from the nature and range of the issues raised in the consultee responses, that any potential prospective amendments and submissions would be wide-ranging, extensive and material to such an extent, that they would warrant a full re-consultation exercise, both with consultees and the public.
- 2.24 The applicants sought to submit additional information in respect of this application on 4th September 2020 in response to comments received from Hampshire County Council. The applicants also sought to submit an extensive, wide ranging, 228 page document on 25th September 2020 covering a number of subject areas in response to a number of the consultation responses received for the application. That document included additional information as well as an amendment to part of the Environmental Statement (ES) originally provided (ES Vol. 3 Appendix K1, FRA). A number of the matters raised in that submission would have been considered by Officers in their own assessment of the application.
- 2.25 Extensive discussions and negotiations have taken place with the owners/applicants for more than 5 years, this being the submission of a fifth application by the applicants for similar development within the same site. During those applications extensive submissions of partial production/replacement of amended reports, additional information, revisions, adjustments, corrections and general tweaking were provided and re-consulted on but they were insufficient to achieve an approval.
- 2.26 As such, the Local Planning Authority considered that in this particular context, it would be entirely inappropriate to request or allow the applicant to continue along the interminable conveyor belt of partial production/replacement of amended reports, submission of additional information, revisions, adjustments, corrections and general tweaking, that has occurred for more than five years. A number of these also appeared to result in negative consequences, on occasion both unintended and unassessed, themselves giving rise to their own adverse issues. All this in turn requires repetitive reconsideration and would require a major re-consultation exercise with all consultees, relevant stakeholders and the public, leading our community into confusion and consultation fatigue. The Local Planning Authority considered this situation to be entirely unsatisfactory and advised the agent on 18th September 2020 that it had no intention to continue on that course. Despite this, the applicants sought to submit further, extensive and wide ranging information on 25th September 2020 as mentioned in para. 2.24 above. However,

the Local Planning Authority decided, for the reasons given above, that it would not accept the submission of amendments and additional information provided on 4th and 25th September 2020 in relation to this latest planning application. As such, those submissions were not uploaded onto the planning file.

3. Relevant Planning History

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

Application	Proposal	Decision / Date
118884	Farm incorporating erection of 3 dwellings country park touring caravan site.	Application Approved 14/11/83
14/01456/SCOPE	EIA Scoping request for the development of the Sandleford Strategic Site Allocation.	Response issued 20/08/14
14/02416/FUL	Proposed improvements to Warren Road and create new access. Alterations (part demolition and two storey extension) to Park Cottage.	Application Approved 8/12/14
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.	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	Application Approved 16/3/18

	prevent access from the roads to private land.	
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.	Application Refused 08/11/17
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).	Application Refused 08/11/17
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	Application Refused 14/12/17

	use class B1a upto 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.	
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.	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	Application Under consideration

	<p>infrastructure. Matters to be considered: Access.</p> <p>A fully revised set of proposals received on 25th September with a view to go out to re-consultation with a view to go out to re-consultation if the submitted package is found to be valid.</p>	
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 18/9/20

- 3.2 As noted above, application 19/02707/FUL was withdrawn by the applicant for that application (Donnington New Homes) on 18th September 2020. That application is relied upon within application 18/00828/OUTMAJ for the remainder of the SSSA as providing a proposal for access from Warren Road onto the A343 Andover Road to serve the SSSA. Application 19/02707/FUL is also referred to by the applicants in their submissions for this application. However, as application 19/02707/FUL has been withdrawn, there is no scheme currently being proposed for an access to serve the SSSA from Warren Road onto the A343 Andover Road, as required by Policy CS3 of the Core Strategy and the Sandleford Park SPD.

4. Publicity, EIA and CIL Matters

Environmental Impact Assessment (EIA)

- 4.1 This application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, in accordance with Regulation 76 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposal is considered to fall within Schedule 2, column 10(b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
- 4.2 A scoping application was submitted in 2014 (ref: 14/01456/SCOPE) which sought to determine the extent of issues to be considered in the Environmental Statement (ES) for the development of the whole of the Sandleford Strategic Site Allocation.
- 4.3 An ES has been submitted as part of this application. The submitted ES seeks to assess the likely significant effects on the environment arising as a result of the development of the whole of the allocated site, based upon proposals which illustrate one way in which the whole of the allocated site may be developed. The submitted ES also considers the impacts resulting from the proposed development within this application only.
- 4.4 In accordance with Regulation 19 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, copies of the ES and

planning application documents have been sent to the Secretary of State and the application was advertised in the local press.

- 4.5 Although the application is seeking permission for only a portion of the Sandeford Strategic Site Allocation, the ES submitted seeks to assess both the direct impacts of the proposed development and also the cumulative impacts as a result of the potential development of the entire Sandeford Strategic Site Allocation in accordance with a land-use masterplan for which no permission has been granted and illustrates one way in which the whole of the allocated site may be developed. However, other developments considered in the cumulative impacts section of the ES submitted are not as comprehensive and up-to-date as the cumulative impacts assessed by the applicants for the remainder of the SSSA.

Community Infrastructure Levy (CIL)

- 4.6 Community Infrastructure Levy (CIL) is a levy charged on some new development to pay for new infrastructure required as a result of new development. CIL will be charged on all new residential development at a rate per square metre (based on Gross Internal Area). This is however not charged at outline stage but will be calculated once a reserved matters application is approved. This process is managed by the CIL Charging Authority and correspondence is sent to applicants under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil.

Publicity

- 4.7 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) requires that: i) in the case of an EIA application for planning permission which is accompanied by an environmental statement; and/or ii) where the application does not accord with the provisions of the development plan in force in the area in which the land to which the application relates; and/or iii) the application affects a Public Right of Way (PROW); the application shall be publicised by giving requisite notice:
- by site display in at least one place on or near the land to which the application relates for not less than 21 days; and
 - by publication of the notice in a newspaper circulating in the locality in which the application relates is situated.
- 4.8 Site notices were displayed at numerous points around the application site on 1st July 2020 and provided in excess of 21 days for representations to be submitted (by 1st August 2020).
- 4.9 The application was also advertised in a local newspaper on 2nd July 2020.
- 4.10 The above publicity in respect of the EIA, Departure and PROW issues also referred to this Major application and potential effect on designated heritage assets and their setting.
- 4.11 In accordance with Regulation 19 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the Secretary of State was provided with a copy of all of the application documents, including a copy of the ES.

4.12 The publicity therefore discharged the legal duties of the DMPO and other provisions and was undertaken in accordance with the West Berkshire Council Statement of Community Involvement.

5. Application Site

- 5.1 The total application site area of approximately 114 hectares comprises agricultural land and several areas of woodland, the majority of which are ancient woodland but all are designated as Local Wildlife Sites (LWS).
- 5.2 The application site is located within the settlement boundary adopted in the HSA DPD and the Sandleford Strategic Site Allocation as identified within the West Berkshire Core Strategy 2006-2026.
- 5.3 The site is divided between the Town of Newbury and the Parish of Greenham and is bounded to the north by Monks Lane and to the east by the A339 Newtown Road. The site's southern boundary is formed by hedgerows, tree belts and the River Enborne with agricultural land and dispersed residential development beyond.
- 5.4 The south-western boundary of the application site, between the site and New Warren Farm, is defined by hedgerows and trees. New Warren Farm falls within the Sandleford Strategic Site Allocation. The western boundary of the application site adjoins Park House School and adjacent to the north-western boundary is Newbury Rugby Club. To the west of the site is the existing residential development at Wash Common and the A343 Andover Road.
- 5.5 Newbury College is located adjacent to the north-eastern corner of the site, with Newbury Retail Park located beyond (on the eastern side of the A339). To the east of the site (on the western side of the A339) is a Grade II Registered Park and Garden which is surrounded by the application site on three sides. Further to the east (on the eastern side of the A339) is residential development and Sandleford Priory (St Gabriel School, Grade I listed). Further east lies the Greenham and Crookham Commons Site of Special Scientific Interest (SSSI).
- 5.6 The site has a complex topography but generally slopes downwards from north to south towards the River Enborne. A central valley within the site runs from the north-west corner until it reaches the River Enborne in the south-east corner. A smaller northern valley runs southwards from Crook's Copse to join up with the central valley. At the fringes of the site are areas of flat or gently sloping land.

6. Development Proposal

- 6.1 This application seeks outline planning permission for the development of approximately two thirds of the Sandleford Strategic Site Allocation, as allocated under Policy CS3 of the West Berkshire Core Strategy.
- 6.2 Outline planning permission (with all details reserved except for access) is being sought for:
- up to 1000 new homes (Use Class C3);
 - 80 extra care housing units (Use Class C3) as part of the affordable housing provision;
 - a new 2 form entry primary school (Use Class D1);
 - expansion land for Park House Academy School;

- a local centre to comprise flexible commercial floorspace (retail falling into use classes A1-A5 up to 2150 sqm, class B1a up to 200 sqm) and D1 use (up to 500 sqm);
 - 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.
- 6.3 It is noted that section 17 of the application form submitted proposes 130 Social, Affordable or Intermediate Rent units and 302 Affordable Home Ownership units. However, the Planning Statement (para. 4.9) and Affordable Housing Statement submitted states that this application seeks permission for an affordable tenure split of 70% social rented and 30% intermediate which would equate to 302 Social Rented units and 130 Intermediate units respectively, contrary to that stated in the application form. Confusingly, the submitted Draft S106 agreement proposes 70% of the affordable housing to comprise affordable rented and social rented housing and 30% of the affordable housing to comprise Intermediate Housing. This inconsistency in the proposals as submitted is unhelpful and, when considered with other contradictions and inconsistencies in the applicants' submissions as set out in this report, does not provide confidence in the application as a whole.
- 6.4 The application has been determined on the basis that the affordable housing tenure proposed is that stated within the submitted Draft S106 Agreement, being 30% intermediate housing and 70% Affordable Rented and Social Rented housing (130 units and 302 units respectively), and not what is stated in the submitted application form, Planning Statement or Affordable Housing Statement.
- 6.5 The application documents submitted include the following Parameter Plans which are considered to provide a pictorial explanation of the development proposals within the application site. These plans, however, exclude the remaining land within the Sandeford Strategic Site Allocation, to the south-west of the application site, known as New Warren Farm and referred to in the application submissions as Sandeford Park West.
- Site Location Plan (Red Line Boundary, drawing no.14.273 PP01 Rev B)
 - Land use and Access Parameter Plan (drawing no. 14.273 PP02 Rev H1)
 - Green Infrastructure Parameter Plan (drawing no. 14.273 PP03 Rev G1)
 - Building Heights Parameter Plan (drawing no. 14.273 PP04 Rev G1)
- 6.6 The Site Location Plan indicates the area over which planning permission is sought. As confirmed in the application submissions, only the development within the red line boundary is proposed.
- 6.7 The Land Use and Access Parameter Plan proposes the disposition of land uses across the application site and shows residential development located in the north and west of the site and to the south of the central valley. Land for a 2 Form Entry (FE) primary school is proposed in the north-western corner of the application site. Adjacent to the western boundary with Park House School, an area of land is proposed to be safeguarded for the expansion of the school measuring approximately 16143sqm or 1.61ha. It is noted that the submitted Planning Statement advises that up to 1.62ha is to be transferred for the extension of Park House School (appendix 6) but also that 1.62ha will be transferred (appendix 3), whereas the submitted Environmental Statement refers to up to 1.6ha only. The submitted draft S106 agreement proposes to transfer no less than 1.6ha and the submitted Memorandum of Understanding proposes up to 1.6ha only.

- 6.8 Within the central parcel of the residential development, a Local Centre is proposed comprising flexible mixed uses of A1-A5 (shops, financial and professional services, restaurants and cafes, drinking establishments and hot food takeaways), B1a (offices), D1 (non-residential institutions) and C3 (residential). Unlike previous applications, no land is specified on this plan for the purpose of the proposed 80 extra care units. However, the submitted Planning Statement advises that the 80 extra care units are to be located within "*Development Parcel Centre*" (paragraph 3.14). It is noted that the submitted Planning Statement also refers to this as Development Parcel Central in paragraphs 3.6, 3.7 and 3.8. The submitted Draft S106 Agreement refers to both Development Parcel Centre and Development Parcel Central 3 and both definitions for those refer to the submitted Parcelisation Plan (drawing no. 14.273/PP05 Rev B). The submitted Parcelisation Plan (drawing no. 14.273/PP05 Rev B) only refers to Development Parcel Central. Hereafter we refer to this part of the development as Development Parcel Central (DPC) and for the avoidance of doubt any references to Development Parcel Centre refer to Development Parcel Central.
- 6.9 The submitted Land Use and Access Parameter Plan also identifies the location of the two proposed vehicular accesses onto Monks Lane. The proposed junction arrangements onto Monks Lane are shown on drawing numbers 172985/A/07.1 and 172985/A/08. However, as shown in the submitted access plan (drawing no. 172985/A/08) an additional third access, west of the roundabout, is also proposed which is not identified on the Land Use and Access Parameter Plan submitted.
- 6.10 The submitted Land Use and Access Parameter Plan shows the location of the proposed pedestrian/cyclist access onto Monks Lane as well as the public right of way (PROW) through the southern part of the application site to be retained, along part of which a green corridor is proposed. Key proposed footpath and cycle links at various points along the boundary of the application site are shown. One difference in this plan from those submitted for previous applications is the change of a key pedestrian/cycle link through Gorse Covert to land outside of the application site to a 'Potential Future Link with 1FE School'. That change arose as a result of the applicant for the remainder of the allocated site, DNH, altering their masterplan layout during the consideration of previous applications 18/00764/OUTMAJ and 18/00828/OUTMAJ. In amending their proposed land use layout that applicant moved their proposed 1FE Primary School from the northern part of their application site to the south-eastern corner, adjacent to Gorse Covert. Consequently, the applicants for this application have had to amend the access points shown on the submitted Land Use and Access Parameter plan along the boundary with New Warren Farm, one of which is now generically referred to a 'Potential Future Link with 1FE School' with no detail as to whether that link would be for public use or would accommodate pedestrians or cyclists, despite the route leading to it being noted as a proposed footpath and cycle link. An additional key proposed footpath and cycle link is also shown on the submitted Land Use and Access Parameter plan on the boundary to New Warren Farm, to the north of Gorse Covert. Both key pedestrian and cycle links on the boundary with New Warren Farm do not appear to link up with anything in a similar fashion to those in the north of the application site which provide a link between the main access route and the boundary of the application site.
- 6.11 The existing PROW through the application site is shown as being retained and upgraded to a shared footpath cycle link. It is noted, however, that the submitted Transport Assessment proposes in Appendix E for the footpath to be separated from the cycle path by a 1 metre soft margin and 1 metre Grasscrete section. It is also shown in this appendix that the cycle path would serve as an emergency vehicle access from the A339 and would divert from the PROW south of a line of trees adjacent to the PROW toward the eastern end of the PROW. The

emergency access from the A339 and the route of the cycleway are not shown on the Land Use and Access Parameter Plan submitted, or any of the other plans proposed to be controlling plans by the applicants.

- 6.12 An existing track running north/south from Newbury College is shown in the submitted Strategic Landscape and Green Infrastructure Plan as being retained. However, this is not shown at all on this submitted Land Use and Access Parameter Plan.
- 6.13 Within this Land Use and Access Parameter Plan the alignment of the main access road through the site is also shown. The main access road within the application site is proposed to end at the boundary with New Warren Farm (the remainder of the allocated site) and the boundary with Newbury College.
- 6.14 The submitted Green Infrastructure Parameter Plan identifies the existing woodlands to be retained together with their respective 15 metre buffer zones as required by the Sandford Park SPD. Nine green links through the developed areas are proposed. Six are concentrated to the northern end of the application site, two of which are shown as linking Monks Lane to Crooks Copse, one is shown as running parallel to Monks Lane with the three remaining running north/south but stopping short of Crooks Copse. A seventh green link is proposed to be created along the existing PROW with another, eighth green link running south-west from the existing PROW to the boundary with New Warren Farm. A ninth green link is proposed to run north from Gorse Covert and then turns westwards to the boundary with New Warren Farm. This green link has been amended since the previous application as a result of the applicant for the remainder of the allocated site, DNH, altering their masterplan layout during the consideration of previous applications 18/00764/OUTMAJ and 18/00828/OUTMAJ. In amending their proposed green infrastructure that applicant moved their proposed green link that ran directly westward from Gorse Covert to Brick Kiln Copse to accommodate a 1FE Primary School now proposed adjacent to Gorse Covert. Consequently, the applicants for this application have had to amend the route of the proposed green link from Gorse Covert to accommodate there no longer being a corresponding green link proposed in the same location for the remainder of the allocated site.
- 6.15 Within the Building Heights Parameter Plan, a maximum height of 2.5 storeys (up to 11 metres to ridge from slab level) is proposed throughout the residential development with the exception of the built form along the main access road, where a maximum height of 3 storeys (up to 13 metres from ridge to slab level) is proposed. Within the area designated as a Local Centre, the maximum height proposed on this plan is 3 storeys with an additional 1 metre storey, i.e. 4 storeys, limited to a height of 14 to 15 metres from ridge to slab level with commercial or community uses on the ground floor and first floor and residential above. The proposed 2 FE primary school would have a maximum height of 2 storeys (11 metres from ridge to slab level). This plan also notes that the area safeguarded for the expansion of Park House School would have a maximum height of 3 storeys (up to 13 metres from ridge to slab level).
- 6.16 In addition to the submitted Parameter Plans, a Strategic Landscape and Green Infrastructure (SLGI) Plan has also been submitted (drawing no. 04627.00005.16.632.13). The SLGI Plan sets out in detail the strategic landscape and green infrastructure proposed. This includes:
- existing tracks and footpaths to be retained through the site;
 - green links;
 - the main access route through the application site;

- pedestrian access links into the areas to be developed;
- the locations of dormouse crossings and bat hop overs;
- a proposed green corridor a varying width (minimum 8 metres, maximum 20 metres) along the existing PROW;
- dedicated recreational routes through the woodland areas of 2 metre widths;
- foraging and trim trails;
- main footpath routes and informal routes within the site;
- meadow grassland and wet meadow grassland areas;
- existing trees to be retained and those to be removed;
- existing designated ancient woodlands and local wildlife sites;
- a 15 metre buffer to ancient woodlands only;
- the locations of a proposed Neighbourhood Equipped Area of Play (NEAP) and two Locally Equipped Areas of Play (LEAPs);
- proposed locations of local areas of play (LAPs);
- proposed vantage points with seating;
- proposed tree planting;
- proposed community orchards;
- proposed woodland planting;
- proposed advanced structure and woodland planting;
- existing hedges to be retained;
- new or reinforced hedge planting;
- existing watercourses and attenuation ponds;
- proposed SuDS attenuation basins;
- proposed amenity grassland areas.

6.17 There is a lack of clarity and certainty in the fact that the scale bar provided on this SLGI Plan, which is a key document submitted as a controlling plan for the development proposed, is not to scale.

6.18 It is noted that there are small variations in respect of the proposed locations of access points along the boundary with New Warren Farm set out on the SLGI plan and the submitted Land Use and Access Parameter Plan. Furthermore, the location of the dedicated recreation route through Gorse Covert at the point where it turns northwards and exits the woodland is in a different location to that shown on the submitted Green Infrastructure Parameter Plan. In addition, not all of the green links shown in the submitted Green Infrastructure Parameter Plan are also shown within the SLGI Plan, despite some of them being identified on the SLGI Plan.

6.19 As previously highlighted, the existing PROW through the application site is shown as being retained. It is noted, however, that the submitted Transport Assessment proposes in Appendix E that the cycle path along this route would serve as an emergency access and would divert from the PROW, south of a line of trees adjacent to the PROW toward the eastern end of the PROW. This is not shown of the SLGI Plan submitted.

6.20 The submitted SLGI Plan also proposes a new link road from the Household Waste Recycling Centre (HWRC) to the boundary of the application which is not proposed on the submitted Land Use and Access Parameter Plan.

6.21 It is also important to note that the area of land proposed on this plan to be safeguarded for the expansion of Park House School is smaller and differs in shape to that proposed on the submitted Land Use and Access Parameter Plan, Green Infrastructure Parameter Plan and Building Heights Parameter Plan.

- 6.22 In addition, it is noted that this plan proposes a 15 metre buffer to ancient woodlands only and does not specify such buffer to those woodlands that are not designated as ancient woodland. Furthermore, a significant number of trees are shown as being retained in the SLGI Plan, contrary to that set out in the submitted Arboricultural Impact Assessment (ES Vol. 3 Appendix G11) where they are proposed to be removed. Moreover, a significant number of trees are shown as being removed in the SLGI Plan, contrary to that set out in the submitted Arboricultural Impact Assessment (ES Vol. 3 Appendix G11) where they are proposed to be retained.
- 6.23 The SLGI Plan also proposes the removal of five trees at the point where the valley crossing to the south of Crooks Copse is to be located. Those trees are not identified within the submitted Arboricultural Impact Assessment (ES Vol. 3 Appendix G11) (AIA). In addition, the SLGI Plan also proposes a group of three trees adjacent to the central valley crossing, however, details submitted for that crossing propose a large embankment and it would be unlikely that planting of those trees could be accommodated.
- 6.24 Whilst this application is seeking outline permission only, with access only to be considered at this stage, if approved, a condition is proposed to be used to ensure that future reserved matters applications and development of the application site is in substantial accordance with the submitted Parameter Plans and SLGI Plan. This has been proposed by the applicant in their submitted Draft Conditions document (condition 5).
- 6.25 As the application is accompanied by an ES, there must be some parameters fixed to set the framework for subsequent future reserved matters. Without these, the Environmental Impact Assessment (EIA) has no context from which to assess the likely environmental effects of the development. Adopting a 'parameters approach', allows for a degree of flexibility with regard to, for example, the detailed design of the development, whilst ensuring that the EIA is appropriate and legally robust. Therefore, the proposals contained within the Parameter Plans and SLGI Plan are given substantial weight in the determination of this application. However, it is noted that there are number of inconsistencies between these plans and some of the information and evidence base within the ES.
- 6.26 A Parcelisation Plan has also been submitted (drawing no. 14.273 Rev B) which separates out the development within this application site into three areas, Development Parcel North 1 (DPN1), Development Parcel North 2 (DPN2) and Development Parcel Central (DPC). This plan has been submitted to identify the three development parcels within the application site and is referenced in proposed draft conditions 1, 2, 3 and 4 in respect of future reserved matters applications but does not identify the sub-phases of the development proposed.
- 6.27 A submitted Country Park: Phasing Plan (drawing no. 04627.00005.16.306.15) is referred to in the application documents as showing the areas of Country Parkland to be provided with the respective areas of development within the Sandford Park Strategic Site Allocation (DPN1, DPN2 and DPC). It is important to note that the parcels of development defined for DPN1 and DPN2 differ in size and shape from those shown on the submitted Parcelisation Plan (drawing no. 14.273 Rev B).
- 6.28 In respect of the submitted Country Park: Phasing Plan, the submitted Draft S106 Agreement proposes to provide the area referred to as Parkland East prior to the occupation of 150 dwellings within DPN1 and DPN2 combined, contrary to that proposed within the submitted Country Park: Phasing Plan.

- 6.29 It is also of note that the submitted Country Park: Phasing Plan proposes a large section of the Country Parkland (shaded green) to be provided with the development of DPC. The Draft S106 Agreement submitted proposes the provision of that part of the Country Park prior to the occupation of 150 dwelling within DPC. Within that part of the Country Park a NEAP is proposed, as shown on the submitted SLGI Plan. That NEAP is proposed to be delivered in the Draft S106 Agreement prior to the occupation of 150 dwellings within DPN1 & DPN2. As such, the applicants are proposing that the NEAP is to be provided within a section of the proposed Country Park prior to that part of the Country Park itself being delivered.
- 6.30 An Illustrative Layout Plan has also been provided that shows one way in which the application site and the remainder of the allocated site at New Warren Farm may be developed (drawing no. 171). Although identified as an illustrative plan, this plan seeks to demonstrate how a satisfactory scheme for the whole of the SSSA could be delivered. As such, whilst this plan would not form part of the controlling plans for current or future proposals or development, the applicants have relied on this illustrative plan along with all other illustrative plans to demonstrate how issues in their view could be addressed. As such they are given at least considerable weight in the decision making process.
- 6.31 The Illustrative Layout Plan is relied upon in the application submissions, along with the submitted Combined Parameter Plans, to demonstrate how the two parts of the allocated site may be delivered should this application, and the application submitted by DNH, be approved and implemented. There is however no ability to require the development of the whole of the allocated site in the manner set out in this plan, and there is no reassurance to be gained from the individual approaches being taken by the independent developers.
- 6.32 It is important to note that the Illustrative Layout Plan does not accord with the original proposals submitted by DNH under application 18/00828/OUTMAJ. However, amended plans have been submitted which are still under review.
- 6.33 A Design and Access Statement (DAS) has also been submitted in support of this application. This document details the evolution of the design proposals and is intended to act as an important link between the technical assessment of constraints and the collective and integrated design response to them. However, the submitted DAS concentrates on this application site only and, as identified later in this report, contains many inconsistencies with other application documents submitted. Moreover, it is noted that opportunities for green infrastructure established within this document have not all been translated to the proposals contained within the Green Infrastructure Parameter Plan or SLGI Plan.
- 6.34 The submitted DAS is not proposed by the applicants to be secured by condition or act as a controlling document. Given that this document states that it “*acts as an important link between the technical assessment of constraints and the collective and integrated design response to them*” and sets out a number design principles and strategies for the proposed development, it is considered that this document carries at least considerable weight in the decision making process.

7. Consultation

Statutory and non-statutory consultation

7.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website.

<p>Newbury Town Council:</p>	<p>Object: lack of a single planning application for the whole of the allocated site in accordance with Principle S1 of the Sandleford Park SPD to ensure that the site is developed as a coherent whole; the Sandleford 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; the submitted Transport Assessment is deficient in several respects (see full response for more details) and more needs to be done to maximise the number of trips undertaken by sustainable modes of transport; 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; 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; 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. 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.</p>
<p>Greenham Parish Council:</p>	<p>Object: lack of a single planning application for the whole of the allocated site in accordance with Principle S1 of the Sandleford Park SPD to ensure that the site is developed as a coherent whole; the Sandleford 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; the submitted Transport Assessment is deficient in several respects (see full response for more details) and more needs to be done to maximise the number of trips undertaken by sustainable modes of transport; 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; 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; application fails to conform with West Berkshire Council's</p>

	<p>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. 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.</p>
Basingstoke and Deane Council:	No objections.
Planning Policy:	<p>In policy terms, development of the site is currently, in principle, in accordance with policy, due to its allocation within the West Berkshire adopted Core Strategy. The Council is currently progressing its Local Plan Review.</p> <p>The NPPF states that the planning system is plan-led. The Council can demonstrate an up to date five year housing land supply therefore, the Council's policies as set out in the development plan are considered to be up to date and relevant in terms of providing the framework for determining this application.</p> <p>The application proposal is not policy compliant in respect of affordable housing and renewables provision.</p>
Hampshire County Council:	Holding objection. Request further information to be provided by applicants.
Highways Officers:	<p>Object: proposed valley crossing not acceptable and concern that development of up to 500 dwellings and a local centre being cut off either due to incident or due to maintenance and an emergency vehicle not being able to travel into the development as well as the proposal affecting cycle routes along the floor of the valley; proposed emergency access beside public right of way is not acceptable; visibility splay plan required for proposed smaller access to west of main western access; costings for mitigation measures yet to be agreed; inadequate emergency access into DPC and the mitigation package that has yet to be agreed between the highway authority and the developers .</p>
Transport Policy Officer:	<p>Initial response: Concern that site is being planned in a disjointed manner impacting on effective linking of the site with neighbouring Newbury communities and facilities from a transport and travel perspective; require journey to work census data from the residential areas to the west and the north of the application site to be considered in the preparation of indicative mode share figures and the setting of initial targets; indicative targets in travel plan are unambitious; marketing proposed in travel plan inadequate; lack of car club provision unacceptable; lack of commitment in respect of linking development with Newbury railway station with a frequent bus service; lack of holistic travel plan for the whole of the allocated site; suggest financial</p>

	<p>contribution secured in order that the Local Authority take the role of delivering travel planning for the whole of the allocated site (figure to be calculated). Further comments may follow.</p>
Highways England:	<p>Further details required, request that application is not determined other than a refusal until such time as we have resolved our concerns in order for us to provide a Formal Recommendation.</p>
West Berkshire Spokes:	<p>Object. Hill between Monks Lane and the Kennet Valley will deter cyclists. Modelling is flawed in respect of commuter modal shift. Use of cycles over car is optimistic. Need for better cycle routes between Wash Common and Newbury Rail Station as well as improved bike parking at the railway station. Please to see an on-road cycle lane between Warren Road and St Johns roundabout. Request bus lanes on Sandleford link to incentivise use of buses between Greenham Business Park, Sandleford and the town centre. Oppose roundabout at the main Monks Lane access and request a light controlled junction. Request separation between pedestrians and cycle path on Monks Lane. Insufficient road space on Andover Road between Monks Lane and St Johns roundabout to accommodate cycle lane; this cycle lane is also not on the desire line for cyclists whose destination/origin from Sandleford if from the two proposed Monks Lane accesses; request route from Monks Lane access roads via Rupert / Wendan Roads become a well signed and designed two-way cycle route, with sufficient traffic calming and limits to on-street parking; a dedicated lane on the east side of Wendan Road should be provided on the steeper parts south of Highfield Road; request traffic flows 'rat running' down Wendan Road be restricted, by making the western part of Chandos Road one-way (except for buses and cyclists); request improved links for cyclists from the Wenden Road junction on Andover Road to St Barts School, across Andover Road to the new route across City Playground to town centre, also towards St Johns roundabout in both directions for rail users in particular. Access for cycling to this site and surrounding areas should be in line with the Local Cycling and Walking Infrastructure Plan (LCWIP) that has been created since the original comments were made.</p> <p>The development of recent technology surrounding electric bikes and scooters which would help overcome the gradient out of Newbury Centre - however safe and segregated space should be allocated for this, and development of legislation to support the use of electric bikes and scooters. DfT note that agrees with previous comments about the roundabouts and Monks Lane, and Andover Road not having any safe or convenient crossings for cyclists or pedestrians heading into Newbury from Monks Lane - these roundabouts are especially complicated due to the fact there are 2 of them, and safe passage for both pedestrians and cyclists is key to this development, and usage of active travel, especially from such a large development.</p>
Public Rights of Way Officer:	<p>In due course I require details of the proposed design, and legal mechanism for the conversion of this footpath to a footpath / cycleway and details of the proposed legal statuses, and mechanisms for the future maintenance of the proposed new 'Green Links' and 'Footpath/Cycle Links'. No objections subject to conditions to secure: completion of due legal process in the formal adoption of the route as a public road with pavements, and in any necessary acquisition of land beyond the existing width of the footpath; any tree loss to be replaced</p>

	with a greater number of trees; an enforceable plan for the maintenance and replacement of newly-planted trees, to ensure long-term survival in a healthy condition; appropriate traffic management and/or closure of the footpath is undertaken during construction.
Ramblers' Association:	The rural character of the public right of way must be maintained. Huge potential to enhance public right of way. A pedestrian controlled crossing should be installed across A339 at point where public right of way exits the site and pavement improved to right of way Greenham 10 to give access to Greenham Common. A footpath link should also be provided to access the network in Hampshire. This could easily be achieved by using planning gain and compensation to landowners. There appears to be a dead end path North of Oakleaze Farm in Hampshire and this is where a connection, with determination could be made.
Natural England:	Object - Insufficient information to assess and determine significance of impacts on designated Special Areas of Conservation (SACs) and the scope for mitigation. Further comment following submission of additional information on 1st September 2020: Requirements in previous response not adequately addressed by the applicant. No change in response.
Environment Agency:	No objections subject to conditions securing: Development in accordance with the flood risk assessment and any mitigation measures detailed; Details of the management of a minimum 10m wide buffer zone adjacent to River Enborne and a minimum 5 metre wide buffer zone adjacent to both banks of the ordinary watercourses and around the ponds; A plan for the protection and mitigation of damage or disturbance to European Otters and Water Voles and their habitats.
WBC Ecologist:	Object. Recommend refusal due to: inconsistencies throughout application; impact on ancient woodland due to buffer encroachment and lack of assessment of recreational impact; loss of Purple Moor Grass and inadequate application of HRA derogation test; lack of assessment of impact on ponds from domestic animals and omission of aquatic invertebrates; lack of qualified assessment of riparian/fluvial impacts; lack of assessment of impact from recreational disturbance on woodlands, woodpasture and Parkland BAP Priority Habitat; inconsistencies in details submitted of which hedgerows are to be retained, enhanced, the status of the quality of individual hedgerows and which hedgerows are to be installed as part of the proposals for this development application; clear contradictions and inconsistencies that threaten protected bat species, threats that haven't been fully taken into account in the submitted documentation; impact on reptiles by domestic pets; inadequate consideration of recreational disturbance by domestic animals on skylark and lapwing compensatory habitat to be provided; offsite provision of skylark and lapwing habitat is required to guarantee that no long-term negative effects on skylarks arise from this development; insufficient consideration has been given to recreational disturbance on otters using the River Enborne, particularly with the ambiguity surrounding the path depicted on the illustrative layout plan but not shown or considered in any of the other submitted documents; require that the habitat (woodland and hedgerows) where the last sightings of dormice have been listed have the existing

	<p>woodlands and hedgerows better connected by hedgerows with dormouse friendly planting and management of new and retained habitats; contradictory information in respect of hedgerows reducing confidence in dormice assessment; there have been updates in the best practice guidelines for surveying for dormice since the majority of the dormouse survey effort was undertaken and as such we are not confident that dormice are not present on the site and combined with the likely increased anthropogenic pressures on the dormice (such as predation by domestic cats and dogs) that have not been considered with some of the latest dormouse sightings being in the North of the site near to where a large number of the new dwellings are planned to be placed is unacceptable; impact on badger movement and feeding due to Crooks Copse crossing; loss of barn owl roosts requiring surveys, appropriate avoidance, mitigation and enhancement measures; increased air quality impacts have not been considered fully in the submitted documents as there is likely to be a currently unquantified cumulative negative effect on local priority habitats on the site including ancient woodlands because of the intensification of the site and surrounding areas with more car trips being taken around and through the site; lack of adequate air quality impact assessment on Greenham Common; S106 requirement for control of invasive species; lack of adequate net gain for biodiversity assessment; insufficient information has been submitted on how the recreational impact on Greenham and Crookham Commons SSSI is to be mitigated for.</p>
<p>Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT):</p>	<p>Significant ecological issues - appropriate measures to secure conservation features within Greenham Common SSSI required; clarification regarding SuDS within Brick Kiln Copse required; explanation of how impact on the priority habitat of Brick Kiln Copse will be avoided and how residual impact is adequately mitigated is required; lack of evidence to demonstrate that 15m buffer to woodland is adequate; contradiction between Illustrative Layout Plan and ES Chapter 6 (page 6-42) regarding access to River Enborne; clarification on how access to River Enborne will be prevented is required; lack of arboreal connectivity between Barn Copse and other copses within site and given the hazel dormouse population within Barn Copse – reinstating connectivity to wider habitat prior to construction works is required; the statement in ES Vol 1 Chapter 6 (page 6-16) that there are no records of hazel dormouse within 2km of the application site is incorrect as there are records of the species from 2015 well within the 2km zone; biodiversity net gain assessment is insufficient and request understanding as to how the two schemes will deliver holistic biodiversity net gain on the allocated site; lack of information in respect of country park management and how this would mitigate adverse impact on SSSI; management of grassland frequented by dogs not appropriate for hay cutting and should be managed by a grazing regime. Comments regarding draft S106 submitted - it is necessary for the “construction, laying out, planting and servicing of Parkland East” (Schedule 3 para 1.1) to be completed before first occupation of DP North. This is essential to ensure that the Country Park facility is available to new residents at the point of arrival and serve its purpose to deflect from using Greenham Common SSSI for local greenspace and amenity needs. Such behaviours, once established, are hard to change. The S106 needs to be amended accordingly. The same applies to Schedule 3 para 1.2 referring to DP Centre. We are of the opinion that the detailed “Management and Maintenance Scheme” for Country Park (Schedule 3, para 1.4-1.6) needs to be submitted and</p>

	<p>agreed by WBC pre-commencement to establish the principle that the various objectives for the Country Park will be deliverable, that management & maintenance activities are sufficient to deliver this (see our comments from 24/07/2020 regarding onsite wardening provision), and funded appropriately to ensure this. The S106 agreement makes no reference to financial support for visitor management on the SSSI to deal with the expected additional visitors generated by the development. We maintain that even with the Country Park in operation, it is highly likely that new residents will also visit the SSSI on a regular basis because it is very close by and provides a completely different experience to that provided by the much smaller onsite Country Park. Mitigation of visitor impact on the SSSI is required through ongoing onsite people management, which is a tried and tested approach under current levels of visitor pressure. The applicant will need to support a concomitant increase in SSSI warden capacity. This provision is required for the development to be policy compliant and to avoid detrimental impacts to the neighbouring SSSI.</p>
Binfield Badger Group:	Request pre-construction badger checks and further surveys to be undertaken at reserved matters stage.
Countryside Service:	No response received.
Forestry Commission:	<p>Comments only provided: Ancient Woodland (and most of the woodland on site is ancient and semi-natural) is irreplaceable. The following key principles should be considered: 1. Buffering all existing woodland by at least 15 meters and applying protocols which prevent future encroachment on these buffers; 2. Linking the existing woodland: the existing woodlands will become ecological islands if they are not linked becoming less resilient to the impacts of climate change; 3. While engaging local people and the wider public in local woodlands brings many benefits the impact on the woodland itself should also be carefully considered. Details plans to manage both formal and informal public access in conjunction with sustainable management of the woodland itself are essential to avoid gradual degradation of this irreplaceable national asset. Strategic Landscape and Green Infrastructure plan is unimaginative. The following could be considered in respect of the sustainability of the development: Energy efficient homes and infrastructure - perhaps including a district heating network for the higher heat using buildings and businesses; Water and nitrate neutrality - this scale of development is likely to require improvements to sewage infrastructure, which might include options to filter 'grey water' from sewage works through reed or willow beds or appropriately designed new woodland; Use of carbon lean construction materials such as wood; Integrating green infrastructure more intimately into the built areas to provide shade and cooling; Inclusion of green commuting networks.</p>
Woodland Trust:	<p>Object due to damage and potential loss of ancient woodlands and veteran trees. Particular concern regarding:</p> <ul style="list-style-type: none"> -Direct impacts on the ancient woodland as a result of areas of the ancient woodland soil being scraped and 'translocated'. - Considerable intensification of the recreational activity of humans and their pets can result in disturbance to breeding birds, vegetation damage, trampling, litter, and fire damage.

	<ul style="list-style-type: none"> - Fragmentation as a result of the separation of adjacent semi-natural habitats, such as small wooded areas, hedgerows, individual trees and wetland habitats. - Noise, light and dust pollution occurring from adjacent development, during both construction and operational phases. - Where the wood edge overhangs public areas, trees can become safety issues and be indiscriminately lopped/felled, resulting in a reduction of the woodland canopy and threatening the long-term retention of such trees. - Adverse hydrological impacts can occur where the introduction of hard-standing areas and water run-offs affect the quality and quantity of surface and ground water. This can result in the introduction of harmful pollutants/contaminants into the woodland. <p>The minimum 15m buffer currently proposed to areas of woodland would not be fit for purpose.</p> <p>Considering the size and scale of the development we consider that the appropriate protection in this case would necessitate the implementation of a buffer of at least 50m between any area of development and ancient woodland. Buffers should ideally be made up of at least 50% tree cover, planting this area if necessary. This will help to protect the ancient woodland from the impacts of the adjacent development, in line with the recommendations in the National Planning Policy Framework and Natural England’s Standing Advice.</p> <p>It is essential that no trees displaying ancient/veteran characteristics are lost as part of the development. The applicant’s Arboricultural Assessment notes that T34, a veteran oak, is likely to be lost on account of the school associated with the development. We object to the loss of this veteran tree. Further to this T127, an oak identified as a candidate for veteranisation/potential veteran, has been highlighted for felling or pollarding to make the tree safe. Felling of this specimen would be completely inappropriate. Other options must be explored to ensure this specimen is retained. Any loss of veteran trees would be highly deleterious to the wider environment of veteran trees within close proximity, which may harbour rare and important species. The minimum root protection area for veteran trees should be 15 times the trunk diameter or 5 metres beyond the crown of the tree. The creation of boardwalk paths through ancient woodland and the ‘translocation of ancient woodland soil seed banks’ constitutes loss of ancient woodland and must not be allowed. Where development is proposed adjacent to areas of ancient woodland there must be a buffer of at least 50m maintained between the development and ancient wood.</p>
Canal and River Trust:	No comments to make.
Landscape Consultant:	Object: The LVIA is currently deficient and requires updating to reflect the latest 2019 Landscape Character Assessment and all the required elements and components of the scheme need to be incorporated into the assessment of effects. There are a combination of unresolved elements as detailed in the full response; a lack of consideration in AIA (ES Vol;. 3 Appendix G11a - Barrell Arboricultural Assessment and Method Statement, hereafter referred to as the AIA) of embankment crossing or the crossings themselves; lack of assessment against the appropriate LCA; inadequate assessment of impact on Ancient Woodlands; lack of adequate consideration in the assessment and conclusions of landscape and visual effects of proposals (creation of

	<p>emergency access and further crossing point(s), NEAP, engineered nature of SuDS features, access arrangements from Monks Lane, the valley crossings). In summary the LVIA appears to be a resubmission of a previous report with no update accounting for the revised scheme being considered and, as a consequence, the nature of the changes and the effects in the assessment are understated or omitted entirely.</p> <p>Notwithstanding the above, the LVIA already acknowledges that proposal results in significant harm to landscape and visual resources of the Site. In light of this, the above, including additional concerns and omissions highlighted in this report, it is concluded that the scheme in its current form should be refused on landscape and visual grounds. The proposals fail to take account of key characteristics and special features, which are sensitive and form highly valued components in this complex landscape and will result in an unacceptable level of harm, with significant effects on the landscape character and visual resources, contrary to the Council's Policies and would fail to protect or conserve a valued landscape, as set out in the NPPF170, which recognises the intrinsic character and beauty of the countryside, including trees and woodland.</p>
Tree Officer:	<p>Object: lack of landscaping and arboricultural assessment and methodology for accesses proposed; arboricultural assessment appears to confuse access arrangements; significant loss of hedgerow and trees due to accesses proposed and lack of adequate replacement planting detrimental to the area; impact on ancient woodlands due to isolation of woodlands, fragmentation of woodlands, and increased recreational pressure; lack of sufficient additional planting between woodlands that would aid the mitigation of effects of climate change in line with West Berkshire Council Environmental Strategy; proposed emergency access along public right of way unacceptable and lack of lighting, ecological and arboricultural assessment; impact of basins and conveyance channels on woodlands due to ground water flows as identified in application submissions have not been adequately assessed; impact from air pollution on woodlands; contradictory information submitted in respect of proposed size of buffers to woodlands; lack of assessment of size of buffers required; contradictory information in respect of trees proposed to be removed in the AIA compared to those shown on the Strategic Landscape and Green Infrastructure Plan or combined SLGI plan; removal of trees T34 and T76 unacceptable; Loss of trees and hedgerow would have a significant harmful/adverse effect in both medium and short term contrary to conclusion in AIA; trees with bat roosts confirmed, high and moderate potential are shown on the Arboricultural Impact Assessment to be removed; formal recreation zones within the 15m buffers are unacceptable; application contrary to policies CS14, CS15 and CS19 of Core Strategy; inadequate landscape as a compensation strategy.</p>
Berkshire Gardens Trust:	<p>Object. Require revision of proposed valley crossing to ensure that the historic landscape character of the valley is protected. Also request further information on the impacts on the path access and trees off of Warren Road.</p>
Historic England:	<p>No comments offered.</p>

Conservation Officer:	No objections.
WBC Archaeologist:	No objections subject to securing a written scheme of investigation by condition.
Sport England:	No objections subject to securing items set out in S106.
Minerals and Waste Officer:	No objections subject to a condition securing a statement of mineral exploration within each parcel and extraction works.
Environmental Health:	No objections subject to conditions securing delivery timings, lighting, refuse, details of path, contaminated land, CEMP, hours of work, piling method, noise assessment and noise mitigation.
Local Drainage Authority:	Object: lack of consideration of Policy CS16 and WBC SuDS SPD as starting point for assessment; lack of evidence and proposals for pollution control in surface water run-off; reference to incorrect catchment area of South Essex in submissions; review of groundwater emergence required; out dated Sewer for Adoption document used in assessment; frequencies of SuDS maintenance periods need increasing to accord with SuDS C753 Manual; lack of information in respect of impact of conveyance channels on ground water levels with potential for adverse impact on ground water and woodlands; further details of control of pollution from construction of valley crossing required to provide sufficient certainty that control of pollution in this location is achievable; Drainage Strategy Plan does not include all of application site, in particular River Enborne and existing pond/watercourse; lack of information regarding remainder of allocated site and effect on surface water; surface water flows in the Drainage Strategy Plan appear to run in line with contours of land rather than angled as would be expected; surface water flows appear to be directed through Dirty Ground Copse and Slockett's Copse detrimentally impacting on those woodlands; detention basins A, B and C are shown with approximately the same surface area in metres square as the volume in metres cube, and therefore by implication they will be 1m deep with near vertical sides which is unacceptable; inconsistent plans showing SuDS features; of the proposed surface water measures as shown are not practical, conflicting information has been submitted and there is insufficient certainty that the development will not introduce run-off into the other part of the allocated site (or vice versa) such that a full assessment cannot be completed until the drainage strategy includes the whole of this application site. Suggest conditions.
Thames Water:	No objections subject to conditions that: prevent occupation of 20 dwellings until waste water infrastructure upgrades have been completed or a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied; prevent occupation beyond 49th dwelling until all water infrastructure upgrades have been completed or a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied; prevent piling from taking place until a piling method statement has been submitted to and

	approved in writing by the local planning authority in consultation with Thames Water.
Waste Services:	Request area of hard standing within development together with contributions for a mini waste recycling centre and contributions toward household waste recycling centre (HWRC). Request review of additional traffic impact on HWRC. Commercial bin stores to be kept separate from domestic waste and recycling from domestic properties. Swept path analysis required for waste vehicles. Wherever workable our waste collection contractor should not be expected to access private land, including private roads, shared drives, car parks etc. and any such requirements submitted would be reviewed in detail and alternative options sought. West Berkshire Council provides a curtilage collection of refuse and recycling and as such, our 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 waste vehicle stopping point on 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. Where communal bin stores are to be provided we require them to be within 10 metres of the vehicle stopping point on the road and for flat, level access to be provided. We request that at reserved matters the planning application includes plans of the bin stores that demonstrates that they are large enough for the bins required by the properties they serve.
Economic Development Officer:	No objections raised - request communication with applicant to formalise and Employment and Skills Plan for the site and understand plans for the local centre.
Thames Valley Police:	No objections. Concerned Design and Access Statement does not contain a section on how the development intends to address crime and disorder as required by CABE's guidance; 'Design & Access Statements - How to write, read and use them'. Strongly recommend that any approval for this development is withheld until a supplement to the DAS addressing this requirement is submitted. Further comments on street design and character provided.
WBC Housing Officer:	Note discrepancy between application form and application documents in affordable housing proposed. 432 units required. Mix of proposed extra care housing acceptable, would expect a policy compliant tenure split of 70% social rent and 30% shared ownership for these units. We would like to see bungalows and smaller units alongside larger units delivered as part of the affordable provision of the scheme, and also to establish what provision of adapted housing will be provided – i.e. M4 Cat 3 etc. This would assist in the delivery of a diverse street scene that captures our aims around pepper-potting and also to provide mixed communities e.g. older people/younger families/ single people etc. and as made reference to in Table 2 of para 5 of the Affordable Housing Statement – integration, and to accord with policy CS4 which expresses our aims to meet the needs of the whole community including those with specialist requirements. The SPD states the affordable housing should consist of 70% social rent and 30% intermediate housing options such as shared ownership. We therefore require 246 (rounded down) of the units for social rent and 106 (rounded up) of the units for shared ownership, and as noted in the

	<p>table above. The Council expects affordable housing to be pepper-potted throughout in groups of not more than 5 dwellings in any single location within the development to ensure satisfactory integration. The Planning Statement notes that the developers are not proposing mixed tenure flatted blocks, and we would therefore expect that the affordable housing blocks be kept small in flat numbers and massing. The Council will assess all affordable housing development proposals against the Nationally Described Space Standards (updated March 2015). To ensure the dwellings are suitable for future occupants, all two bedroom dwellings should provide a minimum of 4 bed spaces, 3 beds should provide a minimum of 6 bed spaces, and 4 should provide a minimum of 8 bed spaces. The Council recommend that all affordable housing dwellings should be developed to Lifetime Home Standards 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. The SPD requires all affordable housing on planning gain sites to be delivered with nil public subsidy. Developers are expected to make full provision for nil grant affordable housing on all qualifying planning gain sites and pay due consideration when negotiating the land value of a site. We confirm that we have assessed this as a stand-alone application, and have not taken into consideration the affordable housing data provided for Sandeford Park West, as this is not part of this application.</p>
<p>Adult Social Care:</p>	<p>It is important that 70% of provision should be for social rent. We are comfortable that some of the units might be used for the general housing register.</p> <p>Our experience is that the majority of units should be single-occupancy, but there is also a need for double-units because we do see couples/ family members for whom sharing is the most appropriate option (and this can sometimes keep down costs to the council).</p> <p>We are comfortable that the provision should be primarily available to over-55s but we encourage some sensible flexibility on this because we do see younger adults for whom Extra Care Housing is the best option.</p> <p>In order to make sure that the resource is effectively targeted on those who need it, it will be important to have a reasonable and agreed nominations process/approach. This will need to take account of the fact that the process of identifying, prioritising and progressing moves cannot always be achieved quickly.</p>
<p>Local Education Authority:</p>	<p>In principle a 2 Form Entry (FE) primary school and early years provision on-site would be sufficient to mitigate anticipated impact. The documents submitted give different measurements for the primary school site to be provided and differ to the size previously requested by the LA. Based on a 2FE school with early years provision, we would require a site size of 20,430sqm. It is expected that the site and buildings will be fully funded by the applicant and that the delivery of the school will align with the arrival of the pupils. Any primary school design will be expected to meet the Employer's Requirements Document (ERD) for new build primary schools and DfE's Early Years Framework requirements as a minimum. The land requirements are set out in the attached WBC Site and Survey Requirements for New Schools v1.1 document (or the most recent version) and forms part of the Education response. All criteria listed would be the responsibility of the applicant to fund and deliver, prior to land/site transference, unless otherwise agreed with WBC. The applicant would be</p>

responsible for fully mitigating any issues resulting from surveys of the land to be transferred. Subject to agreement at the time the mitigation of any issues could be by either the applicant undertaking the mitigation works, which is our preference, or by a financial contribution to WBC. Mitigation would be required prior to the transference of the land to the Council and so unrestricted access would need to be granted to the Council in order for works to be undertaken if a financial contribution is paid. The S106 agreement lacks sufficient detail regarding the above standards and the costs associated with preparing the site and constructing the buildings. This will need to be addressed through the application process. The applicant has undertaken a feasibility study to identify a scheme of mitigation for the impact of up to 1500 homes across the northern, central and southern parcels. This application is concerned with the northern and central parcels only. This feasibility study built on the study undertaken by the LA for 2,000 homes and is phased. This phasing attempts to deal with the impact of delivering the scheme across multiple development parcels and at least two applicants. The scheme provides accommodation for the anticipated number of pupils (196) and demonstrates how the impact could be mitigated. The costs for the scheme have not yet been provided. This will be required in order to agree the pro-rata contributions for the S106 agreement and also to ensure that the phased nature of the project, and the refurbishment of existing spaces, have been adequately accounted for in the cost plan. The costs will need to align with the applicants' feasibility study and each phase will need to be able to stand alone as mitigation, which will need to be reflected in the costs. The cost plan is necessary before we can confirm with any certainty that the scheme is adequate and will provide the necessary mitigation.

The scheme relies on the re-use of the existing sports hall once the new sports hall is built. This building is of poor condition and contains significant amounts of asbestos. Any conversion would have to address these issues and provide fit for purpose teaching accommodation. This will need to be allowed for in the project cost, as the costs are likely to be significant for the conversion of this building and a general refurbishment rate will not be sufficient.

The proposal includes an area of 'expansion' land for Park House School. The size and location of the land is acceptable, although it should be noted that the land requires significant engineering works to enable it to be fit for the intended purpose.

The land should be prepared and marked as per the attached documents (Appendix 1-3) as agreed between the parties in June 2019. It is our preference that this work is carried out by the applicant prior to the transfer given the significant nature of the engineering works. The application documents suggest that the work will be the responsibility of the Council. This will need to be resolved and were the Council to take on this work then there would need to be a mechanism for establishing the costs of preparing and marking the land, prior to the S106 agreement being completed.

We understand that there is also a veteran tree in the middle of the expansion land. This has not been a feature of any of the discussions between the parties. In order for the land to be acceptable to the Council, and to have certainty that the expansion land can be used for

	<p>sport as intended, the applicant will need to remove the tree prior to transfer of the land. The same will apply to the treeline along the boundary. It has been brought to our attention that the plans shown in the feasibility study for the expansion land and associated pitch appear to breach the 15m buffer for the ancient woodland. If this were to be the case then it would appear that the expansion land may not be able to be used for the intended purpose and the impact of the development would not be suitably mitigated.</p> <p>In order for the expansion land to be acceptable, and in addition to the paragraphs above, the requirements set out in the attached WBC Site and Survey Requirements for New Schools v1.1 document will need to be met. All criteria listed would be the responsibility of the applicant to fund and deliver, prior to land transference to WBC, unless otherwise agreed in writing with the Council.</p> <p>All surveys are required to be carried out and funded by the applicant prior to the transference of land to the Council and should be valid at the time of transfer.</p> <p>The applicant would be responsible for fully mitigating any issues resulting from the surveys. Subject to agreement at the time the mitigation of any issues could be by either the applicant undertaking the mitigation works, which is our preference, or by a financial contribution to WBC. Mitigation would be required prior to the transference of the land to the Council and so unrestricted access would need to be granted to the Council in order for works to be undertaken if a financial contribution is paid.</p> <p>The application documents make reference to community use of the expansion land. This has not been discussed with the LA or the academy trust. Any community use would be subject to local agreement with the trust and would have to be controlled by the school on a day to day basis. The school would have to manage access and therefore would have to be prepared to do so. Uncontrolled access would present a security and safeguarding risk and would not be acceptable to the academy trust or the Council. The trust may also not wish to provide this access in the future and so it should not be relied upon as a community asset for the development.</p>
<p>NHS Clinical Commissioning Group (CCG):</p>	<p>No response received.</p>
<p>Royal Berkshire Fire and Rescue:</p>	<p>The Fire Authority may OBJECT to the proposed application given that insufficient information is provided relating to the provision of suitable water supplies for firefighting purposes. The application fails to adequately mitigate its specific and direct impact on the Fire Authority or promote the development of a safe community.</p> <p>In the event of a recommendation or subsequent decision at any level to grant permission for the proposed development under this application, the Fire Authority's objection can be overcome by the imposition of a planning condition to secure agreed details of the provision of a water supply including fire hydrants to meet firefighting needs throughout the development (including the installation arrangements and the timing of such an installation).</p>

	The Fire Authority defers to the Local planning Authority to make any amendments to the wording of this recommended condition to ensure that its imposition does not prejudice the ability of the development to be implemented in phases where appropriate.
Scottish & Southern Electric:	No response received.
Ministry of Defence:	No objections.
S106/CIL Team:	No response received.
Library Services:	No response received.
British Gas (Transco):	No response received.
National Planning Casework Unit:	No response received.

Public representations

7.2 Representations have been received from 78 contributors, 1 of which provides comments on the application, and 77 of which object to the proposal.

7.3 The full responses may be viewed with the application documents on the Council's website. In summary, the following issues/points have been raised:

- Not a single application for the allocated site contrary to Policy S1 of the Sandford Park SPD.
- Inability to consider development of the whole of the allocated site holistically to ensure vision and objectives of Sandford Park SPD are achieved, maximising potential as a well-planned and sustainable urban extension and enable required infrastructure to be properly planned and delivered in an integrated and timely way across the site.
- Impact on highway network including: A339; A343; B4640 and Monks Lane.
- Impact on highway safety.
- Traffic increase.
- Construction traffic will detrimentally impact on local roads and residents.
- Impact on existing residents in the area.
- Alternative access from Wash Water should be considered.
- Construction access via Monks Lane inappropriate and should be from A339.
- Lack of assessment and mitigation for safety of pedestrians and cyclists.
- Lack of information in respect of capacity of car parking for Country Park.
- Responsibility of management of Country Park should be with West Berkshire Council or the Parish Council.
- No provision for additional parking at Falkland Surgery and pharmacy is provided which are already overstretched.

- Local centre should include a social centre for community activities with sufficient parking.
- Lack of detail of subsidy for bus service.
- Lack of information or study of highway impact on B4640 and Swan roundabout.
- Lack of information of highway mitigation measures.
- Lack of proposals for different modes of transport.
- Lack of adequate pavement improvements on A339 north of St Gabriel's school to accommodate pedestrians and cyclists.
- Environmental damage to fields and historic woodlands.
- Increase in noise pollution.
- Increase in air pollution.
- Objections to previous applications should be considered for this application given the passage of time and resubmissions.
- Impact on property values in Wash Common.
- Impact on public right of way resulting in a walk through a housing estate.
- Western access on Monks Lane results in a roundabout access to three existing properties which will experience disruption from construction traffic and be dangerous.
- Impact on wastewater drainage.
- Access points onto Monks lane are in inappropriate locations.
- Loss of trees and existing vegetation.
- Inadequate education provision.
- Warren Road is inappropriate for use as an access.
- Additional demand on water.
- Proposal is contrary to Policy CS3 and the NPPF.
- Loss of ancient woodland and veteran trees with no exceptional need or benefit contrary to NPPF.
- 15 metre buffer to ancient woodlands is inadequate, should be 50 metre in accordance with guidance from the Woodland Trust.
- Alternative site should be considered, particularly as the NPPF has been updated.
- Impact on Greenham Common SSSI.
- Lack of conservation or enhancement of biodiversity.
- 3 storey housing along the boundary of the development will increase visual impact on existing adjacent properties.
- Insufficient number of access points resulting in congestion.
- Splitting the allocated site into two applications is misleading and unclear.
- Need to consider increase in delivery vans from online shopping.
- The applicant has taken no notice of objections submitted for previous applications.
- Lack of information as to what has changed from previous submissions.
- Development no longer required due to Covid-19.
- Base data for highways is out of date.
- Proposal for a cul-de-sac onto Monks Lane would be dangerous as it is close to the roundabout access also proposed.
- Lack of information as to who will maintain open space.
- Site should be precluded from development due to Capability Brown having been involved in the landscape and the association with Watership Down.
- Scale of development is excessive.
- The Covid-19 pandemic has emphasised the importance of nature, open spaces and fresh air and those should be protected.
- Spending vast amounts of money on this development in the context of the economic recession due to Covid-19 is unsettling and irresponsible.
- Safety of adults and children visiting school and church.

- Impact on schools.
- Lack of consideration of other developments proposed and in construction in the area, particularly in respect of traffic impact.
- Cycle times from Newbury Town Centre inaccurate and fail to take account of hill.
- Cyclists will be subject to air pollution.
- Application is contrary to the Council's Environment Strategy.
- Lack of need for more primary schools.
- Detrimental impact on character and appearance of the area.
- Infrastructure should be provided in advance of development occurring.
- Lack of provision of another Doctor's Surgery.
- Impact on wildlife and ancient woodlands.
- Wrong place for development.
- Brownfield site should be used instead.
- Proposal is a pre-dominantly car focussed development out of reach of town centre and rail links, contrary to environmental policies.
- Loss of habitat and breaking of natural corridors/biodiversity links within site.
- Contrary to previous assurances that development south of Newbury College and Surgery would not take place.
- Valley crossing is imperative for the comprehensive development of the allocated site and should not be illustrative at this stage and responsibility for implementation secured.
- Use of Warren Road as an access is inappropriate.
- Use of Kendrick Road as an access, including an emergency access, is inappropriate.
- A new access to the southern part of the site, linking the A343 with the A339, is required.
- Inadequate water supply to fight fires.
- Scheme proposed is different to the original plans and requires another public inquiry.
- Development will affect health of residents of Newbury.
- Sufficient housing exists in Newbury.
- Insufficient access and egress particularly for emergency vehicles.
- Potential for flooding.
- Loss of greenspace.
- Proposal contrary to Council's zero carbon policy.
- Proposal will increase crime in the area.
- Inappropriate location for housing.
- Proposal will increase pressure on existing infrastructure and services.
- Congestion already exists on the roads in Newbury and they are already operating at full capacity.
- Development will turn Newbury from a small market town to a sprawling commuter town.
- Reserved matters applications do not allow for a co-ordinated approach to planning of the development.
- Development to west of valley will use Warren Road until valley crossing implemented.
- Loss of historic route and associated landscaping from Newtown Road to Andover Road.
- Lack of consideration of motorised vehicles using Warren Road access which is a public right of way (Newbury 5) for non-motorised vehicles.
- Developers will use the Warren Road as a haul route to build the central parcel, therefore negating the need for a valley bridge.
- Inadequate haul routes for construction traffic.

- Sandlesford has been removed from the five year plan and is therefore not required.
- Use of unadopted Garden Close Lane for access is not necessary, will be dangerous and places unfair burden on the current residents of Garden Close Lane who maintain the lane's current beauty.
- Bus service will be underused.
- Development will increase rat running along Rupert Road and queuing along Chandos Road as was the case before the A34 bypass.
- Proposal will be detrimental to ancient woodlands.
- Development is not close to employment hubs.
- Sanfoin is not part of allocated site and its development will alter the character of Garden Close Lane.
- The A34 junction at Wash Water will not be able to cope safely with the increase in traffic.
- The narrow bridge over the River Enborne will not be able to cope with the increase in traffic.
- Lack of detail in respect of bus service and subsidy to be provided.
- Lack of cohesion in the planning between the two developers.
- Application unethically submitted during Covid-19 to slip it under the radar.
- No conclusive evidence of either developer presenting a cohesive approach with clear plans.
- Unnecessary loss of veteran tree (id: 150885) near Barn Copse that is a remnant of an older boundary hedge line.
- Loss of veteran tree (id: 150884) within hedge line to be removed for Park House School expansion land.
- Loss of hedge line between existing school pitches and proposed school land which is an important boundary and should be retained in proposals.
- Impact of strategic planting to east and south of Gorse Covert on long distance views from Sandlesford Priory.
- Lack of clarity over type of proposed access at Warren Road.
- Lack of secondary education provision.
- Submission of multiple applications is confusing.
- The Memorandum of Understanding does not fulfil the requirements of a legal contract and is brought into doubt as further changes by the other developer, Donnington New Homes, are to be made, as advised in the covering letter.
- The Memorandum of Understanding would only provide for a comprehensive development if both applications were approved in full.
- No improvements proposed to Andover Road/ St Johns Road roundabout despite traffic analysis showing significant queues at this junction.
- Transport Assessment is inadequate, inaccurate and not robust.
- Loss of playing field from Warren Road access.
- Unsustainable development.
- Lack of clear phasing of development in step with provision of important infrastructure and services.
- Lack of assurance of provision of high speed broadband.
- Site is not undeveloped land in an urban area.
- Building within buffer/exclusion zones around woodlands fail to be outweighed by wholly exceptional reasons.
- Impact on public rights of way changing character and appearance of routes, and the historic route to Warren Road.
- Application cannot be approved without conclusive evidence to show the right of way for vehicles that would access the central development parcel for the first 6 years to pass over Public Footpath Newbury 5.
- Policy CS3 does not state a requirement for Public Footpath Newbury 5/Warren Road to become an all-vehicular access.

- Construction access via Warren Road unacceptable.
- Transport Assessment fails to consider the impact of the development on key pedestrian routes around the local schools and churches external to Sandleford.
- Transport information fails to consider the transport environmental impacts of the development on sensitive receptors such as local schools and vulnerable road users.
- Planning application cannot be approved when it is dependent on another access route (Warren Road Access) proposed in another planning application and whose suitability has not been determined nor within the Core Strategy/Local Plan.
- Access to Country Park and NEAP via Warren Road should be considered.
- The Sandleford Park SPD cannot be used to set new policy for a point of access along Warren Road.
- Loss of sport pitch due to access along Warren Road.
- Application contrary to Local Transport Plan.
- Impact on mental health.
- Lack of employment opportunities in the area.
- Lack of renewable energy provision.
- Application fails to provide an appropriate scheme of works or off site mitigation measures to accommodate pedestrians, cyclists and public transport.
- Concern of impact on emergency service response times due to additional traffic around Newbury and for the Central Parcel as it is isolated.
- The location of the NEAP and LEAP outside of the development envelope and within the country park is contrary to Sandleford Park SPD.
- The location of the NEAP and LEAP outside of the development envelope and within the country park will increase the number of dwellings but reduce the recreation area, raising material issues for safety and crime and resulting in a major negative environmental impact.
- Landscape and Visual Impact Assessment is inadequate as Zone of Theoretical Visibility does not extend far enough and take in views from Beacon Hill, Ladle Hill, Watership Down, Donnington Castle and Greenham Control Tower.
- Landscape and Visual Impact Assessment is inadequate as Zone of Theoretical Visibility is unclear in hedgerow heights and target point heights.

7.4 A petition has been submitted by the Wash Common Action Group, comprising 777 signatures objecting to the use of Warren Road as an access for Sandleford. It is noted that some signatories pre-date the submission of this application and some signatories have also submitted separate representations.

7.5 A petition has also been submitted by the Residents of Garden Close Lane, comprising 86 signatures objecting to the application for the reasons below:

- There are innumerable new builds in the Newbury area. West Berkshire does not need additional housing for the next five years. We do not want or need the Sandleford Park development.
- We own Garden Close Lane and manage it physically, emotionally and financially. We jointly paid for its surface to be tarmacked. It cannot be commandeered by the developers of Sandleford for its own commercial interest.
- We do not want walking and cycling to be promoted by the Council along Garden Close Lane for an additional 1500 houses (maybe 5000 people).
- Garden Close Lane is very dark, narrow and has blind bends. There are no passing places for oncoming traffic and many driveways are concealed. The proposed over use of Garden Close Lane would make it a very dangerous place for everyone concerned.
- Many people walk on Garden Close Lane. The residents of Badsworth, our local retirement complex, use it as a manageable walking place. Already the

increasing numbers of delivery vans make it less safe, speeding cyclists would make it frightening and unusable.

- The Sanfoin exit onto Garden Close Lane is for one property only. This should not be expanded to 1500 properties as proposed by the developers of Sandleford.
- The ecosystems of Garden Close Lane and the Sanfoin Estate have achieved a perfect balance over time. We have ancient oak trees and vibrant bird life. We do not want the development of Sandleford to destroy this unique natural environment.
- Entering and exiting Garden Close Lane is fraught at the best of times. We do not want an influx of maybe 3000 extra cars on the Andover Road to make a challenging situation even more dangerous.
- A recent development on the south side of Garden Close Lane was refused because 'it would urbanise the existing, largely rural, pleasant approach to Newbury'. This proposal should be thrown out for the same reason.
- Land owners adjacent to Garden Close Lane have tried and failed to get planning permission. If these current proposals go ahead we worry that the floodgates will open and the southside of Newbury will be developed until it subsumes Wash Water.

7.6 It is noted that some signatories within this petition have also submitted separate representations.

8. Planning Policy (including Housing Land Supply)

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 Replacement Minerals Local Plan for Berkshire (Minerals Local Plan, incorporating alterations adopted in December 1997 and May 2001), the Waste Local Plan for Berkshire (adopted December 1998) 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 is due to consult on a draft version of its Local Plan Review this autumn. All sites previously allocated as part of the Core Strategy and HSA DPD are being reviewed 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:

“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, 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.

**This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or 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.”*

8.6 Local planning authorities are required to identify and maintain a continuous five year supply of sites to deliver the housing requirement. The Council published a five year land supply document setting out the position at December 2019. Using the standard methodology to calculate the Council’s Local Housing Need (LHN) and adding the appropriate buffer of 5%, the Council can demonstrate a housing supply of 7.67 years. The 2019 Housing Delivery Test measurement of percentage delivery over the previous three years for West Berkshire is 109%.

8.7 The Sandleford Park site has not been included in the five year supply until deliverability within the time frame can be more firmly evidenced. This has been the case since 2017. Despite this, as outlined above, the Council can still demonstrate a five year supply of housing.

8.8 The following policies of the statutory development plan are ‘relevant’, to the consideration of this application:-

- Policies ADPP1, ADPP2, CS1, CS3, CS4, CS5, CS6, CS9, CS11, 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, SHOP.5, RL.1, RL.2 and RL.3 of the District Local Plan; and
- Policies 1, 2 and 2a of the Minerals Local Plan.

8.9 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
- Policies GS1 and C1 of the Housing Site Allocations DPD (HSA DPD).

8.10 In addition to the Council being able to demonstrate an up-to-date Five Year Housing Land Supply (5YHLS) and satisfactory delivery against the Housing Delivery Test, these policies have also been assessed against the NPPF and they are considered to be either fully or highly consistent with its objectives, provisions

and policies and are therefore up-to-date in terms of providing the framework for determining this application.

8.11 The material considerations, which bear different degrees of relevance to the consideration of this application, include:

- National Planning Policy Framework (NPPF);
- Planning Practice Guidance (PPG);
- Sandford 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);
- 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.

9. Appraisal

9.1 The main issues for consideration in this application are:

- Principle of Development;
- Comprehensive Development;
- Affordable Housing;
- Landscape Character, Visual Impact and Green Infrastructure;
- Flooding and Drainage;
- Ecology and Biodiversity;
- Historic Environment;
- Transport and Highways;
- Air Quality;
- Amenity of Existing Surrounding Properties;
- Amenity of Future Residents;
- Contaminated Land;
- Loss of Agricultural Land and Impact on Soils;
- Minerals;
- Community Facilities;

- Sustainable Development and Renewables;
- Education Facilities;
- Design and Layout;
- Waste Collection;
- Planning Obligations and CIL;
- Other Matters.

Principle of development

- 9.2 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 allocation reflects and effects the housing delivery objectives of Core Strategy spatial strategy Policies ADPP1 and ADPP2 and also Policy CS1, including by way of a strategic urban extension to the south of Newbury at Sandleford. It also accords with its inclusion within Newbury settlement boundary as reviewed, extended and adopted by HSA DPD Policy C1, which also sets out a presumption in favour of development within the settlement boundaries.
- 9.3 In policy terms, the residential-led development of the SSSA is clearly acceptable in principle, given its allocation in the Core Strategy as a strategic site for residential-led development. Equally the residential-led development of the application site would be acceptable in principle as it comprises part of the SSSA. However, its acceptability of this proposal needs to be assessed against the requirements of the relevant / most important development plan policies, having regard to all relevant material considerations, as they apply to this specific development proposal.

Comprehensive Development

- 9.4 The comprehensive development of the allocated Sandleford Park is clearly an important and justifiable policy requirement. The absence of a comprehensive approach by the landowners has given rise to substantial and persistent concerns for the Local Planning Authority (LPA).
- 9.5 Policy CS3 of the Core Strategy sets out the main principles for a sustainable and high quality residential-led mixed use development on the site. These principles include affordable housing, infrastructure, on-site renewables and the creation of country parkland and other open space.
- 9.6 The Sandleford Park SPD (originally adopted in 2013 and subsequently amended in 2015) is a material consideration in the determination of the planning application and its implementation. It sets out the environmental, social, economic and design objectives, which are relevant to delivering the Sandleford Park site as a well-planned comprehensive development, building upon the key principles for the site which have been established through the Core Strategy. Its development principle S1 requires proposals are brought forward by means of a single planning application for the SSSA site in order to achieve a comprehensive development and to ensure the timely and co-ordinated provision of infrastructure, services and facilities.
- 9.7 The 2017 HSA DPD contains a generic policy (Policy GS1), which includes the following criteria that apply to all allocated sites: *“Each allocated site will be masterplanned and delivered as a whole to achieve a comprehensive development that ensures the timely and coordinated provision of infrastructure, services, open spaces and facilities. A single planning application will be*

submitted for each allocated site, either an outline or full application, to ensure this comprehensive approach to development is achieved.” As an allocated site, development proposals at Sandlesford Park need to comply with this policy.

- 9.8 Half of the 2000 dwellings of the allocation is proposed to be delivered by 2026, without an upper limit on what can be delivered during this period. The Council's Annual Monitoring Report: Housing 2018 (published January 2020) comments that Sandlesford Park was previously assumed to deliver 1000 units in the plan period. With the refusal of planning applications in Sandlesford in November and December 2017, the timing of delivery was more uncertain and therefore a contribution of 200 units was assumed at the time to be delivered by the end of the current plan period to 2026. Time has elapsed since this publication and the period it covers: the Council's AMR: Housing 2019 is due to be published very soon. It is understood that it is unlikely to assume the delivery of any units at Sandlesford Park by the end of the current plan period to 2026.
- 9.9 As part of the reasons for refusal for the applications 16/00106/OUTMAJ and 16/03309/OUTMAJ concern was raised with the failure to deliver a comprehensive development, ensuring the timely delivery of infrastructure, services, open space and facilities. These concerns in respect of the comprehensive development of the site extended to other areas, including drainage strategy, ecological enhancement, internal circulation routes, linkages to surrounding services and areas, pedestrian and cycle mitigation, and bus service provision. Without a masterplan there was no opportunity to secure design principles across the SSSA, nor any certainty on the total number of dwellings across the whole site. Ultimately, the piecemeal approach to development creates uncertainty and increases the burden of future development of the remainder of the site to provide key infrastructure and facilities, risking the delivery of the remainder of the allocated site being rendered economically or otherwise unviable.
- 9.10 This application has still come forward for only part of the allocated site, submitted by Bloor Homes/Sandlesford Farm Partnership. A Memorandum of Understanding (MoU) dated 06/05/2020 was submitted with the application by Bloor Homes/Sandlesford Farm Partnership and agreed by Donnington New Homes (DNH, the owners of and applicants for the development of the remainder of the allocated site) as per their agent's email dated 13/05/2020. It alleges a commitment of both sets of applicants to work together to deliver the comprehensive development of Sandlesford Park, and lists a number of combined drawings and plans, and a table showing each applicant's responsibilities for infrastructure. It refers to the, at that time, pending applications 18/00828/OUTMAJ (by DNH) and 18/00764/OUTMAJ (Bloors/SFP); the latter has since been Finally Disposed Of. Although no explicit reference is made to this 20/01238/OUTMAJ application in the MoU, it is assumed it directly relates to it, as it accompanied the application.
- 9.11 On 25/09/2020 DNH submitted a package of amendments and additional information that included a further amended iteration of the MoU, as part of their current planning application for Sandlesford Park West. DNH have since also withdrawn their application in relation to the widening of Warren Road (19/02707/FUL), which is referred to in the MoU infrastructure table. In addition the combined drawings and plans listed in the MoU and the application documentation contain numerous inconsistencies, omissions, confusing duplication and conflicting information as set out in this report. The issue of inconsistencies, whether unintentional or not, appears to be systemic throughout the contents of most of the drawings and documents of the application submission. It seriously affects the quality of the submission, exacerbates uncertainty, confusion and the failure to demonstrate that the proposal would deliver the co-

ordinated and comprehensive development of the SSSA. Furthermore many of the contents in the accompanying draft Section 106 legal agreements do not represent agreement on the necessary infrastructure, while there are various clauses which would allow an eventual position whereby the necessary infrastructure, facilities and services would not have to be provided.

- 9.12 Officers consider that the MoU, which is not a legally binding document, cannot be relied on to deliver the required and necessary comprehensive development of the SSSA and associated co-ordinated and timely necessary infrastructure. In addition the quality and inconsistencies of the submitted application documentation, the shortcomings of the accompanying MoU and other matters, referred to above and elsewhere in parts of this report, re-affirm and do not allay the serious concerns and provide little certainty and insufficient reassurance that this application proposal on the eastern part of the SSSA would facilitate, ensure and deliver its comprehensive and co-ordinated development and adequate, timely and co-ordinated provision of the necessary infrastructure, services and facilities.
- 9.13 In view of the above this stand-alone application on the eastern part of the SSSA is unacceptable and contrary to Policy GS1 of the HSA DPD; the Vision, Strategic Objectives and Development Principles, including S1, of the Sandleford Park SPD; and also to Policies CS5, CS13, CS14, CS17, CS18 & CS19 of the Core Strategy.

Affordable Housing

- 9.14 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 place.
- 9.15 Core strategy Policy CS3 in allocating the SSSA requires that at least 40% of the dwellings on 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.
- 9.16 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.
- 9.17 The application documentation is inconsistent as to the proposed affordable housing provision. The submitted Planning Statement and the Affordable Housing Statement make reference to 40% affordable housing provision in various places. But paragraph 1.19 of the Planning Statement also states that “*planning permission is sought for up to 40% affordable housing*”. At the same time the submitted Draft S.106 legal agreement paragraph 2.1 of Part 2 of Schedule 8 refers to “*at least 40% of the Units*” to be affordable. The Affordable Housing Statement indicates the proposed provision of 432 affordable housing units, including 80 extra care units, out of a total of 1080 units, which is equivalent exactly to 40%. It is therefore assumed that the intention is to provide 40% affordable housing, which would be compliant with the 40% requirement of the relevant policies above. However, it should be noted that as the overall number of proposed units, excluding the extra care units, is for “*up to 1000 new homes*”, irrespective of the final number of units on site, the proposal would need to provide

at least 40% affordable housing to ensure policy compliance. Despite the inconsistencies in the submitted proposals, at this stage of assessing the application the Council gives the applicant the benefit of the doubt and assumes that the application genuinely seeks to provide 40% affordable housing. In which case the application is considered to be policy compliant in that specific respect.

- 9.18 NPPF paragraph 61 requires policies to assess inter alia the tenure of housing needed for those with need for affordable housing.
- 9.19 Core Strategy Policy CS6 seeks “a tenure split of 70% social rented and 30% intermediate affordable units” for the affordable housing. Paragraph 1.48 of the Planning Obligations SPD states “The Council’s expected tenure mix for affordable housing will be a 70:30 split in favour of social rented accommodation, with intermediate tenures ... contributing the remaining 30%. This ratio reflects the housing needs requirements of the District as identified in the Housing Needs Assessment 2012”.
- 9.20 The Glossary to the Core Strategy reproduces the 2012 NPPF affordable housing definition (including that for different tenures) verbatim. It refers to the following types of affordable housing tenures:
- social rented housing;
 - affordable rented housing; and
 - intermediate housing.
- 9.21 Intermediate housing comprises homes for sale as well as rent, which are provided at a cost above that of social rent, but below market levels. It includes shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.
- 9.22 The commentary to Policy CS6 (paragraph 5.32) states that “the core requirement to meet affordable housing need within the District is for social rented housing”. This remains the situation to date in terms of the high level of need for social rented housing in West Berkshire. “There is, however, still a significant proportion of existing and newly arising households that require access to intermediate accommodation” (paragraph 5.32). The commentary goes on to say that in respect of the affordable rented housing, “this tenure will be taken into account when determining applications” (paragraph 5.32).
- 9.23 In respect of social rent, paragraph 1.50 of the Planning Obligations SPD states that the “expectation is that social rent will constitute a minimum of 70% of the overall percentage of affordable housing provision”.
- 9.24 In respect of affordable rent paragraph 1.57 of the Planning Obligations SPD states that it “does not meet the needs of the majority of the clients on the West Berkshire Housing Register. This need is predominantly met by the social rented tenure. Therefore affordable rent will only be considered on planning gain sites if a full viability assessment backed up by a recognised tool-kit proves that it would not be viable to provide 70% social rent on site.”
- 9.25 In addition paragraph 64 of the (2019) NPPF also requires “at least 10% of the homes to be available for affordable home ownership” subject to certain exemptions, including provision of specialist accommodation for a group of people with specific needs, such as the elderly (paragraph 64(b)).
- 9.26 The application documentation includes information in relation to affordable housing in the Application Form, the Planning Statement, the Affordable Housing

Statement and the Draft Section 106 legal agreement. At no point previously or as part of this application have the applicants raised any issues of non-viability in respect of providing full policy compliant affordable housing on site.

- 9.27 The application form proposes 130 of the total of 432 affordable housing units (i.e.30%) to be for “*Social, Affordable on Intermediate Rent*”. This fails to provide 70% of the affordable housing for social rent and would be entirely unacceptable failing to address the Council’s affordable housing needs. However, this submission appears to have been made in error. Assuming that is the case then the proposal seeks to provide 302 units for Social, Affordable or Intermediate Rent instead, which is equivalent to 70%. However, such a provision has not been accompanied by any full non-viability evidence in respect of providing the required 70% of the affordable units for social rent. Again this proposal would not be policy compliant with Core Strategy Policy CS6 and would be contrary to the requirements of the Planning Obligations SPD, would fail to address the affordable housing needs of the West Berkshire residents and would therefore be unacceptable.
- 9.28 The Planning Statement application avoids specifying the proposed tenure mix.
- 9.29 The Affordable Housing Statement refers to the “*West Berkshire Principle (of) 70:30 Tenure Split*” and says that “*this will be adhered to across the scheme as a whole and will be determined on a parcel by parcel basis*”. However, this does not specify that the proposal will provide 70% of the affordable housing for social rented housing.
- 9.30 At the same time the Draft Section 106 legal agreement (paragraph 2.1(b) of Part 2 of Schedule 8 says that “*70% of the General Affordable Housing Units as Affordable Rented Housing or Social Rented Housing and 30% of the General Affordable Housing Units as Intermediate Housing*”. Furthermore it does not specify the tenure mix of the proposed 80 units of the affordable housing element comprising extra care housing for the over 55s.
- 9.31 The application proposal fails to confirm the provision of 70% of all the affordable housing being for social rent, for which there is the highest level of identified need in the district. Indeed that tenure mix should be reflected in all the elements including general and extra care affordable housing as per the requirements of the Planning Obligations SPD.
- 9.32 Further to the above the Council’s Housing Officer considers that the 30% intermediate housing component of the tenure split would ideally comprise shared ownership units. Nevertheless this 30% component is sufficient to provide the 10% NPPF affordable home ownership requirement, and if necessary some units could comprise intermediate and/or affordable rent.
- 9.33 The failure to provide 70% social rented accommodation in the absence of full non-viability evidence, means that the proposal does not provide policy compliant affordable housing and it is therefore contrary to Core Strategy Policy CS6 and the Planning Obligations SPD.
- 9.34 With regard to the 80 Extra Care Housing Units as part of the affordable provision, the proposed mix of 70 x 1-bed and 10 x 2-beds would appear to be acceptable, and the Council would expect a policy compliant tenure split of 70% social rent and 30% shared. Schedule 8 of the accompanying Draft Section 106 Legal Agreement submitted by the applicant proposes 80 extra care units (70x 1-bed & 10x 2-bed), which are all to be provided in one location within Development Parcel Central (DPC) and which form part of the affordable housing provision. Part 2 of

Schedule 8 stipulates that in the event that it was not feasible to progress the Extra Care Housing, the said units shall revert to General Affordable Housing Units.

- 9.35 However, the unit mix and spatial distribution requirements of General Affordable Housing within the site are substantially different to that of Extra Care Housing. Unless the proposal were to be considerably adjusted in good time within, such a scenario would result in an unacceptable concentration of 80 small size units with an unacceptable unit mix in a specific location. The development would fail to deliver successful pepper potting and therefore appropriately integrated affordable units within the development to ensure a sustainable tenure blind community.
- 9.36 In this respect the proposal would be unacceptable and contrary to Core Strategy Policy CS6, Sandford Park SPD Development Principle N1 and the requirements of the Planning Obligations SPD.
- 9.37 Furthermore Schedule 8 of the draft Section 106 also provides that, under certain circumstances, the 30% intermediate housing element would be allowed to switch to market housing, failing to ensure the required 40% affordable housing provision and resulting with as little as 28% affordable housing on site.
- 9.38 Again this potential scenario would result in failure to provide sufficient affordable housing on site, harmful to the district's residents in need of affordable housing. The proposal would be unacceptable and contrary to Core Strategy Policies CS3 and CS6, Sandford Park SPD Development Principle N1 and the requirements of the Planning Obligations SPD.

Landscape Character, Visual Impact and Green Infrastructure

- 9.39 Policy CS3 of the Core Strategy seeks a network of green infrastructure to be provided which will:
- conserve the areas of ancient woodland and provide appropriate buffers between the development and the ancient woodland;
 - mitigate the increased recreational pressure on nearby sensitive wildlife sites, secure strategic biodiversity enhancements;
 - provide a country park or equivalent area of public open space in the southern part of the site; and
 - respect the landscape significance of the site on the A339 approach road into Newbury.
- 9.40 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.
- 9.41 Policy GS1 of the HSA DPD requires each allocated site to be masterplanned and delivered as a whole to achieve a comprehensive development that ensures the timely and coordinated provision of infrastructure, services, open space and facilities. 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.

9.42 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 Sandford Strategic Site Allocation. Principle L1 of the Sandford Park SPD requires the development to have a clear Strategic Landscape and Green Infrastructure Plan for the whole site.

Landscape Character Baseline (LCA)

9.43 The Landscape and Visual Impact Assessment (LVIA), forming part of the submitted Environmental Statement (ES) for this application, does not use the latest Landscape Character Assessment. West Berkshire Council adopted a new character assessment in 2019 (carried out by LUC) and the application site forms part of a Woodland and Heathland Mosaic Character Type. The site falls within WH2: Greenham Woodland and Heathland Mosaic – this new part of the Council's evidence base has not been considered; the LVIA Chapter of the ES and accompanying Figures appear to be largely the resubmission of the previous document (dated 2017) without any updates.

9.44 As a result, the more up to date key characteristics, value attributes, sensitivities have not been identified/updated using the most recent information and this has not informed or influenced the scheme's design, which remains essentially unaltered. As a consequence, the assessment of effects does not assess the correct LCAs (WH2: Greenham Woodland and Heathland Mosaic; or the important interaction with the narrow, but critical UV4: Enborne Upper Valley Floor (and the cross boundary interaction to Basingstoke and Deane to the south)). The proposals do not demonstrate that they accord with the Landscape Strategy for the LCAs having not incorporated the scheme changes effected since the previous 2018 submission in relation to the 18/00764/OUTMAJ application, which has been finally disposed of.

9.45 The largely soft nature of the site contributes to the transition from the settlement edge to rural landscape of the Greenham Woodland and Heathland Mosaic. Taking into account the value attributes of the rolling landscape within the site, which comprises a rich tapestry of highly sensitive Ancient Woodland blocks and copses, shallow river valleys, with undulating meadows and agricultural land, these components form part of a highly attractive and appreciated landscape, incorporating numerous heritage elements, and a strong and cohesive structure, forming a key part of the setting to the south of Newbury and extending into the wider landscape, incorporating the River Enborne (Upper Valley Floor), as well as Highclere and Burghclere within the district of Basingstoke and Deane. As such, the application site within this complex landscape forms part of a valued landscape for the purposes of NPPF paragraph 170.

Comprehensive Strategic Landscape and Green Infrastructure

9.46 The Council strategy has to date sought to ensure the holistic and comprehensive delivery of the entire allocation (SSSA i.e. including land to the west of the application site). In addition, an associated access via Warren Road would be one of the elements which would facilitate part of the comprehensive approach.

9.47 This application only relates to part of the strategic allocation (SSSA) made by Core Strategy Policy CS3, while the Sandford Park SPD (Principle S1) and the HSA DPD (Policy GS1) require a single planning application. Policy CS3 also requires infrastructure improvements to be delivered in accordance with the West Berkshire Infrastructure Delivery Plan (IDP, 2016). The IDP identifies the provision of green infrastructure to be necessary infrastructure. Furthermore, Development

Principle L1 of the Sandlesford Park SPD requires a planning application to be accompanied by a clear Strategic Landscape and Green Infrastructure Plan for the whole of the allocated site to integrate the development with the landscape and green infrastructure, and to incorporate the landscape, ecology/biodiversity, drainage and public open space / recreation development principles in the Sandlesford Park SPD.

9.48 There are several important yet unresolved elements at the interface between the separated parts, including (but not limited to):

- 'Education Land' comprising an extension to Park House School to the west, although there are inconsistencies as to the size extent and shape of this area within the proposed plans. The Planning Statement (LRM Appendix 3) includes a feasibility study for the school carried out on behalf of the applicant. This only shows one way of achieving a particular outcome. The proposal includes a sports pitch within the proposed extension area which will necessitate the removal of TPO trees shown on the Barrell Tree Protection Plan (TPP), including an ancient oak (T34), historic boundary vegetation and TPO trees, works potentially affecting other veteran trees along the same boundary and encroachment on the Barns Copse ancient woodland buffer. The feasibility study fails to have regard to the harmful effect on these important existing combined features, as such considers it inevitable and it does not explore alternative solutions in order to avoid the loss of all the above important and historic trees and vegetation, a number of which comprise irreplaceable habitats.
- At the same time the submitted combined plans show an extension area to the school providing another sports pitch, within the Sandlesford Park West site. This appears to be an unnecessary duplication. It highlights the failure of the developers to put forward a comprehensive proposal for the development of the SSSA, and in this regard the lack of coordination between elements has led to a singular outcome and an unnecessary, inappropriate and harmful impact on important landscape resources.
- An alternative approach such as repositioning and rotating the proposed pitch, within a slightly increased area would allow the retention and protection of all the above features and provide opportunities for linking and strengthening these important existing features, enhancing the landscape, providing a greater green infrastructure network with connectivity between the ancient woodland (and buffer), ancient tree and retained historic boundary vegetation, with new connective planting across the school site and minimal impact on adjacent housing numbers.
- Development Footprints on the Barrell TPP appear to fall within the Construction Exclusion Zones (CEZs). There are numerous examples of this including (but not limited to) the extensive Monks Lane frontage hedgerow/treeline, the boundary interface of the site with Newbury College, the northern tip of Slockett's Copse, the south-eastern tip of Crooks Copse, the boundary of Sandlesford Park West including part of the adjacent school boundary, the northern tip of Gorse Covert and southern tip of Dirty Ground Copse. The application also proposes the formation of an emergency access to serve Development Parcel Central (DPC) and provide access to the A339 to the south east. This would cut through part of Waterleaze Copse having an unacceptable harmful effect on this irreplaceable ancient woodland. This again appears to be the result of the two sets of applicants/developers being unable to work co-operatively together to ensure provide a comprehensive development for the SSSA, with public transport and all vehicle access through to Andover Road and no need for emergency access for DPC. In addition it is proposed to undertake significant engineering, drainage and associated works for SUDs at close proximity between and around Slockett's Copse and Highwood Copse, without assessing

the potential adverse impact on these ancient woodlands and their perimeter trees.

- The proposed access point for 'All Traffic Modes' through to Sandelford Park West along the western boundary does not appear to necessarily be in the best place in terms of the effects on the existing western boundary vegetation. The Barrell TPP does not identify any specific tree removal, although from an on site review this appears inevitable that the selected position will sever the boundary and likely require the removal of tree(s) (possibly trees that have since grown post survey). There appears to be an alternative potentially better access point where there is a less constrained section with no trees, along this western site boundary, a little further to the south, which should be explored.
- The access along Warren Road through to Andover Road to the west also seems to be a critical element to the delivery of a comprehensive scheme for the SSSA. The separate application (19/02707/FUL) to widen it with an adverse impact on trees is referred to within the application documentation. The application indicates that the applicants have no control over that access but it cannot be ignored, although that application has recently been withdrawn. This is a further indication of the failure of the developers to ensure a comprehensive development of the site. The nature and detail of the access is an important element in landscape terms – especially considering it has existing width constraints and mature trees, including veteran ones and the subject of TPO. Any proposal would need to consider alternative options for the delivery of such access, with a view to avoiding adverse impact on these important and prominent row of trees.

Central Valley Crossing

9.49 The Core Strategy and the Sandelford Park SPD establish the principle for the creation of a bridge between the western and northern Neighbourhood Areas A and B across the sensitive wetland valley crossing. Any form of crossing will inevitably cause harm to the character and appearance of the valley. This should be recognised in the LVIA, but it has not. However, some of the Sandelford Park SPD CA7 key design principles specifically require:

- The valley crossing will sympathetically respond to landform, avoiding the need for large scale earthworks.
- The highway crossing the valley will pass through the wetland on a high quality low level bridge, which will minimise visual impact.

9.50 Neither of these fundamental requirements have been addressed in the package, and the submitted proposals, albeit illustrative, (Vectos plan VD17562-SK014) are unacceptable in their current form, comprising large scale 1:3 earthwork/embankments on which to sit a new road with lighting extending out across the whole valley, leaving a narrow culvert through which the existing watercourse would pass. The extent of the construction footprint with embankment toes appears to be approximately c.40-45m width would result in a direct loss of valley sides/floor and there are concerns as to the extent of the works in relation to the existing trees at the woodland edge, which are shown to be in conflict on the Vectos plan, but not considered at all in the Barrell Tree/ AIA work.

9.51 An innovative high-quality design for a bridge perhaps with a sinuous profile would provide a well-considered approach in line with policy (including the CA7 Valley Crossing Development Principles in the SPD), that also allows for the retention of valley trees, the open grassland corridor, which is otherwise severed by the incongruous structure currently being proposed.

- 9.52 By contrast, the creation of a steeply embanked road creates a physical barrier to public access and renders the footpath accesses within the valley floor shown on the Development Proposals (DAS p.45 and other documents) that converge towards the rear of the Rugby Club/Surgery, and shown as a 'Key Footpath / Cycle Link' on the parameter plan, as unworkable and is therefore an unacceptable proposal. As highlighted in the commentary to L7 of the SPD "*The design of the access road across the valley is crucial to maintaining the landscape character of the valley. The views up and down the valley should not be lost and lighting should be kept to a minimum to maintain a dark north/south corridor. It should be designed to respond to the landform and minimise damage to the tree cover on the valley sides*".
- 9.53 It is recognised that any solution will have some adverse effect on the character and integrity of the open valley corridor; however, a well-considered design will help to lessen the harm caused, rather than the unacceptable approach taken at present, which also severs Barn Copse and isolates part of the valley from the wider area, significantly reducing the green infrastructure connection. Maintaining the integrity, character and connectivity of the historic landscape corridor and the retention of its inherent features and attributes (for example as part of a 'Wetland Corridor' character area, as shown in principle on page 54 DAS) is absolutely fundamental to the achievement of a successful scheme. The substantial concerns in relation to the proposed central valley crossing are also echoed in the Berkshire Gardens Trust (BGT) consultation response objecting to the proposal and they request that the historic landscape character of the valley is protected.
- 9.54 In this respect the proposal is unacceptable and inappropriate and contrary to Core Strategy Policies CS14, CS18 & CS19 and various SPD design principles.

North Valley Crossing

- 9.55 Furthermore the CA7 design principles should apply to the proposed additional valley crossing of the north valley, south of Crook's Copse, (being provided as indicated in principle on p.28 DAS). It should maintain the integrity of the valley form and ensure that Ancient Woodland is not cut-off and isolated from the rest of the country parkland, and in line with Green Infrastructure principles of connectivity and Natural England Standing Advice. However concerns remain that this crossing along with expanded development areas in relation to those shown in the SPD and the location of the LEAP above Highwood, would encroach into the north valley area, to the serious detriment of this integrity and the connectivity of Crook's Copse to the other ancient woodlands to the south.

Outdoor Play and Recreation

- 9.56 The proposals as outlined in the design and access statement (p.48) refer to the provision of outdoor play space and reference old (superseded) 2008 documentation. It is considered that the Field in Trust 6 Acre Standard, 2015 is the current and most up-to-date 'benchmark' standard for outdoor play and recreation. Currently, it is unclear if the proposals conform to the standard in terms of NEAP, LEAP and LAP provision numbers, space allowed for each, and the walking distance/time to facilities, given the location(s) the developer has chosen to place these features, which is different to the aspirations shown in the SPD. As such the extent of development (albeit recreational) extends further eastwards towards Sandleford Priory than previously envisaged in the SPD, which showed LEAPs and NEAPs within the heart of the developable areas, hence the need for additional mitigation.

- 9.57 Notwithstanding the above, it is recognised that previous discussions have taken place to agree a strategy and reduce the harm caused to Sandleford Priory and the Registered Park and Garden a result of the NEAP's location (beyond the developable area), which incorporates strategic planting (and has been presented by wireframe images).

Ancient Woodland

- 9.58 The application suggests in various places that a 15m buffer from has been provided around ancient woodland; however, parts of the layout appear to suggest/show that the proposed development is likely to encroach into the buffer at various locations and furthermore there are various concerns about the nature and extent of works being left to detail at reserved matters stage (if this application were approved), which may result in further impacts on ancient woodlands (for example SUDs features and swales/ditches, paths, emergency access, watercourse crossings). Whilst the Sandleford Park SPD, suggested that the 15m should be taken from the centre of the tree trunk; it is unclear whether the more recent Natural England Standing Advice has been taken into account, which states clear guidance on the various potential impacts and sources, which may influence and increase the width of the buffer required. Similarly, adequate protection should also be provided for individual trees, in line with NE Standing Advice.
- 9.59 One such example of concern in landscape terms is the (comparatively) narrow gap between High Wood and Slockett's Copse, where new engineered SUDs features and pathways and 'conveyancing channels' (p. 51 of the DAS) seemingly to be constructed within 15m of the protected woodlands appear to be proposed. Notwithstanding the above, Magic mapping identifies the same land as falling within Woodland Priority Habitat, as are many of the Ancient Woodland offsets. We also have concerns over the FRA & Drainage Strategy by Brookbank. This appears to show detention basins of almost equal volumes to their areas, suggesting difficulties balancing engineering constraints (steep side slopes) against a visually acceptable meadow feature (shallow side slopes). This matter has been left for reserved matters and needs to be addressed given the proximity of these features to Ancient Woodland and the parkland characteristics. This is also evident in the Transport Assessment (Vectos Appendix E) which appears to show a new Emergency Vehicle access (and Cycle Route) slicing through part of Waterleaze Copse Ancient Woodland and the stream (forming part of the extended shallow valley feature feeding the River Enborne). The SLR Character Appraisal for the land, LCA2h Waterleaze Copse, notes the high value and sensitivity of this landscape feature, but the direct harm that would be caused, including to the Ancient Woodland feature by the creation of another engineered route and a further means of vehicular crossing across the 'wet valley' has not been identified or assessed in application documentation (e.g. Barrell Arboricultural Impact Assessment AIA Tree Report, LVIA etc.).
- 9.60 The lack of a comprehensive assessment highlighting the site constraints, including tree constraints/offsets should be corrected, and then used to guide the developable areas where work can take place in proximity to Ancient Woodland. At present, it is too ambiguous to be able to have certainty that the integrity of the woodland (and woodland floor, groundwater) will not be affected, and should be carefully examined by the relevant professionals.
- 9.61 Furthermore, the scheme design appears to compound the physical isolation or separation of some of the Ancient Woodland features, which are contrary to the Standing Advice (NE).

- 9.62 In view of the above, and also reflected in other parts of this report, although the application has provided a SLGI Plan together with a combined SLGI Plan, the proposals for development are uncertain and contradictory, as a consequence of inconsistencies, omissions and unnecessary duplication within and between the relevant submitted drawings and associated reports. The development proposal fails to secure a consistent Strategic Landscape and Green Infrastructure Plan for the whole of the SSSA and would result in a piecemeal development of only part of the SSSA. The proposal therefore fails to provide a well-planned comprehensive and satisfactory scheme for the SSSA in accordance with the Sandlesford Park SPD, nor does it secure the comprehensive delivery of the intended sustainable urban extension and fails to provide a holistic approach to the landscape, visual impact, green (and other) infrastructure for development of the whole of the SSSA. Therefore, the development proposals are contrary to the stated wide range of Development Plan Policies as well as the Sandlesford Park SPD.

LVIA Effects

Landscape Effects Part 1 (Table G6).

- 9.63 The Landscape Effects do not assess the change to the character in Yr1 Post Construction or Yr15 Post Establishment, or the longevity associated with further woodland management in line with the Management Plan.
- 9.64 Notwithstanding, the recently updated 2019 Landscape Character Assessment referred to earlier; the LVIA tries to incorporate a number of negative aspects associated with the former 1993 LCA, such as “*destruction of parkland by mineral extraction and commercial after use*”, whilst these may form part of an aspect of the character area elsewhere, it is difficult to see how they characterise the application site itself to such an extent. As such, we consider any suggestion of Low or Low-Medium scores (in respect of Value, Susceptibility and Sensitivity) to be understated when considering the key intrinsic and highly sensitive landscape features/elements within the character area and the features themselves, such as woodland, arable land and the central valley and footpath network, the topography, open views, importance of woodland block (ancient woodland) and the setting of the town. One such example includes under ‘Scenic Quality’ for Northern and Western Park is claimed to be Low – yet Viewpoint Q provides a highly attractive rural vista along the track beyond Warren Lane approaching the Site and Viewpoint R provides a completely unhindered rural view, with attractive rural fields and long vista between ancient woodland blocks. This does not provide any indication of an area being ‘strongly influenced by existing development’ being claimed within the assessment of the (old) district LCA. It also does not justify the assessment of Agricultural Fields Low-Medium scores for the Northern and Western Part or the ‘average quality’, ‘largely featureless’ judgements. ‘Sense of Openness and Enclosure’ does not acknowledge long vista exists between foreground woodland, out towards the ridge or the attractive intimate qualities of the track green way. Whilst in the 3a Northern Parkland the agricultural fields are narrow and feel more contained by the proximity of settlement edge and woodland, the presence of housing on Monk’s Lane is still relatively discreet, given the extensive vegetation lining the road (and as can be seen in Viewpoint U on 3A).
- 9.65 Despite some limited influences at the settlement edge, the rural character is very quickly appreciated in this landscape due to the interaction between the mosaic of woodland, hedgerows with trees, open agricultural fields and meadows. (In a similar way that the LVIA repeatedly contends that the proposed residential

development would be well contained by woodland, the same is certainly apparent for the existing settlement edge, which is contained by similar features).

- 9.66 The West Berkshire Landscape Sensitivity Assessment (2019) – Newbury (parcel 18D Sandleford Park and 15B Wash Common Farmland) identifies sensitivities of the land that need to be taken into consideration and considered as part of the LVIA.

Landscape Effects Part 2 (Table G6)

- 9.67 It is difficult to understand how a judgement of beneficial effect of Major Magnitude and Substantial Significance has been reached (for the 'Degraded Parkland' and the 'Southern and Eastern Parts' and 'Valley Corridor' 1A and 1B), the landscape comprises changes that are not so substantive to the character of the South West Margin. The text refers to 'retention of existing woodland', the main change will be localised to its condition through management, plus additional planting to Waterleaze Copse and the introduction of parkland trees and meadows; however, the introduction of metalled cycle routes/ footpaths, the NEAP, engineered SUDS features with steep sides, new conveyancing swales, multiple bridge crossings over existing watercourses and new conveyance swales, and the adjacent presence of new housing and lighting (which will be visible until new planting has established fully) introduced at close proximity will also be new features and contribute to a change in the character to a modern country style parkland (as opposed to a restored historic parkland), as some of the features serve to benefit the future housing population, not as a response to the historic map regression (i.e. the presence of NEAP and SUDs detention pond in themselves do not form a precedent in historic character terms). The Transport Assessment Appendix E (Vectos) identifies on plan, the need for emergency access off the A339, which partly utilises the proposed cycle route incorporating an additional 1m grasscrete strip, in addition to the existing PRoW (running parallel), extending the overall width and cutting across the parkland area. The engineered route will also require a deviation across parkland to circumnavigate existing trees (away from the historic track line), as well as further (vehicular standard) crossing point across the broad 'wet valley', which require engineering works, the detail of which are not shown (including on the masterplan) or other documentation, but will inevitably add to the harm caused on the parkland and sever part of Ancient Woodland at Waterleaze Copse towards its northern edge; furthermore, the changes to the landscape are also not shown on the wireframe photomontages from Sandleford Priory, or considered in the LVIA or in any Arboricultural report. As discussed earlier, the concern as to the area of SUDs detention basins being almost equal to their volume is a concern as to the engineering aspects of their profiles and how fenced (if fenced) – they may appear very standard domestic/ housing estate like). It is also considered that as the new bridge crossing (directly effect on the meadow valley and extending to southern parkland) will intrude across the northern meadows, it will consequently influence (negatively) the character of the parkland area to the south. (note: the ZTV plan (SLR 7.6A) whilst useful to a point, only selects highlighted 'target points' of the developable areas to ascertain visibility, so not all the elements of the scheme such as bridge crossings, or the NEAP are fully represented). It is also untenable to conclude that the effect on the valley would be a reversible effect or resulting in a Major Beneficial Effect of Substantial Significance. The Valley Corridors '1A and 1B – Viewpoints A and B' at present represent wholly rural and undisturbed character already in the two valleys, and the landscape effects would be significant and permanently adverse resulting from the bridge crossings (being one of the new elements of note in the Valley Corridor), and other associated elements of the scheme mentioned above.

9.68 Monks Lane currently provides a strong transition between the urban and rural area due to the contrasting nature of land uses and presence of established vegetation and will be subject to new access arrangements, including new junctions, a large roundabout with new lighting, requiring the removal of mature hedgerow with trees along the frontage. We note the extent of vegetation needing to be removed does not appear to consider the visibility splay requirements or the quantity of vegetation needing to be removed to accommodate the proposed development and access. The vegetation removals appear to be greater than that shown on the Tree Plans (Barrell). The Landscape Effects fail to assess the direct loss of tree and hedge vegetation or the change in character to Monk's Lane resulting from development and access changes (only the visual change is noted) and the significant loss of a well-established treed hedgerow frontage. The introduction of new housing and additional lighting will form an intervening feature along the road, enclosing the road with new built development and removing its association/ contribution of the wooded edge characteristics running up to the edge of the well-defined settlement and harming its transition to the wider landscape beyond (see in Viewpoint 5 for visual effects).

Visual Effects (Table G6)

9.69 We note all the photographs being used date back to 2017, and it is not clear if the assessment considers any baseline changes that may have occurred. The assessment does not appear to distinguish between winter or summer effects (although the old photographs were taken in winter).

9.70 **Viewpoint 5:** The Council's Landscape Consultant disagrees with the effects on visual amenity assessed from Monk's Lane – the Lane currently provides a strong transition between the urban and rural area due to the contrasting nature of land uses and presence of established vegetation and will be subject to new access arrangements, including new junctions, a large roundabout with new lighting, requiring the removal of mature hedgerow with trees along the frontage. He notes the extent of vegetation needing to be removed does not appear to take into account the visibility splay requirements or the quantity of vegetation needing to be removed to accommodate the proposed development and access. The vegetation removals appear to be greater than that shown on the Tree Plans (Barrell). As a consequence, the direct loss of vegetation and the magnitude of change to the road users will result in a significant change to visual amenity apparent along much of the road frontage.

9.71 **Viewpoint 6:** The Council's Landscape Consultant considers the magnitude to be greater than stated, and the suggestion that 'new structure planting' will soften views is not agreed with, given the development is tight to the boundary of the college and there is little in the way of strategic planting – the effects will not reduce as suggested without increased structure planting on the boundary.

9.72 **Viewpoint 8:** He does not consider the effects from Sandleford Priory to be 'Reversible' or 'Negligible' in terms of Magnitude or Significance. The construction and early effects are considered to result in limited (adverse) views of the development and the NEAP particularly in winter, for some time until the proposed planting has established, whilst the foreground will include potentially engineered detention basins, the removal of trees from Waterleaze Copse and the new cycleway and emergency access with further structures across the watercourses – these effects should be acknowledged – and consider potential effects from the wider Registered Park and Garden landscape. It would be helpful if early delivery of the planting takes place to accelerate the establishment period in respect of the NEAP and housing on more elevated ground.

- 9.73 **Viewpoints 14, 15, 16 and 17:** He does not consider the assessment takes into account the view north towards the new crossing point between the main Development Parcels (seen from 16 and 17), and since there would also be glimpses of the proposed housing and the NEAP, between Dirty Ground Copse and Gorse Covert prior to the establishment of planting, which would be an adverse effect (not negligible or beneficial). These views also do not consider the change in foreground views of the 'offline' emergency access or the severance of Waterleaze Copse resulting in the loss of trees, or the potential engineering associated with the SUDs basins and the various crossing points (including vehicular) in this part of the valley.
- 9.74 **Viewpoint 18:** Looking north, he considers the effect to be greater than stated and the established view after 15 years would be less than a moderate benefit (moderate to substantial significance) in visual terms. Looking south the park land will become more domestic in nature, the detention basin may result in a more engineered appearance, together with metallised surfaces formalised for walking and cycling.
- 9.75 **Viewpoints 19 to 25:** In view 20, the view (is conveniently hidden behind the hedge, take a few steps forward) will have views of the NEAP, which he disagrees with the judgement of 'slight benefit'. It introduces a wholly uncharacteristic element into the rural parkland, currently an undeveloped area. He concurs that Viewpoints 21-25 would have a Major Adverse Effect; however, he is concerned that the assessment considers the effect would reduce to Moderate in 15 years; it is considered there is no mitigation that would reduce the harm caused by the total enclosure of a currently open rural path, being subsumed by housing on both sides. Its amenity and character will be totally altered by enclosure with housing, remaining a Major Adverse Effect.

Landscape Issues Summary

- 9.76 The proposals result in a large scale residential led development at the southern edge of the town on currently open rural land forming an attractive landscape setting that comprises a mosaic of interlinked features including Ancient Woodland, grassland, agricultural land, historic hedgerows and watercourses and ditches. The LVIA is currently deficient and requires updating to reflect the latest 2019 Landscape Character Assessment and all the required elements and components of the scheme need to be incorporated into the assessment of effects. There are a combination of unresolved elements as detailed earlier in this report; a lack of consideration in the AIA of embankment crossing or the crossings themselves; lack of assessment against the appropriate LCA; inadequate assessment of impact on ancient woodlands; lack of adequate consideration in the assessment and conclusions of landscape and visual effects of proposals (creation of emergency access and further crossing point(s), NEAP, engineered nature of SuDS features, access arrangements from Monks Lane, the valley crossings). In summary the LVIA appears to be a resubmission of a previous report with no update accounting for the revised scheme being considered and, as a consequence, the nature of the changes and the effects in the assessment are understated or omitted entirely.
- 9.77 Notwithstanding the above, the LVIA already acknowledges that proposal results in significant harm to landscape and visual resources of the Site. In light of this, the above, including additional concerns and omissions highlighted in this report, it is concluded that the scheme in its current form is unacceptable on landscape and visual grounds. The proposals fail to take account of key characteristics and special features, which are sensitive and form highly valued components in this

complex landscape and will result in an unacceptable level of harm, with significant adverse effects on the landscape character and visual resources, contrary to the Council's Policies and would fail to protect or conserve a valued landscape, as set out in NPPF paragraph 170, which also recognises the intrinsic character and beauty of the countryside, including trees and woodland.

- 9.78 The concerns in relation to the impact of the specific proposal for the central valley crossing are also echoed in the Berkshire Gardens Trust (BGT) consultation responses objecting to the proposal.

Trees and Woodland

- 9.79 NPPF paragraph 175(c) states that *“development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁵⁸ and a suitable compensation strategy exists”*.

- 9.80 Footnote 58, defines exceptional reasons as follows: *“For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.”*

- 9.81 In adopting the corporate West Berkshire Environment Strategy 2020-2030, the Council declared a Climate Emergency on 2nd July 2019. In doing so it highlighted the fact that the Council, its partners and local communities all needed to play their part in response. The strategic plan for West Berkshire, aims to deliver carbon neutral by 2030. The Council's vision states:

“This strategy has a primary target of achieving carbon neutrality by 2030. Mitigation of the effects of climate change and the restoration and protection of our environment will have shaped our policy making and actions, as well as those of our partners, and will have made a significant impact on the district's carbon footprint. Our environmental assets will have been protected for future generations.”

“4.1 Key targets to deliver the Vision for the Environment. ... Carbon Neutrality will be achieved by a range of local energy generation and carbon sequestration. ...Examples will include solar and wind energy generation and tree planting.

6.1.5 West Berkshire Council is promoting: woodland creation; street tree planting and management; orchard planting.”

- 9.82 The Sandford Park SPD development principle L4 states:

“L4. Where possible, all important existing trees and hedgerows will be retained and integrated into the development. All areas of woodland including ancient woodland will be retained and protected.

a) Set backs from woodland - a 15m buffer zone will be provided from all woodland on the site. This will be measured from the centre of the trunk of the trees on the edge of the woodland.

b) Use of set backs / buffer zones - development of roads or buildings will not be permitted within the buffer zones. They can be used for informal recreation and planting and informal footpaths. Services will only be permitted in buffer zones if they do not impact on root protection zones.

c) Relationship of residential properties to trees - residential properties will either front or side onto areas of ancient woodland and will be set back from the buffer zones to ensure that they receive sufficient light and do not put pressure to lop or fell the existing trees.

d) Pedestrian access to woodland / ancient woodland - there will be managed access to the ancient woodland via a series of identified paths and routes. These will integrate into the wider network of pedestrian linkages around the site.

e) New Planting – as part of the development opportunities should be considered for new areas of group/individual tree planting within the site.

f) Maintenance of woodland and groups of trees – where trees are very close to areas of intense usage, a high level of maintenance will be required. In areas more distant from people and property, the maintenance can be less rigorous to the benefit of wildlife habitat creation.

g) Root protection areas - drainage runs, soakaways and the installation of other services can cause disruption to Root Protection Areas (RPAs) and result in important trees being damaged. All such runs must therefore be kept out of RPAs except where the Council has provided prior written approval.

h) Space to be provided within the development to allow for the proper growth and establishment of both existing and proposed trees.”

9.83 All the trees on site are currently the subject of a Tree Preservation Order (TPO 201/21/1016-W15-MIXED)

Monks Lane Accesses

9.84 As this is an outline application with Access being a matter to be considered, the issue of loss of trees/hedges and proposed mitigation landscaping with regards to the new proposed accesses shown along Monks Lane is central to the assessment of the acceptability of the proposal. This would include the location and amount of hedges to be removed, specific details on the loss of the trees and detailed replacement planting to mitigate for the loss of hedges/trees/shrubs.

9.85 The application includes the submission of an AIA and Method Statement for Sandleford Park by Barrell Tree Consultancy (ES Vol. 3 Appendix G11a). This shows the trees that are within the development site and adjacent, which could be impacted on by the proposal. The Tree Officer advises that these do not include specific details regarding the specific Monks Lane accesses shown on the Vectos access plans: Eastern Site access 172985/A/07.1, Western Site access 172985/A/08 as well as the third proposed cul-de-sac Monks Lane access.

Monks Lane Western Site Accesses

9.86 The Strategic Landscape and Green Infrastructure Plan shows a significant amount of hedge loss, not shown on the AIA, and no additional planting shown to compensate for loss of trees and hedgerow. This is further exacerbated by the effect of the third proposed cul-de-sac access to the west of the proposed roundabout. The AIA seems to confuse the access points and shows only removal of a small section of hedgerow at the Western Junction Access.

Monks Lane Eastern Site Access

- 9.87 A considerable amount of hedgerow is likely to be lost and, no additional tree/hedge planting is shown in the submitted documentation.
- 9.88 The current hedgerow and trees are highly significant in visual terms as one walks, cycles or drives along Monks Lane, the proposed removal of potentially in excess of 250m without adequate and substantial mitigation of replacement planting of trees and hedge species at this stage would be detrimental to the area. The submission is unclear and inconsistent in this respect and in the absence of clear details there are serious concerns that the proposal would result in unacceptable adverse and harmful impact on the character and visual amenity and quality of Monks Lane contrary to Core Strategy Policies CS14, CS18 and CS19.

Ancient woodlands

- 9.89 Ancient woodlands are defined in the UK as areas that have been continuously wooded since 1600. Ancient woodlands have been used by humans for centuries, providing timber and grazing for livestock and can be subdivided into two types: Ancient Semi-Natural Woodland (ASNW), which is composed of native trees and shrubs, though it may have been previously managed; and Plantations on Ancient Woodland Sites (PAWS), which were planted with (often non-native) broadleaved trees and conifers after the First and Second World Wars. PAWS are often less biodiverse than ASNW, but can retain some features of ancient woods. Ancient woodland covers less than 3% of England's land mass. This site has approximately 25 acres of woodland classed as ancient woodland (ASNW - not PAWS), making it not only an important site locally but nationally.
- 9.90 The application proposes new tree planting as shown on the Strategic Landscape Green Infrastructure Plan. This will increase the area of planting to the north of Waterleaze Copse and tree planting to the east of Gorse Covert plus the additional planting between Gorse Covert and Dirty Ground Copse to screen the proposed NEAP and south eastern corner of Development Parcel Central. The Tree Officer does not consider that this goes far enough to minimize the potential impact of the proposed one form entry Primary School on the site of Sandford Park West abutting the west side of Gorse Covert, with no buffer zone, isolating Brick Kiln Copse to the west from Gorse Covert. This is one example which appears to indicate a self-centred approach in relation to their respective parts of the SSSA, failing to properly work together and masterplan a co-ordinated and comprehensive development across the strategic allocation. It instead results in a disparate and piecemeal approach, where the two sets of developers display little interest or responsibility as to what happens outside of their respective parts of the SSSA. As a result this fails to deal with and address site-wide issues, like the one mentioned above.
- 9.91 The Design and Access statement states that the new planting on the site will reflect the 18th century planting as shown on the historic 1877 OS map. There is no copy provided of this map. However they have provided an 1882 map which shows a significant amount of more trees than they have proposed around Waterleaze and Dirty Copse. Furthermore the submitted historic aerial photos dated 1947 show a substantial increase in trees around Waterleaze Copse up until as late as the 1961.
- 9.92 With West Berkshire Council's recent adoption of the corporate Environment Strategy and declaration of climate emergency in the context of the climate crisis, there is a significant recognition that planting of trees can assist in the mitigation of the effects of climate change. Significantly increasing the planting on site and

linking the existing ancient woodlands with large scale planting of locally native trees would be in line with the plan and vision of the Council's Environment Strategy. The proposed new tree planting is inadequate and does not go far enough even in accordance with their own submissions.

Impacts on the Ancient woodlands

- 9.93 The access road plans show the primary main access road surrounding and isolating Crooks Copse. This isolating effect would be accentuated further by the encroachment of development areas, location of the LEAP and loss of a row of trees, along with the proposed road referred to as the "*Crooks Copse Line*" on the submitted SLGI Plan, resulting in a harmful pinch-point narrowing of the northern valley, causing further fragmentation and an 'island effect' of this ancient woodland from the other ancient woodlands to the south, namely Slockett's Copse and Highwood. Crooks Copse is the most ancient indicator species diverse woodland compared to all the other woodlands on the site. All woodlands on site, but Crooks Copse in particular, will also be subject to a number of additional adverse pressures as discussed later in this section. The resulting reduction in / loss of connectivity and its isolation and fragmentation has not been properly reflected or assessed in the AIA. There are significant concerns that these impacts of the proposals will lead to the deterioration and degradation of Crooks Copse ancient woodland. There are no wholly exceptional reasons that the applicants have put forward to justify this level of harm which renders the current proposal unacceptable and inappropriate.
- 9.94 The proposed 'key cycle path/footpath' through Gorse Covert running east west linking up with the proposed school in Sandleford Park West will fragment the woodland. This is unacceptable
- 9.95 There will be future additional pressures on all the ancient and other woodlands on site from domestic pets; recreation/ trampling; health and safety, drainage/hydrology; and air pollution
- 9.96 Domestic Pets - The potential impact of domestic cats has only been considered on the bird population, but it has not been considered on other wildlife populations. The most biologically diverse of the woodlands is Crooks Copse and this is likely to suffer the greatest impact from domestic cats, as a result of its proximity to development areas.
- 9.97 Recreation/Trampling – The proposals indicate increased recreation through woodlands on existing footpaths, by adding ballast and creating sections of boardwalks along the wetter parts, but it is stated that this impact should be considered at reserved matters stage. Officers disagree and this impact should be assessed as part of the pressure on the ancient woodlands.
- 9.98 The introduction of grasscrete and lighting along the public right of way (GREE/9/1), as proposed in table 8.1 of the submitted Transport Assessment, and its use as an emergency access is unacceptable. The introduction of lighting along the public right of way has not been considered in the submitted Lighting Assessment (ES Vol. 3 Appendix F20) which, confusingly, proposes no lighting along the public right of way. The introduction of an emergency access alongside the public right of way and its diversion from the public right of way to avoid a line of trees, has not been considered within the AIA.
- 9.99 Health and Safety - The removal of dead/dying and diseased trees/branches over footpaths and close to property as a result of increased target area will result in

the loss of valuable habitat for wildlife and diminish the biodiversity value of the woodlands.

- 9.100 Drainage/Hydrology - The change in the drainage/hydrology on site is potentially likely to have an impact on existing ancient woodlands such as Dirty Ground Copse, Slockett's Copse and Highwood, from potentially direct surface water run off straight from the adjacent development areas, as well as by way of the conveyancing channels and detention basins being cut into the existing ground at close proximity to existing woodlands. This could lead both to impact on the root system of woodland trees as well as to a change in the hydrology of the woodlands, which do not appear to have been fully assessed in the AIA submitted. It is noted that the submitted Ecological Mitigation and Management Plan (EMMP, ES Vol. 3 Appendix F18) under section 3.2.1 acknowledges that the drainage of the development proposed has the potential to impact on the wet woodland.
- 9.101 Air Pollution - The air quality assessment considers there to be a high risk of environmental impact from dust during demolition, earthworks and construction on sites within 20 metres of such works. With the majority of the roads on the edge of the buffer zones at 15m there is a significant chance that the woodlands will be damaged as a result. The wind rose showing the majority of the wind coming from the south west with wind speeds of up to 20 knots will blow the dust throughout the woodlands. Significant measures need to be considered to reduce the impact. This is not considered in the Ecological Mitigation and Management Plan (EMMP, ES Vol. 3 Appendix F18) submitted.
- 9.102 Buffer Zones - Standing advice from Natural England recommends a buffer zone around ancient woodlands of at least 15 metres to avoid root damage. Where assessment show other impacts are likely to extend beyond this distance, there is a need for wider buffer zones
- 9.103 The cumulative effect of the different impact factors increase the pressure on the ancient woodlands as described in recent evidence supported by the Woodland Trust's publication: Planning for Ancient Woodland - Planners' Manual for Ancient Woodland and Veteran Trees July 2019 and standing advice from the government. Where assessment shows other impacts are likely to extend beyond the 15 metre distance, a larger buffer zone is likely to be required. As detailed above, impacts from dust, lighting, changes to hydrology, additional recreational points, predation from domestic pets and health and safety concerns demonstrate that the buffer zones proposed are likely to be inadequate.
- 9.104 The submitted AIA shows extensive removals of trees that are shown as being retained on the submitted Strategic Landscape Green Infrastructure Plan. Additionally the submitted AIA shows trees to be retained that are proposed to be removed as shown on the submitted Strategic Landscape Green Infrastructure Plan. Moreover, the submitted AIA states in Table 3 of Appendix 1 that drawing number "PP02 RevA Land Use and Access Plan" was used as a document in this assessment, however, the Land Use and Access Parameter Plan submitted with this application is revision H1 not revision A. These inconsistencies are unhelpful and demonstrate that the arboricultural assessment undertaken to support this application is inadequate.
- 9.105 The Design and Access statement says: "*To retain and enhance all important trees and hedgerows*"; as well as "*all Ancient woodlands and local wildlife sites will be retained with a 15m buffer zone which will be only used for recreational purposes, amenity and soft planting*". All of the woodlands within the redline boundary are deemed as a local wildlife site. The above is contradictory to what is stated in ES Vol. 3 - Appendix G7 - Section 9.0 which advises that: *the ancient*

woodland will have a 15 metre buffer and the all other woodland will have 10 metres. The submitted Strategic Landscape Green Infrastructure Plan, proposed to be a controlling plan, also notes that only ancient woodlands would be provided with a 15 metre buffer and omits any such buffer to the other woodlands that are designated local wildlife sites.

9.106 At the same time several of the plans show potential encroachment into the woodland buffer zones in certain locations, although such provisions are not shown consistently across all plans, while some plans are controlling plans, others are supposedly illustrative. The proliferation of differences, inconsistencies and inaccuracies between the various provisions of the submitted plans and reports, whether unintentional and/or intentional, contribute to the poor quality of the submitted material, reduce clarity and increase confusion and reinforce the unacceptability of the application.

Mitigation measures as shown on the landscaping proposal plans

9.107 Significantly more woodland planting across the whole of the site would reduce future pressures, reduce the urban heat island effect and increase the resilience of the ancient woodlands to the impacts of the development and climate change. Without this mitigation measure the development is likely to result in deterioration of the ancient woodlands on site, failing to meet the policy objectives of the NPPF.

Impact on trees

9.108 All the trees in relation to the SSSA and beyond are covered by a TPO. The AIA submitted has assessed all the trees on site and categorised them in accordance with the BS5837:2012 guidance. There are a number of trees proposed to be removed as per the table below, however, this table does not show all of the trees proposed to be removed in the various submitted documents:

	British Standard 5837 Category		
	A (High quality)	B (Moderate quality)	C (Low quality)
Remove	T34, T76, T199	T1, G16, G17, T18, T19, T35, G51, T63, T64, T65, T69, G110(part), T178, T179, T185, T186, T187	T2, H5(part), G6(part), H7, G36, G37, G47(part), H60, G68(part), W73(part), G108(part), H115(part), G117(part), H169(part), T180, T182, T183, H200(part), T225, T226, T227, T228, G234(part), T246, G247, G248 (part)
Prune	None	None	None
Protect using special precautions <small>See Notes below</small>	None	None	None
Post development considerations	None	None	None

T = Tree; H = Hedge; G = Group; W = Woodland

9.109 Tree marked as T199 is a turkey oak and is on the junction of Andover Road and Warren Road, it is a highly significant tree clearly visible from surrounding areas and is covered by a TPO. Though this is not specific to this proposal, it is detailed within the Arboricultural information submitted by the applicant and its removal is not justified and it is unacceptable.

9.110 There are another 10 trees along the Warren Lane access proposed to be removed, these are all covered by a TPO. Though these are not specific to this

application proposal, they are detailed within the Arboricultural information submitted by the applicant and their loss remains would harm the character and public amenity value of Warren Road. The proposals have not explored potential alternatives and their loss would be unjustified and unacceptable.

- 9.111 T76 is graded as a 'A' tree under the BS5837 guideline, however the Arboricultural report suggests it should be felled, this is a large mature oak tree with a diameter at breast height of 90cm. There is no description as to the physiological/structural condition, however as it is rated an 'A' tree it is deemed to have at least 20 year life expectancy remaining. It is proposed in the submitted AIA to be removed as a result of the proposed embankment valley crossing, although this is not shown on the submitted Strategic Landscape Green Infrastructure Plan, proposed by the applicants to be a controlling plan. There does not seem to be a good reason within the submissions as to why the proposed removal of this tree is justified. The proposal has failed to explore the efficacy of credible alternatives that would ensure its retention. This is unacceptable.
- 9.112 The tree marked as T34 is regarded by the applicants' arborist as a high quality 'A' grade tree. Submitted details also show it as an over mature veteran tree with significant decay and is proposed to be felled in the context of providing a sports pitch within the extension to Park House School. In accordance with the Ancient Tree Forum this tree is classed as Ancient and shown on the map of ancient trees.
- 9.113 The Council's Tree Officer disagrees with the justification in the AIA for the felling of the following trees: **Category A and B trees (T1, G16, G17, T18, T19, T34, T35, G51, T63, T64, T65, T69, T76, G110(part), T178, T179, T185, T186, T187 and T199) and Category C trees (T2, H5(part), G6(part), H7, G36, G37, G47(part), H60, G68(part), W73(part), G108(part), H115(part), G117(part), H169(part), T180, T182, T183, H200(part), T225, T226, T227, T228, G234(part), T246, G248(part)).** Furthermore the AIA shows the proposed loss of trees with bat roosts confirmed. The Tree Officer considers the loss of all these trees and hedges would have a significant harmful/adverse impact both in the short term and medium term. Even by the long term, trees planted now would only be semi-mature, even if the hedges would have started to establish and mature. Therefore, the Tree Officer considers that the proposals have not adequately justified the loss of any of these trees and the proposal is unacceptable.
- 9.114 The proposal will also potentially result in works within the root protection area of trees, including veteran trees, and their potential deterioration. All these works appear to be avoidable and the proposal does not demonstrate alternative approaches to avoid such harm to trees that are the subject of a TPO, including veteran trees.
- 9.115 As such, the Tree Officer recommends refusal on the basis of the harmful impact of the proposals on ancient and other woodland, ancient tree, veteran trees and various other TPO trees, without adequate justification. A number of the above comprise irreplaceable habitats. The proposal is contrary to inter alia Core Strategy Policies CS3, CS14, CS17, CS18 and CS19, the Sandford Park strategic objectives and Development Principle L4 application and NPPF paragraph 175(c).

Flooding and Drainage

- 9.116 The NPPF seeks to steer new development to land located within Flood Zone 1. For development proposals on sites comprising one hectare or above, the vulnerability to flooding from other sources, as well as from river and sea flooding,

and the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off, should be incorporated in a flood risk assessment.

9.117 Policy CS3 of the Core Strategy refers to infrastructure improvements to be delivered in accordance with the IDP. The Council's IDP identifies Sustainable Drainage Systems (SuDS) as critical infrastructure.

9.118 Policy CS16 of the Core Strategy confirms that proposed development will require a Flood Risk Assessment (FRA) for sites of 1 ha or more in Flood Zone 1. The policy goes on to state that:

“Development will only be permitted if it can be demonstrated that:

- *Through the sequential test and exception test (where required), it is demonstrated that the benefits of the development to the community outweigh the risk of flooding.*
- *It would not have an impact on the capacity of an area to store floodwater.*
- *It would not have a detrimental impact on the flow of fluvial flood water, surface water or obstruct the run-off of water due to high levels of groundwater.*
- *Appropriate measures required to manage any flood risk can be implemented.*
- *Provision is made for the long term maintenance and management of any flood protection and or mitigation measures.*
- *Safe access and exit from the site can be provided for routine and emergency access under both frequent and extreme flood conditions.”*

9.119 Core Strategy Policy CS16 also requires surface water to be managed on all development sites in a sustainable manner through the implementation of SuDS, in accordance with best practice and the proposed national standards. SuDS proposed are required, to provide attenuation to greenfield run-off rates and volumes for all new development and provide other benefits where possible such as water quality, biodiversity and amenity.

9.120 The Sandleford Park SPD provides clear guidance on the provision of SuDS within the development, set out under the following development principles:

- Principle L6 requires green links within the development to include SuDS elements such as swales and ponds.
- Principle E1, in relation to ecology and biodiversity, reinforces the need for *“green links throughout the development which incorporatesSuDS features such as swales and wetlands”*.
- Principle H1 requires surface water drainage methods to ensure that volumes and peak flow rates of surface water leaving Sandleford Park are no greater than the existing greenfield run-off rates. The supporting text to this principle considers that *“every opportunity should be taken to reduce the run-off rate below the existing”*.
- Principle H2 confirms that surface water drainage shall be managed with a variety of SuDS. This section goes on to set out the range of SuDS that could be used including car park drainage, green roofs, swales, wetlands, attenuation ponds and detention basins (both dry areas and with ponds). It is also noted that a contribution towards the construction and maintenance of SuDS from the developers will be expected.
- Principle H3 requires where possible the use of SuDS systems to promote biodiversity across the site in accordance with a Strategic Ecological Enhancement Plan and detailed ecological studies.

- Principle H4 looks to minimise the use of externally sourced water through the recycling of rain and grey water.

9.121 The Council also has an adopted Sustainable Drainage Systems SPD (December 2018). That SPD sets out design principles for delivering SuDS in West Berkshire. Where appropriate the SuDS SPD defines local technical design standards for West Berkshire and recommends that the CIRIA SuDS Manual (C753, 2015) is adhered to. The SuDS SPD also provides details on the masterplanning of large developments in respect of SuDS and the requirements for outline planning applications.

9.122 The Quality Design SPD also seeks the implementation of a range of SuDS in new development, at a source level and site level.

Waste Water Drainage

9.123 Thames Water notes the capacity of the foul water network in the area and raises no objections subject to condition/s to ensure that the relevant infrastructure is delivered.

Fluvial Flooding

9.124 Although a narrow corridor within the application site along the River Enborne are within Flood Zones 2 & 3, the majority of the application site area is within Flood Zone 1 and all development areas and proposed work are situated within Flood Zone 1. The proposal has provided a Flood Risk Assessment (FRA). Thus the Environment Agency do not raise objections to the proposal subject to condition/s accordingly.

Ground and Surface Water Drainage

9.125 The Lead Local Flood Authority (LLFA) has reviewed the submitted documentation and advises the following:

9.126 Paragraph 5.5 of the Planning Statement states *“Sustainable Urban Drainage features will be provided within the area of built development and the Country Park, drawing from the options identified in the Drainage Strategy.”* The phrase *“...within the area of built development...”* is particularly important as it is necessary to provide good SuDS measures within these areas in accordance with the West Berkshire Council SuDS Supplementary Planning Document (Dec.2018). This can be secured by Condition.

9.127 Design and Access Statement - A number of sections of this document deal with proposals for water management and SuDS, including paragraphs 2.2.3, 3.2, 5.14 and 5.2. Section 7 indicates a number of roadside swales. The LLFA would like these to be as extensive as possible and to be included in all areas. In principle, there are a number of welcome ideas / proposals shown in this document which are in accordance with the WBC SuDS SPD. The LLFA will seek for these to be secured by Condition. The LLFA also advises that any works over, under or adjacent to existing water courses or water bodies will also be subject to the Ordinary Watercourse Consent process through the Land Drainage Authority (WBC) outside of the Planning Application process.

9.128 ES Vol.1 Ch.11 ‘Water Resources’ - With respect to local policies, this chapter does not include any reference to Core Strategy Policy CS16 (or to the WBC SuDS

SPD, adopted in December 2018). The development plan should be the 'starting point' for any assessment, whereas with this submission the NPPF seems to have been given prominence. This also applies to ES Vol.3 Appendix K1 'FRA and Drainage Strategy'.

9.129 ES Vol.1 Ch.16 'Summary of Effects and Mitigation' - The LLFA disagrees that the *"effects on surface water quality and quantity, groundwater quality and population through changes in flood risk"* will be *"negligible"* during the Construction Phase. Nevertheless suitable measures to control pollution in surface water run-off which should be rigorously and practically adhered to during construction can be dealt with by way of condition/s.

9.130 ES Vol.3 Appendix K1 'FRA and Drainage Strategy' - LLFA consultation responses to previous applications on this site have discussed a number of SuDS measures which the LLFA would like included. This document does include some of these as potential measures, but throughout the document, the phrases *"may be included"* and *"could be included"* are used when referring to them - these terms must be replaced with "will" and "shall" and "must". Additionally the proposed Illustrative Surface Water Drainage Strategy Plan (dwg. No. 10309-DR-02), which only shows conveyance channels and basins, offers very little in terms of where these other measures would specifically go and whether their inclusion is practical. Some of these measures are dealt with in more detail below, and their inclusion will be sought by condition.

9.131 Para 3.18 Fig. 3b lists potential flooding mechanisms, with zero risk attached to each. Although boreholes from the site investigation show no groundwater strike, the Council's own mapping indicates that in the central and southern part of the site, groundwater is very high: *"Groundwater levels are between 0.025m and 0.5m below the ground surface"* and that *"Within this zone there is a risk of groundwater flooding to surface and subsurface assets. There is the possibility of groundwater emerging at the surface locally"*. It is therefore highly likely that groundwater emergence occurs, it being the source of water in the existing watercourse running north to south through the site. This area needs to be reviewed.

9.132 Para 4.15 Fig. 4b shows a table based on the SuDS Manual C753, listing possible SuDS options that are available to developers, with comments as to what the applicant has considered for this development. In order to comply with the West Berkshire SuDS SPD Policy referred to above, it is the Council's intention that developers will include as many 'green SuDS' measures as possible. In particular, from that list therefore, the Applicant should particularly look to include (but not be limited to):

- Green roof / rainwater harvesting for all uses including residential;
- Localised bio-retention measures in built areas, particularly as on-parcel SuDS where possible;
- Trees incorporated into the built development as well as SUDS areas (this is partly indicated on the proposed master planning document);
- Ponds & Wetlands - permanent wet features should be designed into the SuDS features and their inclusion will be secured by condition.

9.133 Paras 4.17 / 4.18 / 4.20 / 4.25 / 4.26 / 4.27 (including Figs. 4c & 4d) show a number of welcome measures. The measures discussed in these paragraphs (such as carriageway filter strips, roadside swales, attenuation basins as local source control with dry and wet areas) are all considered to be in line with the WBC SuDS SPD and should be worked into the final design. No specific details are provided, instead it is stated the intention will be to include these at Reserved Matters stage. Their inclusion can be secured by condition, as raised above. It must be noted at

this point that there are strong concerns with the design of the attenuation basins, which appear to have near vertical sides, upon evaluation of figures shown on the Drainage Strategy Plan later in the document.

- 9.134 Para 4.29 states suggested SuDS maintenance periods, but in some cases these frequencies should be increased to at least accord with the SuDS Manual C753 maintenance regime; See also para 4.74.
- 9.135 Para 4.31 touches on the proposed conveyance channels to direct surface water run-off to attenuation basins. There are two channels indicated on the Illustrative Surface Water Drainage Strategy Plan which run broadly parallel to an existing ordinary watercourse in the vicinity of Detention Basins A and C. It is assumed that these channels will cut into the existing ground which therefore has the potential to adversely affect ground water levels to the detriment of existing areas of copse in particular. No information is currently provided as to the form these channels will take and until clarified, this matter raises concerns and the continued LLFA's objection.
- 9.136 In relation to the above Draft Condition 28 requires an 8m buffer zone on one bank alongside watercourses within the development site. This 8m buffer zone should be extended to both banks and apply to the conveyancing channels as well, including in relation to the existing watercourse as well. This matter can be secured by condition.
- 9.137 Para 4.32, and the subsequent paragraphs, discuss management of water on site during construction. The issue of management of pollution of surface waters can be secured by Condition.
- 9.138 Para 4.45 states an assumed impermeable percentage of 55% for residential development but this is on the low side and the LLFA would expect a figure of 65% or even 70% to be used. This matter can be secured by Condition
- 9.139 Paras 4.55 – 4.57 claims that there is a 69% reduction from Peak Greenfield Rates. The LLFA requires that run-off is restricted to 1 in 1 year in accordance with the WBC SuDS SPD so this rate can be improved upon further by adopting that criteria (refer also to para 4.52 where attenuation is stated to be to the mean annual flow Q_{bar}). Linking to this, para 4.60 states : “...*the implementation of source control measures can achieve a minimum 50% betterment in peak run-off from each development parcel, thus should this be a viable option, a further betterment may be achieved.*” This should be aimed for.
- 9.140 Para 4.71 states “*The conceptual drainage proposals have been developed in a manner that will allow the site wide system to be designed to encourage passive treatment of discharged flows and to improve the water quality by removing the low-level silts, oils which could be attributed to track/parking area run off of this nature. Final design will provide for appropriate geometry and planting to maximise this benefit.*” This can be secured by condition
- 9.141 Section 5 - Hydrology Appraisal of Proposed Valley Crossing - raises questions of any impact on local biodiversity once completed as well as during the construction stage. Control of pollution at this location will be more difficult to manage in this location anyway but is especially important in regards to existing habitat & biodiversity (see also comments on Transport Assessment below). Further details are required to provide sufficient certainty that control of pollution at this location is achievable. Nevertheless it is considered that this issue can be overcome and addressed by condition.

- 9.142 Section 6 on Foul Drainage notes necessary upgrades to the Thames Water foul sewer network. There should be a timeline tying together any necessary upgrades and proposed new foul sewer infrastructure alongside the various phases of the development. In order to ensure there is sufficient capacity in the foul water network at all times this will be secured by Condition.
- 9.143 Appendix A – The LLFA notes that the proposed Drainage Strategy Plan (DSP) (dwg. No. 10309-DR-02) misses the bottom edge of the application site which includes the River Enborne and an existing pond/watercourse as per the FRA (ES Appendix K1) submitted with the application. It also omits the other part of the allocated site (application 18/00828/OUTMAJ). This was shown in the FRA of the previous application, which demonstrated that the surface water flow from both parts of the allocated site were not dependent on the other in respect of surface water drainage. Now this is no longer provided, it is unclear as to how both sites relate to each other in respect of surface water runoff/drainage. This is matter of concern and objection.
- 9.144 Surface water flow arrows shown on this plan appear to show surface water flowing almost in line with the contours in several places, rather than angled to them as would be expected. Furthermore, flow appears to be being directed through Dirty Ground Copse and Slockett's Copse which is unacceptable due to potential ecological damage this would cause. This is a matter of concern and objection. This must be reviewed and modelling provided in due course to show that no new flow will affect these sensitive sites.
- 9.145 The LLFA further notes that the detention basins A, B and C are shown with approximately the same surface area in metres square as the volume in metres cube, and therefore by implication they will in effect be 1m deep with near vertical sides. This scenario is unacceptable. Basin side slopes should be 1 in 4 to enable maintenance to be carried out and to achieve a more natural appearance. It is unclear whether the location of the basins and buffers in relation to ancient woodlands, watercourses, including relevant and appropriate buffers etc. would allow their widening.
- 9.146 The Illustrative Layout Plan indicates a number of additional ponds/basins which are not shown on the Drainage Strategy Plan (DSP) (nor the Strategic Landscape and Green Infrastructure Plan) - for example to the north of Crooks Copse and south of Dirty Ground Copse where they are scattered through the developed areas. These plans are therefore not consistent and if SuDS features have been missed from the DSP, that plan should be amended.
- 9.147 The LLFA objects to the application until these matters have all been addressed and details have been provided on the grounds that parts of the proposed surface water measures as shown are not practical, conflicting information has been submitted and there is insufficient certainty that the development will not introduce run-off into the other part of the allocated site (or vice versa) such that a full assessment cannot be completed until the drainage strategy includes the whole of this application site.
- 9.148 Transport Assessment (and ES Vol.2 Fig 4.9 'Illustrative Valley Crossing') - Appendix F gives details of the proposed 'Valley Crossing'. As a minor point, it is arguable whether this information should have been duplicated in Section 5 of ES Vol.3 in order that the implications of the design could be better appreciated when examining that document. Notwithstanding that, the proposals detailed in this document indicate a structure in excess of 10m spanning the watercourse with substantial earthworks either side. This will have a sustained impact on local biodiversity once completed regardless, but it will also have a major impact during

the construction stage that will be difficult to manage. Further details are required in reference to 4.32 above to provide sufficient certainty that control of pollution at this location is achievable specifically for construction access, temporary hardstandings, movement of spoil etc. This matter can be dealt with by condition.

9.149 Draft Conditions (section 4 'Drainage') - As a general comment, the LLFA wishes to use the Council's standard drainage conditions and modified to provide bespoke wording where appropriate. Notwithstanding that, the LLFA has commented in relation to various suggested conditions and the contents of the draft S106 which matters are not fully repeated here. Without prejudice to the rest, it does not consider proposed conditions 14 & 16 specifically to be acceptable. All of the final drainage design for the entire site should be supplied before any Reserved Matters can be approved. It is essential that drainage can be fully assessed and that the LLFA is satisfied that the entire system works in a satisfactory manner.

9.150 Finally the LLFA notes that BBOWT have commented on the Application and would share their concern that the Drainage Strategy should enhance biodiversity and not potentially compromise existing.

Flooding and Drainage Summary

9.151 In terms of ground and surface water drainage the proposal remains unacceptable as it provides insufficient information to enable the assessment of the interrelationship with the adjoining site within the SSSA; the impact of the proposed conveyance channels on ground water levels; and the impact of surface water runoff on ancient woodland. In the absence of that information there is potential for adverse impact on ground water and the woodlands. In addition there are serious concerns with regard to the proposed detention basins, while the Drainage Strategy Plan is incomplete. As such the proposal is contrary to Core Strategy Policies CS3, CS14, CS16, CS17 and CS18, the Sandleford Park SPD and the SuDS SPD.

Ecology and Biodiversity

Priority habitats

Ancient Woodland

9.152 The proposed central valley crossing embankment will affect the buffer zone and trees in Ancient Woodland to the west of Slockett's Copse. Recreational use impacts on ancient woodlands have not been adequately considered/assessed. The application appears to contain inconsistencies, whereby there are apparent encroachment instances into the woodlands' buffer zones while the submitted Planning Statement, Design and Access Statement, ES Vol. 1 Chapters 6 and 7 and the Green Infrastructure Parameter Plan all state that a 15m buffer will be retained to all woodlands.

9.153 A proposed sports pitch as part of the Park House School expansion will be at close proximity to and encroaching into the buffer zone of Barns Copse. In addition there are concerns that the pitch may require to have flood lighting. This has not been included in the lighting assessment report (ES Vol. 3 Appendices F20). Any flood lights would most likely have a detrimental effect on the ancient woodland, by way of the disruption of nocturnal fauna, such as bats and moths.

9.154 The above are unacceptable unnecessary impacts on irreplaceable habitats of ancient woodlands / priority habitats.

Rush pasture (including Purple Moor grass)

9.155 The proposed central valley crossing embankment will result in the part loss of this species and priority habitat. Avoiding the loss of this county level importance species and habitat has not been sufficiently explored, with alternative design proposals and/or alignment of crossing. The proposal as it stands therefore has unacceptable unnecessary impacts on biodiversity.

Ponds

9.156 The existing ponds on site are likely to be degraded by the intensification of the use of the site, and anthropogenic effects are likely to lead to a reduced biodiversity of the individual ponds overall.

Riparian/fluvial habitats

9.157 Currently the River Enborne and the onsite streams have not have not had their intrinsic values as stretches of water courses quantified with a quantitative output (only a generalised qualitative output has been given). Using an agreed suitable quantitative survey technique would allow for quantitative gains for the flowing water bodies that are likely to be affected by this development. Impacts from hard landscaping such as (but not limited to) culverts, valley crossings and increased hard standing near water courses could be offset on other parts of the impacted watercourse and then monitored as to the mitigation and compensation successes and areas needing improvement. The currently unquantified impact is likely to negatively affect this habitat and as such it is unacceptable.

Secondary woodland / Lowland mixed deciduous woodland

9.158 It is difficult to quantify the likely impacts on this habitat, what is likely to happen is that the compensatory habitats and associated planting will enhance the retained woodlands quality and connectivity. However the failure to quantify recreational disturbance impact is likely to have an adverse effect on this habitat.

Hedgerows

9.159 There are a number of inconsistencies in the submitted details as to which hedgerows are to be retained and/or enhanced, the status of the quality of individual hedgerows and which hedgerows are to be installed as part of the proposals.

Woodpasture and Parkland BAP Priority Habitat (England)

9.160 It is difficult to quantify the likely impacts on this habitat, what is likely to happen is that the compensatory habitats and associated planting will enhance the retained wood pasture's quality and connectivity but there is a currently unquantified recreational disturbance impact likely to impact this habitat. This amounts to a reason for refusal on the grounds of insufficient information and consideration in the submitted documents.

Species

Bats

9.161 There are clear contradictions and inconsistencies that threaten protected bat species, threats that haven't been fully taken into account in the submitted documentation, for example (one of many examples) ES Vol. 1 Main Text - Chapter 6 (January 2020 ref: 2017.013.032a) Page 6-22 'Bats' – states that no trees with confirmed bat roosts are to be lost. It then states that veteran tree T127 and TPO Tree T130 - which do have confirmed bat roosts according to appendix F7 - are to be removed or pollarded as per arboricultural assessment. This section then goes on to consider that the removal of those trees do not form part of the proposals, but they are, as set out in the submitted arboricultural assessment. In addition, as noted on page 6-30 of ES Vol. 1 Main Text - Chapter 6 no roosting trees are to be removed, yet the arboricultural assessment submitted states otherwise. Note - Appendix G7 advises that tree works are to be in accordance with the AIA. These are unacceptable unquantified impacts on bats accentuated by inconsistencies in the submitted documentation. The application fails to demonstrate the wholly exceptional reasons and acceptable compensation that would justify the loss of veteran and mature trees that currently are also being used as bat roosts.

Reptiles

9.162 The current partial land use of pheasant rearing is likely to be having a negative effect on the reptile population and the removal of this industry is likely to have a positive impact on reptile populations on site. However, it is not considered that this would be sufficient to offset the negative impacts of increased predation of reptiles by domestic cats and dogs alone, even with the proposed reptile mitigation areas. The Council's Ecologist considers that the proposal is unacceptable due to the unquantified potentially negative impacts on biodiversity in the submitted proposals leading to insufficient information to fully understand the full impacts on these protected species.

Skylark and Lapwing

9.163 The Council's Ecologist considers that not enough consideration has been given to the increased recreational disturbance by domestic dogs with the change in land use from arable to an urban fringe recreational country park and that this has led to an oversight in the likelihood of success in the proposed compensatory habitat to be provided. He recommends that in addition to the proposed compensatory measures for skylark (and subsequently lapwing) delivered onsite that offsite provisioned habitats be a part of what must be delivered to guarantee that no long-term negative effects on skylarks arise from this development, if the development comes into fruition. The European Commission Management plan for skylark point - Atmospheric pollution (6.1) "*In certain breeding habitats, e.g. heaths and dunes, deposition of nutrients, particularly nitrogen compounds, can lead to unfavourable changes in vegetation structure*". The Council's ecologist considers that there is a possibility of there being a currently unquantified cumulative negative effect on skylark habitat locally because of the intensification of car use on the site and surrounding areas. Although the findings of the submitted breeding bird survey report (ES Vol.3 Appendices F4) are not disputed, the likelihood of the success of maintaining the same level and quality of breeding habitat for skylark and lapwing is disputed. In the absence of satisfactory compensation and enhancement there are concerns that the proposal would have an unacceptable negative impact on this protected species.

Otter

- 9.164 Any potential adverse impacts of recreational use on otters using the River Enborne, can be addressed by preventing any access to the River Enborne. This matter can be dealt with by condition.

Dormice

- 9.165 The Council's Ecologist advises that the proposed mitigation measures listed in section 5.2 of the submitted Dormouse Presence/Likely Absence Survey report (ES Vol.3 Appendices F10) are noted. However, he considers that various references to hedgerows which are proposed to be removed in the submitted ES are contradictory as to their importance under the Hedgerow Regulations and he is not confident in the submissions to date that the issue of dormice has been adequately addressed and mitigated on site. The impact of the proposal on dormice is therefore considered unacceptable in this respect.

Badgers

- 9.166 The Council's Ecologist considers that the application proposal will significantly restrict feeding opportunities for the badgers on-site by restricting their movement. The more wet the location the less suitable it would be for badgers to move their main sett to if they are feeling disturbed too much. He considers that in this respect the proposal would result in unacceptable and inadequately unquantified potentially negative impacts on biodiversity.

Barn Owl

- 9.167 The Council's Ecologist considers that ancient tree T34 and veteran tree T127 are proposed to be felled and they are both confirmed barn owl roosts. He considers that the proposed mitigation in regard to the barn owls is acceptable. However he considers the loss of the two irreplaceable habitats as not being justified by exceptional reasons and their loss is therefore unacceptable.

Water vole

- 9.168 Water voles, if absent from the site, are likely to be absent due to current or historic American mink presence. If mink numbers are under control locally and across the catchment area, and the site does not become recolonised by water vole naturally, they could be subject to reintroduction programs if the habitat is suitable in that location.

Great crested newts

- 9.169 We accept that great crested newts (GCN) are likely to be absent from the site, and that the mitigation measures that will be needed to safeguard reptiles are likely to give some safeguards for GCN. It may be possible for the ponds, if they are being managed correctly and disturbance is at an acceptable level, to become part of the District's licencing scheme receiving newts from other sites, provided the amphibians found at both sites are found to be free of chytrid fungus pathogens.

White claw crayfish

- 9.170 It is accepted that White claw crayfish are likely to be absent from the site due to the presence of signal crayfish and the likely presence of the associated pathogen (*Aphanomyces astaci*) that signal crayfish are known to carry.

Other matters

Air quality

9.171 The increased air quality impacts of the proposal have not been considered fully in the submitted documents. There is likely to be a currently unquantified cumulative negative effect on local priority habitats on the site including ancient woodlands because of the intensification of the site and surrounding areas with more car trips being taken around and through the site.

Invasive species

9.172 Invasive species control should be tackled on a catchment basis and as such it is expected that a scheme for the removal and management of non-native species will need to be secured by condition.

Water quality

9.173 The effects on water quality will need to be assessed and quantified as the proposed scheme is likely to have a detrimental effect on water quality, which would then enter priority habitats (such as Rush pasture and Riparian/fluvial habitats). Water quality being given to the trees will be of a lesser standard, thus having further negative impacts on the ancient woodlands.

Designated sites

9.174 The Council's Ecologist and the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) response to this application consider that insufficient information has been submitted on how the recreational impact on Greenham and Crookham Commons SSSI is to be mitigated for.

9.175 Without sufficient provision of Country Parkland to match the predicted need for new residents, and its appropriate management through a Ranger/Warden, it is considered that the development proposed would result in an adverse impact on the nearby Greenham SSSI as a result of increased visitors generated by the development proposed.

9.176 However, as shown in the Country Park: Phasing Plan submitted, a large area of the Country Parkland is proposed to be delivered early on in the development, with the development of DPN1. Provided this area of Country Parkland is delivered with DPN1, and the remaining part of the Country Parkland is provided in accordance with the Country Park: Phasing Plan, together with securing the appropriate management of the Country Parkland including a ranger/warden, the incentive to recreate off-site at the Greenham SSSI would be greatly reduced. Subject to securing these requirements either by condition or a planning obligation it is considered that the creation and use of the country parkland will balance this out. Therefore, the proposal would not result in a detrimental impact on the nearby SSSI.

Net gain for biodiversity

9.177 Any development on this site is required to deliver a positive net gain for biodiversity and the Ecologist advises that the proposals only deal with the habitat loss but do not take into account the degradation of the retained existing habitats, which because of the change of land use, the increased access across the site to residents and the wider public for recreational purposes and general intensification

of the use of the site, means that inadequate enhancement / net gain for biodiversity is proposed.

Special Areas of Conservation (SACs)

9.178 The proposed development could have potential significant effects on European Designated Special Areas of Conservation (SAC), namely Kennet Valley Alderwoods SAC, Kennet and Lambourn Floodplain SAC and the River Lambourn SAC. With regard to the Conservation of Habitats and Species Regulations 2017, the proposal provides insufficient information regarding the likely impacts on air quality of the development proposed, as confirmed by Natural England. The lack of provision prevents the necessary assessment of the potential significant effects on these SACs and any necessary mitigation required. The proposal does not include the information that is necessary to determine the significance of these impacts and the scope for mitigation.

Ecology Summary

9.179 The proposal would have an unacceptable detrimental effect on priority habitats and protected and notable species, accentuated by inconsistent and inadequate information, without certainty that sufficient mitigation and biodiversity gain will be provided. The proposal is therefore unacceptable on ecological and biodiversity grounds and contrary to Policies CS14, CS17 and CS18 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); and the Vision, Strategic Objectives and Design Principle L4 of the Sandford Park SPD (adopted March 2015).

Historic Environment

9.180 Policy CS3 of the Core Strategy considers that the development should be limited to the north and west of the site in order to respect the landscape sensitivity of the wider site and to protect the registered historic landscape and setting of the former Sandford Priory and the surrounding historic parkland.

9.181 Core Strategy Policy CS19 states that in order to ensure the diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural and functional components of its character will be considered as a whole. In adopting this holistic approach, particular regard will be given to, amongst other matters, (c) the conservation and, where appropriate, enhancement of heritage assets and their settings (including conservation areas, listed buildings, and other heritage assets recorded in the Historic Environment Record), and (d) accessibility to and participation in the historic environment by the local community.

9.182 According to Policy CS19, proposals for development should be informed by and respond to: (a) the distinctive character areas and key characteristics identified in relevant landscape character assessments including Historic Landscape Characterisation for West Berkshire and Historic Environment Character Zoning for West Berkshire; (b) features identified in various settlement character studies including Quality Design SPD, the Newbury Historic Character Study, Conservation Area Appraisals, and community planning documents which have been adopted by the Council such as Parish Plans and Village Design Statements; and (c) the nature of and the potential for heritage assets identified through the

Historic Environment Record for West Berkshire and the extent of their significance.

9.183 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to “*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”.

9.184 The NPPF in paragraph 193 states that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

9.185 Paragraph 194 of the NPPF considers that:

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”*

9.186 Paragraph 196 of the NPPF also considers that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

9.187 The Sandleford Park SPD in paragraphs 81 to 86 considers the archaeology and heritage assets within the site and surrounding area.

9.188 Section F: Development Principles, category L of the Sandleford Park SPD sets out the landscape and heritage principles for the development of the site.

Impact on Heritage Assets

9.189 In respect of impact on Heritage Assets, the main considerations and concerns relate to impact on designated heritage assets close to the application site and their setting, in particular the impact on the setting of Sandleford Park (i.e. the Grade I listed house and the Grade II registered park and garden) which lies close to the proposed development site on its east side. The proposed open space/country parkland provides a direct visual buffer between the majority of the proposed development and these heritage assets, thus largely protecting their settings and views to and from the proposed development; although partial views

and associated issues with some proposed elements within the country parkland remain and are dealt with in the following paragraph.

9.190 Nevertheless, the proposal for the country parkland, which forms the setting of the Capability Brown landscape of Sandleford Priory, will include:

- the proposed NEAP and adjacent buildings at the south eastern corner of DPC, with the proposed advanced strategic structure planting to provide a visual screen eventually in the long term, in views from the east and the Sandleford Priory grounds;
- the cycleway and Grasscrete strip parallel to the improved PROW9 and also divergent at the south eastern end;
- any necessary structure(s) crossing the stream near the tip of Waterleaze Copse, emergency access bollards, benches and litter bins, detention basins and conveyance channels and the need for any fencing.

9.191 These and potentially other details would introduce a degree of domestication within the country parkland, out of keeping with its character. This would have some adverse impact on the significance of the setting of the above heritage assets, causing less than substantial harm, albeit in Officers' view this would lie low within the less than substantial scale range. In this respect the proposal fails to fully accord with the requirements of Core Strategy Policies CS3, CS14 and CS19 as well as the Sandleford Park SPD.

9.192 There is scope for this less than substantial harm to be reduced, minimised and even removed altogether, as part of a comprehensive development of the SSSA, where there would be no need for any works in relation to the proposed emergency access, as well as through appropriate design and carefully considered phasing. In accordance with the provisions of paragraph 196 of the NPPF this low level of less than substantial harm would have to be assessed against any public benefits of the proposal (see the Planning Balance section of the report).

9.193 The proposed built development of DPC is situated in the western end of the application site. At the western end of the SSSA lie two Grade II listed buildings, namely Warren Lodge and Squirrel Cottage. It is considered that the existing intervening vegetation boundary treatments and buildings 'screen' these buildings from the proposed development. This means that the application proposal would not have any material adverse impact on the setting and would not cause any material harm to the significance of these heritage assets.

Archaeological Impacts

9.194 The Environmental Statement includes a chapter on Archaeology, and an archaeological desk-based assessment has been submitted, dating from 2016 and updated in 2018. The Council's Archaeologist advises that on the basis of known archaeological features in and around the site, the archaeological potential of the land has been assessed and is considered to be moderate for prehistoric, Roman and medieval periods and lower for the late medieval to post-medieval periods. In some parts there may be some Civil War archaeological potential. It is accepted that agricultural activity is very likely to have had an impact on any below ground remains.

9.195 However further information on the character and survival of archaeological assets needs to be provided through a staged programme of archaeological work, secured by a planning condition. Provision should be made for the recording, analysis, publication and archiving of heritage assets of archaeological interest.

Public engagement with archaeological investigations and results may be beneficial and appropriate. Matters relating to archaeology therefore would be able to be addressed through strict adherence to the required condition.

Transport and Highways

Development Plan Requirements and Key Material Considerations

9.196 Policy ADPP2 of the Core Strategy requires Sandford Park to be well designed and built to high environmental standards, and, integrated with the rest of the town through public transport and pedestrian/cycle links. Furthermore, the policy considers that *“demand for travel will be managed, and accessibility to sustainable transport opportunities increased through improving choice in transport modes, for example through enhancing the bus services in the Newbury area and ensuring their routing is effective.”* This policy also notes that the impact on the Air Quality Management Area (AQMA) will be taken into account when developing transport solutions for the A339 and surrounding areas. Moreover, in respect of the A339 and A4, this policy considers that existing highway infrastructure will need to be improved to manage flows along these corridors.

9.197 Policy CS3 of the Core Strategy which allocates Sandford Park as a Strategic Site requires, in respect of Transport and Highways, that:

- Two vehicular accesses will be provided off Monks Lane with an additional sustainable transport link for pedestrians, cyclists and buses provided from Warren Road onto the Andover Road;
- Further infrastructure improvements will be delivered in accordance with the IDP.

9.198 The supporting text to Policy CS3 confirms that infrastructure requirements, set out in the IDP will include junction improvements on the A339 and on Monks Lane/Andover Road, improvements to the bus service, and to pedestrian/cycle links and road crossings.

9.199 Policy CS4 of the Core Strategy considers that the housing mix on an individual site should have regard to the accessibility of the location and availability of existing and proposed local services, facilities and infrastructure. Development proposals will be expected to demonstrate how this has been addressed within the proposed dwelling mix.

9.200 The need to identify infrastructure provision and services for new development, and co-ordinate infrastructure delivery, is set out in Policy CS5 of the Core Strategy. This policy reiterates that the key infrastructure schemes required to facilitate development and secure the delivery of the Core Strategy include, but are not limited to, those schemes set out within the IDP. The supporting text to the policy confirms that new development within West Berkshire needs to be supported by adequate infrastructure of all kinds including physical, social, and green infrastructure. Moreover, the infrastructure requirements of new development need to be established to ensure improvements occur alongside new development and that development should not be permitted unless essential infrastructure can be completed in pace with new development.

9.201 Policy CS9 of the Core Strategy considers that proposals for business development should be in keeping with the surrounding environment, not conflict with existing uses, and promote sustainable transport.

9.202 The Transport Policy of the Core Strategy, Policy CS13, sets out a number of criteria which new development that generates a transport impact will be required to achieve. These are:

- Reduce the need to travel.
- Improve and promote opportunities for healthy and safe travel.
- Improve travel choice and facilitate sustainable travel particularly within, between and to main urban areas and rural service centres.
- Demonstrate good access to key services and facilities.
- Minimise the impact of all forms of travel on the environment and help tackle climate change.
- Mitigate the impact on the local transport network and the strategic road network.
- Take into account the West Berkshire Freight Route Network (FRN).
- Prepare Transport Assessments/Statements and Travel Plans to support planning proposals in accordance with national guidance.

9.203 This policy acknowledges that development proposals may not need to fulfil each bullet point and the supporting text to the policy clarifies the types and scale of development which will be required to meet the specific parts of this policy.

9.204 Policy CS14 of the Core Strategy considers that good design relates not only to the appearance of a development, but the way in which it functions, and, considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. This policy expects developments to, amongst others:

- Create safe environments, addressing crime prevention and community safety.
- Make good provision for access by all transport modes.
- Ensure environments are accessible to all and give priority to pedestrian and cycle access providing linkages and integration with surrounding uses and open spaces.

9.205 The West Berkshire District Local Plan 1991-2006 Saved Policies (2007) includes Policy TRANS.1. This policy requires the transportation needs of new development to be met through the provision of a range of facilities associated with different transport modes including public transport, walking, cycling and parking provision.

9.206 Policy GS1 of the HSA DPD requires all sites to be delivered in accordance with the West Berkshire Development Plan and adopted SPDs and SPGs. The policy expects proposals to include measures to improve accessibility by, and encourage use of, non-car transport modes through the production of a travel plan. This policy also requires opportunities to improve external routes to services and facilities to be sought, and, measures to be provided to mitigate the impact of development on the local road network. To achieve this, a full Transport Assessment, as confirmed by this policy, is required for the development proposed.

9.207 Policy P1 of the HSA DPD sets out the parking standards for new residential development which are based on the latest and most up-to-date evidence, and are consistent with paragraph 39 of the NPPF. As such the levels of parking required by this policy for new residential development (as a minimum) are given substantial weight. The majority of the proposed development at Sandleford Park is located within Zone 2, with a small section of the proposed development within DPC, located between Dirty Ground Copse and Gorse Covert, falling within Zone 3.

- 9.208 It is important to note that Policy P1 also requires the layout and design of parking spaces to accord with parking design guidance from Building for Life Partnership (2012) and Manual for Streets. The policy also states that, where possible, rear parking courtyards should be avoided.
- 9.209 Policy P1 does acknowledge that there may be exceptional circumstances where there is a case for providing parking that does not accord with the required levels. These cases will be considered on an individual basis. Furthermore, this policy explicitly states that garages will not be counted as a parking space for the purposes of meeting the required levels of parking set out in the policy. This policy also confirms that the levels of parking are required irrespective of whether a travel plan is submitted and that a full Transport Assessment will be required for development of 60 dwellings or more.
- 9.210 Policy P1 of the HSA DPD also notes that electric charging points should be installed for new residential developments, and, cycle and motorcycle parking shall be provided in accordance with the Council's 'Cycling and Motorcycling Advice and Standards for New Development'.
- 9.211 The Vision for Sandleford Park, set out in the Sandleford Park SPD, notes that residents will have a high quality of life with good access to education, jobs, services, shops and public transport – many of which are within walking and cycling distance. The Vision also expects there to be the timely and coordinated provision of the social, physical and green infrastructure required for the site.
- 9.212 Strategic Objective 2 of the Sandleford Park SPD confirms that two principal vehicular accesses into the site from Monks Lane with a bus link through the site to Warren Road will be provided. This objective also requires the exploration of other accesses including an all vehicle access link through Warren Road and an access onto the A339, close to the Household Waste Recycling Centre (HWRC).
- 9.213 The Sandleford Park SPD also reiterates the need for infrastructure improvements to be delivered in accordance with the IDP.
- 9.214 The existing access to the application site is set out in Section D of the Sandleford Park SPD which notes the potential for improvement of links with the town centre to the north and wider area using a range of modes of transport. In respect of infrastructure, paragraph 92 of the SPD notes that *"[t]he starting point for the infrastructure provision for Sandleford Park is the policy which allocates the site and sets out the delivery parameters – policy CS3 of the Core Strategy. If changes are made to the delivery of the site, or to the evidence base which underpins the policy requirements, then the infrastructure requirements may need to be updated. This could be the case for example, for highways infrastructure. If alternative or additional accesses are shown to be deliverable, then the impact on the highways network may be different from that already modelled and the IDP will need to reflect these changes."*
- 9.215 The Development Principles set out in Section F of the Sandleford Park SPD include a number of Principles relating to access and movement. Principle A1 requires the layout and design of Sandleford Park to promote a hierarchy of streets, spaces and routes which create a legible and permeable place. The supporting text notes that the principal vehicular accesses into the site will be from Monks Lane and opportunities for other accesses should also be explored as part of the planning application process in order to ensure good permeability through the site. The text confirms that evidence suggests additional accesses onto the A339 (close to the HWRC) and an all vehicle access link through Warren Road

would be beneficial. As such, it is considered that these accesses should be explored to maximise opportunities for permeability through the site.

9.216 Principle A2 requires the scheme to integrate with the existing surrounding development to ensure connections to the wider area, including the promotion and enablement of important connections to the following destinations:

- Wash Common shopping parade
- Newbury Retail Park
- Newbury Rugby Club
- Greenham Common
- Greenham Business Park
- Education facilities (for example Newbury College, St Gabriel's School and Park House School)
- Health facilities (for example Falkland GP Surgery and pharmacy to the north west of the site).
- Newbury town centre and its facilities to the north of Monks Lane, including the rail station.

9.217 Principle A3 requires the development to promote alternative forms of transport to the private car. Principle A4 goes on to require the layout of buildings and spaces to achieve a connected and safe neighbourhood where pedestrians and cyclists have priority and the impact of vehicles is kept to a minimum.

9.218 Principle A5 expects the level of car parking and cycle parking to meet the needs of residents and visitors, and, will be set to reflect national policy and take into account location and mix of dwelling types. Design of parking will reflect the principles set out in Manual for Streets.

9.219 The design of buildings and spaces are to be accessible to all members of the community, as required by Principle A5 of the Sandford Park SPD.

9.220 Figure 7 of the Sandford Park SPD provides an 'Access and Movement Framework' which depicts indicative circulation within the site, potential vehicular accesses and bus link, potential footpath/cycle link and indicative access points.

9.221 Principle F1 of the Sandford Park SPD considers that the location of any new services and facilities should be highly accessible by a range of transport modes, in particular public transport, walking and cycling.

9.222 In respect of the urban design of the development, Principle U4 of the Sandford Park SPD requires a permeable layout with good connections to the wider area, including links to existing local facilities and Newbury Town Centre. The supporting text identifies that new routes should connect into existing routes and movement patterns, ensuring effective integration of the site.

9.223 The internal layout of the development should provide for a legible site with recognisable routes, spaces and landmarks, as required by Principle U5 of the Sandford Park SPD.

9.224 In Section F of the Sandford Park SPD a number of character areas have been identified that detail design principles and criteria for each character area, including, carriageway, footway and cycleway dimensions, car parking and public transport provision and design speeds for internal routes.

9.225 Appendix 3 to the Sandleford Park SPD provides the Sandleford Infrastructure Requirements identified in the Core Strategy IDP. A number of road network improvements are identified together with public transport.

9.226 Paragraph 108 of the NPPF states that:

“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”

9.227 Paragraph 109 of the NPPF considers 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.”

9.228 Paragraph 111 of the NPPF also considers that:

“All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.”

Access

9.229 It is illustratively shown in the submitted Combined Land Use and Access Parameter Plan that the whole of the SSSA could be accessed via four locations from the existing public highway, the Monks Lane Eastern Access, the Monks Lane Western Access, an A339 access north of the Household Waste Recycling Centre (HWRC) and an access onto the A343 Andover Road via Warren Road. All of these accesses are essential to ensure that traffic is spread more around the network and to ensure that viable bus services can pass through the site. There is also a fifth smaller access proposed serving a small number of dwellings just to the west of the Monks Lane Western Access that is not identified on the submitted Land Use and Access Parameter Plan.

9.230 For this application only, the Monks Lane Eastern and Western accesses onto the public highway, together with the smaller access west of the Monks Lane Western access, are proposed. The submitted Land Use and Access Parameter Plan shows that the application site would also be accessed from the boundary of the Newbury College site and from the remainder of the SSSA, at the boundary with New Warren Farm. However no proposals for the delivery of the access via Warren Road onto the A343 Andover Road to adequately serve the SSSA are provided or secured. The application submitted for the remainder of the SSSA does not include access details as part of that application, despite access being a matter that is not reserved for future consideration.

9.231 In respect of the access point into the Newbury College site, the access onto the public highway (A339 link road) is being delivered by the Council with funding, in part, from the Thames Valley Local Enterprise Partnership (LEP) and the Local Education Authority, as part of that access road will also serve a new primary school currently being constructed to accommodate demographic growth in the area. The applicants have proposed a contribution of £1.5million toward the construction of that road and its connection to the SSSA in their submitted Draft S106 agreement. Access from the A339 to serve the SSSA is necessary in order to adequately distribute the traffic onto the local highway network, as demonstrated by the VISSIM modelling

Monks Lane Eastern Access

9.232 This is proposed as a new priority junction approximately 250 metres to the west of the Monks Lane / Newtown Road / Newbury College Roundabout junction. The proposed access is shown in Appendix C of the submitted Transport Assessment (TA). The proposed access will be 6 metres wide, and will be provided with 2.4 x 43 metre sight lines that are compliant with standards set in the governments Manual for Streets as advised in the submitted TA, although no visibility plans have been provided to demonstrate this. Footways will be provided along both sides of the access road, which will connect into the existing footways along Monks Lane. Details of how cycle routes will connect onto the existing Monks Lane cycle route have not been provided although this can be secured by condition.

Monks Lane Western Access

9.233 This is proposed as a normal roundabout junction with an inscribed circle diameter of 30 metres. This will provide an access approximately 300m to the west of the Eastern Access. The proposed access is shown in Appendix D of the TA. Again footways will be provided along both sides of the access road, which will connect into the existing footways along Monks Lane. Details of how cycle routes will connect onto the existing Monks Lane cycle route have not been provided although this can be secured by condition.

Smaller access west of the Monks Lane Western Access

9.234 In respect of the smaller access to the west of the Monks Lane Western Access, this should be acceptable subject to the provision of 2.4 x 43.0 metre sight lines, although no visibility plans have been provided to demonstrate this. The Highways Officer has indicated that this is likely to be achievable. However, it is apparent that in order to achieve adequate visibility from this access, significant existing hedgerow and trees will be required to be removed and it is unclear whether there would be sufficient space for adequate mitigation planting. It is disappointing that, despite access being a matter not reserved for later consideration, insufficient details of visibility splays, and the resultant impact on green infrastructure, has not been provided. Furthermore, the submitted controlling plans (SLGI Plan and Green Infrastructure Parameter Plan) show no replacement planting to mitigate the loss of this significant green infrastructure, contrary to Development Principle C1 of the Sandleford Park SPD.

A343 Andover Road Access

9.235 As noted earlier, access from the SSSA onto the A343 Andover Road via Warren Road is not within this application site and is not proposed as part of this application. Furthermore, application 19/02707/FUL for a proposed access in this location to serve the SSSA, submitted by the applicants for Sandleford Park West and referred to in this application submissions, has been withdrawn. In addition,

there are no proposals for an access to serve the whole of Sandlford Park West or the remainder of the SSSA within the planning application for that part of the SSSA (18/00828/OUTMAJ).

- 9.236 As a result, the DPC proposed within this application would initially be served by two accesses proposed onto Monks Lane only and would be restricted to one single point of vehicular access via the proposed central valley crossing. Once constructed, the A339 link road will also provide an access onto the public highway for the development proposed in this application. However, access to DPC will still be restricted to one single point of vehicular access via the proposed central valley crossing. Until the remainder of the SSSA at Sandlford Park West has been granted planning permission, including the provision of a suitable access from the A343 Andover Road, and that permission has been implemented, access from the A343 Andover Road to the boundary of this application site at the location shown indicatively on the illustrative combined plans submitted is not secured.
- 9.237 Consequently, there is a risk that DPC will be accessible to vehicles via the single central valley crossing only for a prolonged and sustained period of time until planning permission is secured and implemented within the remainder of the SSSA. DPC is to provide circa 450 dwellings, including extra care housing, and a local centre comprising flexible commercial floor space (A1-A5 up to 2,150 sq.m., B1a up to 200 sq.m.) and D1 use (up to 500sq.m). As a result, and as the applicants were advised in discussions in respect of previous applications, there is concern that emergency vehicular access to DPC and vehicular access for residents and users of the local centre would be inadequate should the single point of access across the central valley crossing be obstructed, for maintenance reasons or due to an accident.
- 9.238 In response to this concern, the applicants have provided illustrative details of a central valley crossing proposal comprising a substantial embankment crossing that splits into two single carriageways with a landscaped section between (Appendix F of the TA). In addition, the applicants have also submitted an illustrative proposal for an emergency vehicle access from the A339 to run alongside the existing public right of way (GREE/9/1), utilising in part the proposed cycleway with the addition of a grasscrete strip (Appendix E of the TA). The route of that illustrative emergency access shown in Appendix E of the TA submitted would need to divert from running alongside the public right of way in order to avoid trees that are to be retained within the proposed country park. It is noted that none of the submitted controlling plans, or illustrative plans for the SSSA, include the proposed route of this emergency access alongside the existing public right of way (GREE/9/1).
- 9.239 As confirmed by the Highways Officer, the most appropriate solution to providing adequate access to DPC would be the provision of a road through the remainder of the SSSA onto the A343 Andover Road, but unfortunately the developers will not work together in this regard and seek to propose alternative arrangements to address this lack of comprehensive development. The Highways Officer considers that the illustrative proposal for the central valley crossing is inadequate and for it to work the two separate carriageways would need to be extended to level ground and the bridge would need to be two separate structures. This is, for instance, to enable separate maintenance schedules for any structure without affecting the other that would remain open. The Highways Officer also considers that at least one passing place would be required within the narrowing on both routes.
- 9.240 Furthermore, the illustrative central valley crossing embankment would affect key cycle and pedestrian routes that are proposed along the valley floor. Users of that

route would have to climb a steep sided embankment, cross the main access road comprising two separate carriageways and descend the other side in order to access the 'Key Footpath / Cycle Link' to the rear of the Rugby Club/Surgery, as shown on the Land Use and Access Parameter Plan submitted.

9.241 In respect of the proposed emergency access route from the A339 alongside the public right of way, the Highways Officer considers that this would not be acceptable as a bonded surface of sufficient width would be required (grasscrete is unacceptable). In addition, the diversion that an emergency vehicle would need take to use this route would be too great, delaying the time taken to reach DPC.

Access Matters Summary

9.242 Access is not a reserved matter. It is considered that the detailed access proposals into the application site fail to provide satisfactory access to DPC. As such, the proposed access details are inadequate and insufficient and therefore unacceptable.

9.243 In addition, the critical issue of access to DPC and the applicant's proposed design response have a number of harmful and unnecessary consequences for the development and the site as follows:-

i) in highways terms satisfactory emergency access could only be provided in this case in the form of two separate and independent access road structures across the entire width of the central valley. The applicant's illustrative solution is for a single substantial earthworks embankment bridge structure instead. This would result in unnecessary and unacceptable harm to:- a) the landscape character and visual quality of the valley; b) trees on the valley side; and c) the ecology of the riparian valley, including the priority habitat of rush pasture, with the area of purple moor grass of county importance. Similar concerns are also raised in respect of the potential adverse harmful impact of the proposed construction access across the central valley to DPC and also to PHS. The proposed central valley crossing embankment would also introduce an unacceptable and unnecessary obstacle to the proposed pedestrian and cycle routes running along the two sides of the central valley, which seek to connect the country parkland and the whole of the SSSA to the Rugby Club site to the north; and

ii) the other emergency access in the form of the Grasscrete widening of the proposed cycleway within the country parkland and its consequent diversion in part from running adjacent to the public right of way (PROW9), would introduce an unnecessary additional element of domestication within the country parkland, which results in unnecessary and unacceptable harm to the landscape character and visual quality of the landscape, as well as to an ancient woodland (Waterleaze Copse) and associated riparian valley crossing, through which it would pass.

9.244 The proposal, by disregarding the importance to deliver a comprehensive and co-ordinated holistic development, is ill-thought out, will cause unnecessary substantial material harm to a whole range of interests of acknowledged importance, would fail to deliver a satisfactory form of development and is therefore unacceptable and inappropriate on a number of levels including provision of satisfactory access to DPC. In this respect it is contrary to Policies ADPP2, CS3, CS5, CS13, CS14, CS17, CS18, CS19 of the West Berkshire Core Strategy Development Plan Document (CS DPD, adopted July 2012); Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); and the Vision, the Strategic Objectives and the Development Principles including S1, L1, L2, L4, L6, L7, E1,

E2, A1, A2, A6, F1, F2, U1, U4, U5, CA7 & CA9 of the Sandlford Park SPD (adopted March 2015).

Impact on Local Highway Network

9.245 Following the refusal of applications 15/02300/OUTMAJ, 16/00106/OUTMAJ and 16/03309/OUTMAJ, the applicants have undertaken highway modelling of the development proposals using the Council's VISSIM model. The VISSIM model covers much of Newbury and included a number of committed development, including the development of land at Manydown, Basingstoke, for 3,200 dwellings (Planning application 18/00818/OUT, Basingstoke and Deane Council). What was not included in the highway modelling undertaken by the applicants were the recently approved University Centre at Newbury College with planning application (ref:19/01269/FUL) and the change of use of Homebase to a Lidl store at the Newbury Retail Park with planning (ref: 18/02478/COMIND). However, in the interests of expediency the Highways Officer did not consider that these omitted development would warrant the wholesale rerun of the traffic modelling undertaken. Nonetheless, should more developments generating significant traffic on the local highway network be submitted and approved, the Highways Officer advises that this position will need to be reconsidered.

9.246 The VISSIM highway modelling undertaken included the following scenarios:

- The **2031 Reference Case** model covers the highway network as projected in 2031. Traffic from all known committed developments in the Newbury area are included. Also included are all planned highway improvement schemes along the A339 and the A4 and the B3421 link road at Sterling Industrial Estate.
- **Scenario A** includes the total development from both planning applications 20/01238/OUTMAJ and 18/00828/OUTMAJ for the development of the whole of the SSSA.
- **Scenario C** includes the development proposed in this application only for 1,000 dwellings accessed via Monks Lane and the A339.
- **Scenario D** includes the development for the remainder of the SSSA as proposed under application 18/00828/OUTMAJ for 500 dwellings accessed via Warren Road.

9.247 The modelling results demonstrated that, without any mitigation, the impact on the highway network for scenarios A, C and D would be unacceptable.

9.248 With the mitigation detailed in tables 1, 2 and 3, secured to be implemented at the triggers points stated, the residual cumulative impacts on the local highway network are not consider to be severe so as to warrant a refusal in accordance with the NPPF.

Table 1: Highway Mitigation to be secured through this application 20/01238/OUTMAJ.

Scheme	Drawing Number	Procured by:	Trigger Point & Responsibility for Delivery
A339/B4640 Swan Roundabout improvements with VMS and A339 PROW Greenham 9 crossing	81311-041-108 (West Berks drawing)	S 278 highway works	Occupation 100 dwellings - Bloor Homes
Rupert Road, Chandos Road and Wendan Road pedestrian improvement's	Drawing to be provided	S278 highway works	Occupation 100 dwellings - Bloor Homes
Monks Lane Eastern Site Access	172985_A_07.1 (Vectos drawing)	S278 highway works	Upon commencement - Bloor Homes
Monks Lane Western Site Access	172985_A_08 (Vectos drawing)	S278 highway works	Upon commencement - Bloor Homes
A339 access	4768-SK-100 (WSP drawing)	S106 £1,500,000	Upon commencement - Bloor Homes
Provision of bus services into development from Monks Lane to Andover Road		S106	Occupation 100 dwellings - Bloor Homes in DPC
A339/Pinchington Lane/Monks Lane/Newtown Road	172985_A_01 Rev C	S106 cost £10,054,835	Occupation 400 dwellings - Bloor Homes

Table 2: Highway mitigation to be secured for development of remainder of SSSA.

Scheme	Drawing Number	Procured by:	Trigger Point & Responsibility for Delivery
A343 Andover Road – Warren Road to Monks Lane Cycle Route	172985_A_05.2 (Vectos drawing)	S278 highway works	Occupation 100 dwellings - Donnington New Homes
A343 Andover Road – Monks Lane to Buckingham Road pedestrian / cycle improvements	18/00828/S278/PHI/OP 1/P3 (West Berks drawing)	S278 highway works	Occupation 100 dwellings - Donnington New Homes
A343 Andover Road/Monks Lane Junction	81311-59-001 (West Berks drawing)	S278 highway works	Occupation 100 dwellings - Donnington New Homes
A343 access - 4.8 metres wide with 1.5 metre wide footway one side	A090455-SK23 (WYG drawing)	S278 highway works	Occupation 1 dwelling - Donnington New Homes
A343 access – 6.0 metres wide with 2.0 metre wide footway both sides	Refer to planning application 19/02707/FUL	S278 highway works	Occupation 100 dwellings - Donnington New Homes
Kendrick Road emergency access	A090455-SK24 (WYG drawing)	S278 highway works	Occupation 100 dwellings - Donnington New Homes

Table 3: Highway mitigation to be secured by whichever development reaches the trigger point first.

Scheme	Drawing Number	Procured by:	Trigger Point & Responsibility for Delivery
Comprehensive, coordinated and consistent Travel Plan measures		S106	To be funded by both developers proportionately
Newtown Road / Pound Street and Bartholomew Street / Market Street traffic signals upgrade		S106 cost of £143,000 per junction	Occupation 100 dwellings any part of SSSA
A339/A343 St Johns Road Roundabout	172985/A/12	S106 cost £1,532,703	Occupation 500 dwellings any part of SSSA

9.249 All items shown in table 1 above are required to be secured and delivered by this application, 20/01238/OUTMAJ. All items shown in table 2 above are required to be secured and delivered by the development of the remainder of the SSSA. All items shown in table 3 above are required to be delivered by whichever application site reaches the respective trigger point first. The costs quoted in the above tables should be seen as provisional estimates based on current prices and information currently available. Some of these costings and works have yet to be agreed with the developers, including the works along the Andover Road, the A339 junction improvements and the traffic signal improvements along Bartholomew Street.

9.250 It is important to note that even with the above mitigation the highway modelling demonstrates that there would remain a significant impact on the north bound traffic leading to the A339 / A343 St Johns Roundabout / Greenham Road Roundabout. However, the Highways Officer advises that despite traffic queues being shown to lengthen in the modelling on the north bound approach to this junction, with the development proposed and the above mitigation implemented, it would provide opportunities to reduce queues southbound that are likely to trail through existing junctions to the north. Furthermore, it may be possible that northbound traffic can be managed much more from the new traffic signal junctions being proposed to the south when they are completed.

9.251 Therefore, subject to securing the delivery of the highway mitigation listed in the tables above at the appropriate trigger points, the impact of the development proposed on the local highway network is not considered sufficient to warrant a refusal. However, in the absence of an adequate, completed, planning obligation to secure the delivery of the necessary mitigation, the development would result in a severe impact on the local highway network, contrary to paragraph 109 of the NPPF as well as Policies CS3, CS5 and CS13 of the Core Strategy and the Sandleford Park SPD.

9.252 It is acknowledged that Hampshire County Council (HCC) as the Local Highway Authority for the adjacent County, to the south of the application site, have raised a holding objection in their response. HCC consider that certain details are required to be provided before they would remove their holding objection. In respect of the requested information the Highways Officer has not raised any concerns to substantiate the need for that additional information and it is apparent that some of the information requested has been provided in the application submissions (e.g. details of bus service improvements, connecting the development to existing rights of way). In respect of the A34 information, this was also requested by Highways England and is discussed below.

Impact on Strategic Highway Network (A34)

- 9.253 Policy CS3 of the Core Strategy requires infrastructure improvements to be delivered in accordance with the Council's IDP. The provision of junction improvements to the A34/A343 were identified as critical infrastructure in the Council's IDP. As noted in the Highways Officer's response proposals on the local highway network seek to direct traffic to the A34 rather than travelling through Newbury town centre.
- 9.254 Highways England have advised in their response that they spoke with the applicants' transport consultant on 16th July 2020 and are awaiting further information in relation to the mitigation package planned. As a result Highways England have requested that the application is not determined, other than to be refused, until such information has been provided and has resolved their concerns.
- 9.255 In the absence of that further information requested by Highways England at their meeting with the applicants' transport consultant, the application fails to provide sufficient information to demonstrate that the development proposed would not result in a severe impact requiring mitigation on the A34 Strategic Road Network, despite the IDP identifying the A34/A343 junction as critical infrastructure. The proposal is therefore contrary to Policies ADPP2, CS3, CS5 and CS13 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012).

Pedestrian and Cyclist Matters

- 9.256 The Highways Officer has identified in his response a number of pedestrian and cycle routes to be improved to and from the site for the development of the whole of the SSSA. These include:
- a. Along Monks Lane and Pinchington Lane towards Newbury College, retail and employment along Pinchington Lane.
 - b. Along Newtown Road towards Newbury town centre.
 - c. Across the A339 to Deadmans Lane towards Newbury College, retail and employment along Pinchington Lane.
 - d. Via the Public Right of Way Footpath Greenham 9 and the A339 to Greenham Common and employment at New Greenham Park.
 - e. Along Rupert Road / Chandos Road / Wendan Road towards Newbury town centre.
 - f. Along the A343 Andover Road to nearby schools, retail and towards Newbury town centre.
- 9.257 Routes a and b are already high quality routes and the proposed new traffic signal junctions at the A339 / Pinchington Lane / Monks Lane Roundabout and the Monks Lane / Newtown Road / New College Roundabout would provide new crossing opportunities.
- 9.258 Route c would be provided with the new access onto the A339 that includes a pedestrian crossing over the A339 within the junction.
- 9.259 With respect to route d, it is proposed to improve this route with improvements to the A339 / B4640 Roundabout that include a crossing point over the A339 as shown in Appendix L of the submitted TA

- 9.260 Route e links well with the existing Monks Lane pedestrian crossing near Rupert Road. Albeit rather steep along some stretches, it is a quiet route for cyclists. The Highways Officer considers that footways need to be improved with dropped kerbs and tactile paving across junctions along the route. However, this has not been proposed in the application submissions, rather the applicants suggest that this route could be improved by way-finding signage and, potentially, additional road markings only.
- 9.261 For route f, pedestrian and cycle improvements along the A343 Andover Road are proposed in Figures 5 and 6 of the submitted TA and Figure 13.3 of the ES, including the provision of an off road cycle route along the eastern side of the Andover Road from Warren Road to Monks Lane that links into a proposed Zebra crossing on Monks Lane. Subject to being designed in detail ensuring adequate widths the Highways Officer supports those proposals. For the section of the Andover Road from Buckingham Road to Monks Lane, also proposed to be delivered through this application, a wider shared route is only just possible along the western side of the Andover Road. The Highways Officer considers that improvements to footways along this route may be more important as they are heavily used by school children and the footway is narrow in places particularly near Tydehams, however this has not been identified or proposed in the application submissions.
- 9.262 The Highways Officer has considered the pedestrian and cycle off-site mitigation proposed and sets out in table 1 above those necessary to be secured and delivered for the respective parts of the SSSA, together with the trigger points by which they are to be provided. In the absence of an adequate, completed, planning obligation to secure the delivery of those necessary mitigation measures, the development would provide inadequate and insufficient off-site pedestrian and cycle mitigation, contrary to Policies CS5, CS13 and CS14 of the Core Strategy as well as the Sandleford Park SPD.
- 9.263 In respect of pedestrian and cyclist provision within the application site, the Transport Officer raises concern that the site is being planned and developed in a disjointed way due to the developers not working together in the way which had been envisaged when the whole site was first allocated. As such this reduces the confidence that pedestrian and cyclist links within and through the SSSA and the effective linking of this site with the neighbouring Newbury communities and facilities is comprehensively planned, and, reduces the certainty that all of the proposed pedestrian and cyclist provision within the SSSA will be holistically delivered.
- 9.264 It is unhelpful that the application submissions, particularly those relied upon by the applicants to demonstrate that the SSSA will be comprehensively planned and holistically delivered, contain inconsistencies and contradictory proposals. In respect of pedestrian and cycle links within the site these include (but are not limited to):
- Proposed access points for all traffic modes, footpath and cycles between this application site and the remainder of the SSSA are shown on the submitted Combined Land Use and Access Parameter Plan but the Access Parameter Plan submitted by the applicants for the remainder of the SSSA refer to access points at boundary with this application site as indicative and for pedestrians only and not cyclists.
 - The point at which the main access route enters the remainder of the SSSA is shown on the submitted Combined Land Use and Access Parameter Plan as being the 'Proposed Access Point for All Traffic Modes'. However, the

application for the remainder of the allocated site identifies the main access road crossing point on the boundary with this application site as being indicative only.

- A 'Potential Future Link with 1FE School' is shown on the Land Use and Access Parameter Plan and Combined Land Use and Access Parameter Plan submitted with this application. However, no link from the primary school within the application for the remainder of the SSSA is proposed in the same location at boundary with this application site.
- An existing track/footpath running north to south at the eastern end of the country park is proposed to be retained in the SLGI Plan submitted but is not shown as being retained in the submitted Land Use and Access Parameter Plan or Combined Land Use and Access Parameter Plan.
- The existing public right of way through this application site (GREE/9/1) is proposed in the SLGI Plan submitted to be upgraded to a shared footpath and cycle link 3 metres in width. However the submitted TA (Appendix E) proposes a 3 metre wide cycle route with an additional 1 metre wide grasscrete section separated from the right of way by a 1 metre soft margin to run alongside the existing right of way with a diversion at the eastern end.
- There are small differences in the submitted plans in respect of the proposed locations of access points along the boundary between this application site and the remainder of the SSSA.

9.265 As previously noted, the proposed illustrative central valley crossing that seeks to address vehicular access to DPC, comprising a substantial embankment crossing, would introduce an unacceptable and unnecessary obstacle to the proposed pedestrian and cycle routes running along the two sides of the central valley, which seek to connect the country parkland and the whole of the SSSA to the Rugby Club site to the north.

9.266 Whilst the combined plans submitted show one way in which the whole of the SSSA could be developed, in respect of pedestrian and cycle links within and through the SSSA the proposed pedestrian and cycle routes cannot be secured to require the remainder of the SSSA to be developed in the manner set out in those illustrative plans provided. Therefore, in the absence of a single application for the whole of the SSSA, this application fails to ensure the holistic comprehensive development of SSSA, with a view to maximising its potential as a well-planned and sustainable urban extension, contrary to Policies CS5, C13 and CS14 of the Core Strategy as well as Policy GS1 of the HSA DPD and the Sandford Park SPD.

Public Transport and Travel Plan

9.267 As noted in the Transport Policy Team response to this application, some specific comments made in respect of the previous applications have not been taken on board. In addition, the Transport Policy response provides the following observations of changes that have been made to the submitted Travel Plan since the submission of previous applications. These are:

- a) The mode share used as an indicative baseline for the development considers census data for Super Output Area E01016293. The reason for looking at the 2011 census data is to establish what the existing mode share is for journeys to work in the area and therefore use these as an indication of the likely pattern of mode share that might be adopted by residents of the proposed development (without the intervention of a travel plan). This was raised previously that this was the most appropriate area to choose. It is quite a different area to the Wash Common and St John's areas that are also adjacent to the application site. The picture that the data from the chosen SOA gives is then used as a basis for

target setting for the Travel Plan. As such Transport Policy would like to see journey to work census data from the residential areas to the west and the north of the application site to be considered in the preparation of these indicative mode share figures and the setting of initial targets.

- b) Transport Policy do not consider the indicative targets to be very ambitious given the fact that there is momentum gathering as a result of the Council's declaration of a climate emergency. This should be the very best time to be proposing ambitious plans and aiming to create a development where sustainable travel can be a real option for residents. It is important to get the baseline (or proxy for a baseline) right first and then look at targets. However, it is acknowledged that targets will be changing as the Travel Plan work develops and as the site is built out so they should be kept under constant review. Nevertheless, it is not appropriate to start from a position of low ambition and this development will have a key role to play in helping to achieve carbon neutrality by 2030 (when it will still be being built).
- c) The marketing of the Travel Plan will be key to people engaging and being willing to consider changing travel habits – there is a marketing section in the Travel Plan but there is no mention of social media which is considered to be one of the key tools that can be effective in communicating what is on offer to residents. This can be worked on during the course of the development of the Travel Plan but is an example of how these things need to move on and not just rely on the same methods discussed 10 years ago.
- d) One area of concern is the move away from previous submissions of provision of car club vehicles to serve the development, as demonstrated by para 5.25 of the Travel Plan. They mention the existing Car Club but not any enhancements / expansion of the scheme to cover the development site. There is no explanation for this change in direction and this not considered acceptable.
- e) Another area of concern is the non-committal language used in para. 8.22 of the TA when talking about linking the development with Newbury railway station with a frequent bus service. It is considered that this is to form a necessary key part of the public transport strategy for the development but there is no real commitment shown. It is acknowledged that there is more work to be done on the public transport strategy as a whole.

9.268 Despite these issues identified with the proposals submitted, the Transport Policy Team note that there does not seem to be any progress from the developers towards having one Framework Travel Plan that would cover the whole of the SSSA. This was requested during meetings in respect of previous applications submitted and the applicants advised that they would look into this matter. Despite this, no combined Framework Travel Plan covering the whole of the SSSA has been provided. Moreover, the submitted Travel Plan for this application contains objectives and targets that differ to those proposed in the Travel Plan submitted for the application for the remainder of the SSSA, as well as different methods for communication, promotion, incentives, measures, management, monitoring and reporting. Given that a significant part of the development proposed in this application (DPC) would be located within Neighbourhood B (SP SPD) that is to also include the development within the remainder of the SSSA, this would result in members of the same neighbourhood being subjected to different travel plan measures and methods. This does not represent a holistic comprehensive development that seeks to maximise the SSSA's potential as a well-planned and sustainable urban extension. As such the application runs contrary to Policies

CS13 and CS14 of the Core Strategy as well as Policy GS1 of the HSA DPD and the Sandford Park SPD.

9.269 In light of this the Transport Policy Team have suggested that an alternative approach may be more appropriate. This could comprise the payment of a contribution toward the responsibility and management of travel plan measures being undertaken by the Local Authority instead. The developers for both parts of the SSSA would each need to contribute to cover the cost of this work for the initial period of the development equivalent to what would be deemed the lifetime of the travel plan if they were implementing it. This would then achieve a consistent approach which is linked into any other Council initiatives and residents would have one place to go for their information, incentives and advice. However, in the absence of an adequate, completed, planning obligation to secure such a contribution, the development proposed is not considered to represent a holistic comprehensive development that seeks to maximise the SSSA's potential as a well-planned and sustainable urban extension. As such the application runs contrary to Policies CS13 and CS14 of the Core Strategy as well as Policy GS1 of the HSA DPD and the Sandford Park SPD.

9.270 During the consideration of previous applications submitted by the same applicants discussions took place between the applicants, the Local Highway Authority, the Transport Policy Team and Reading and Newbury Buses. As part of those discussions the document provided in Appendix 9 of the 'Response to Reasons for Refusal To Application 16/03309/OUTMAJ' document submitted was produced by Reading and Newbury Buses. However, those discussions were not concluded and agreement between all parties to the bus service proposals contained within those documents, as well as the contribution amounts required, had not been reached prior to the submission of this application.

9.271 Policy CS3 of the Core Strategy requires a sustainable transport link through Warren Road onto the Andover Road and for infrastructure improvements to be delivered in accordance with the IDP. As part of the critical infrastructure identified in the Council's IDP is a new/improved bus service linking Sandford to the town centre and bus access from Sandford to Andover Road through Warren Road.

9.272 The applicants in para. 76 of the submitted 'Response to Reasons for Refusal To Application 16/03309/OUTMAJ' document indicate that they are willing to secure a contribution to fund such a service as shown in the Draft S106 agreement provided. However, the applicants do not indicate whether they are willing to fund all or part of the bus services proposed.

9.273 In the absence of an adequate, completed, planning obligation to secure a contribution to provide the necessary bus services to the development proposed, the application runs contrary to Policies CS3, CS13 and CS14 of the Core Strategy as well as Policy GS1 of the HSA DPD and the Sandford Park SPD.

Construction Traffic

9.274 A number of representations received raise concern regarding construction traffic and haul routes. The application submissions include a Construction and Traffic Management Plan (CTMP, Appendix G of TA) which is intended to feed into a wider Construction Environment Management Plan (CEMP) a copy of which is provided in ES Vol. 3 Appendix D1. All construction traffic is to be routed via the A34/B4640 to enter the application site via Monks Lane and construction vehicle movements are proposed to be limited during peak hours (8-9am and 5-6pm).

Mitigation measures such as wheel washing and road cleansing are proposed within the submitted CTMP.

9.275 The Highways Officer has raised no concerns regarding construction traffic and the details provided. The Environmental Health Officer has also considered the details submitted and raises no objections in respect of construction traffic and its impacts subject to a further detailed CEMP being adequately secured by condition.

9.276 The applicants have proposed in the submitted Draft Conditions document that a condition is used to secure an approved detailed CEMP for each parcel of development prior to development commencing within that parcel of development. The applicants have also proposed the submission and approval of a CTMP prior to the commencement of any development within the application site. It is also noted that a condition is proposed to restrict construction deliveries outside of the hours of 7:30-18:00 Monday to Friday, contrary to that proposed in the submitted CTMP.

9.277 A condition is also proposed to secure details of a construction haul road to the Park House School expansion land. This has been proposed by the applicants following previous discussions between the applicants, the school and the LEA where concern was raised in relation to construction traffic for the works to the school and expansion land using the existing access to the school, which would generate health and safety and disruption issues for users of the school. As such it is necessary that construction access to the school would be from within the application site to the proposed expansion land. This will require some form of crossing over the central valley to enable construction access, potentially a temporary crossing prior to the provision of the central valley crossing proposed in the application submissions, resulting in potential impacts that have not been considered in the application submissions. This further demonstrates the lack of comprehensive planning and holistic delivery of the necessary infrastructure. A coordinated approach to the development of the SSSA and associated infrastructure could enable an alternative construction route, at the appropriate time, to deliver the works and expansion land for Park House School.

Transport and Highways Summary

9.278 Access is not a reserved matter. It is considered that the detailed access proposals into the application site fail to provide satisfactory access to DPC. As such, the proposed access details are inadequate and insufficient and therefore unacceptable, contrary to a whole range of Core Strategy Policies and Sandleford Park SPD Development Principles, as noted earlier in this section.

9.279 Subject to securing the delivery of the highway mitigation listed in the tables above at the appropriate trigger points, the impact of the development proposed on the local highway network is not considered sufficient to warrant a refusal. However, in the absence of an adequate, completed, planning obligation to secure the delivery of the necessary mitigation, the development would result in a severe impact on the local highway network, contrary to paragraph 109 of the NPPF, Core Strategy Policies and the provisions of the Sandleford Park SPD.

9.280 In the absence of further information requested by Highways England at their meeting with the applicants' transport consultant, the application fails to provide sufficient information to demonstrate that the development proposed would not result in a severe impact requiring mitigation on the A34 Strategic Road Network, despite the IDP identifying the A34/A343 junction as critical infrastructure. The

proposal is therefore contrary to Policies ADPP2, CS3, CS5 and CS13 of the Core Strategy.

9.281 Whilst the combined plans submitted show one way in which the whole of the SSSA could be developed, in respect of pedestrian and cycle links within and through the SSSA the proposed pedestrian and cycle routes cannot be secured to require the remainder of the SSSA to be developed in the manner set out in those illustrative plans. Therefore, in the absence of a single application for the whole of the SSSA, this application fails to ensure the holistic comprehensive development of SSSA, with a view to maximising its potential as a well-planned and sustainable urban extension, contrary to Policies CS5, C13 and CS14 of the Core Strategy as well as Policy GS1 of the HSA DPD and the Sandleford Park SPD.

9.282 No Framework Travel Plan covering the whole of the SSSA has been provided or secured. Moreover, the submitted Travel Plan for this application contains objective and targets that differ to those proposed in the Travel Plan submitted for the application for the remainder of the SSSA as well as different methods for communication, promotion, incentives, measures, management, monitoring and reporting. Given that a significant part of the development proposed in this application (DPC) would be located within Neighbourhood B (SP SPD) that is to also include the development within the remainder of the SSSA, this would result in members of the same neighbourhood being subjected to different travel plan measures and methods. This does not represent a holistic comprehensive development that seeks to maximise the SSSA's potential as a well-planned and sustainable urban extension.

9.283 However, in an effort to be proactive, it is suggested that travel planning is undertaken by the Local Authority instead, requiring a contribution to be secured and paid by the developers of the SSSA to provide that service. However, in the absence of an adequate, completed, planning obligation to secure such a contribution, the development proposed is not considered to represent a holistic comprehensive development that seeks to maximise the SSSA's potential as a well-planned and sustainable urban extension. As such the application runs contrary to Policies CS13 and CS14 of the Core Strategy as well as Policy GS1 of the HSA DPD and the Sandleford Park SPD.

9.284 In respect of bus service provision, identified as critical infrastructure in the Council's IDP, no adequate, completed, planning obligation has been provided to secure a contribution to provide the necessary bus services to the development proposed. As such, the application runs contrary to Policies CS3, CS13 and CS14 of the Core Strategy as well as Policy GS1 of the HSA DPD and the Sandleford Park SPD.

9.285 A number of representations received raise matters including highway safety and suggested alternative accesses. The Highways Officer has reviewed the application and has not raised concerns or objections in respect of those highways matters raised in the representations and alternative proposals are not part of this application.

Air Quality

9.286 In respect of the impact of air quality on ecology, including impact on Special Areas of Conservation (SACs), refer to the Ecology and Biodiversity section of this report above.

9.287 Confusingly, ES Vol. 1 Chapter 15 states in section 15.3.9 states that an assessment in isolation of development at SPW is not possible due to VISSIM flow data included 100 dwellings for Sandleford Park West (SPW, the remainder of the SSSA not part of this application). However, the traffic flow data provided in ES Vol. 3 Appendix M1 makes no reference to it including 100 dwellings at SPW. Furthermore, section 15.3.7 of ES Vol. 1 Chapter 15 sets out the assessment scenarios for the air quality assessment, one of which is stated as Bloor Homes development (this application) with three accesses only and section 15.6.1 reinforces the point that the assessment has been undertaken considering the Sandleford Park (this application site) in isolation. The submitted Air Quality Assessment (AQA) provided in ES Vol. 3 Appendix O1 also contains the same conflicting information together with others.

9.288 Nonetheless, the details submitted in respect of air quality have been reviewed by the Environmental Health Officer who raises no objections subject to securing details in respect of construction management and piling by conditions.

Amenity of Existing Surrounding Properties

9.289 Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF and Core Strategy Policy CS14.

9.290 The Council's Supplementary Planning Document (SPD) Quality Design Part 2 provides guidance on the impacts of development on neighbouring living conditions.

9.291 As the application seeks outline permission only with access to be considered at this stage, the impact on neighbouring amenity in respect of privacy, outlook, sunlight and daylight are issues that would need to be examined at the reserved matters stage. It is considered that the proposals set by the parameter plans do not raise any significant concerns in this respect.

9.292 Any future applications for reserved matters would need to ensure suitable separation distances between the built form and neighbouring properties and the retention or reinforcement of intervening landscaping along the boundaries of the site.

9.293 In respect of the potential noise impacts from the development, during and after construction, a Noise Assessment has been submitted as part of the ES (Vol. 3, Appendix N1). The Assessment details modelling including traffic, construction activities, Newbury College car park, Household Waste Recycling Centre (HWRC) and noise breakout from the Rugby Ground, Leisure Centre, Public House, Newbury College and Park House School. In the event that the whole of the SSSA is developed with four accesses, the submitted ES identifies that the properties along Sunley Close and Warren Road are predicted to experience significant adverse impact due to the additional traffic being introduced to a currently very low traffic area. However, the Environmental Health Officer raises no objections to this application subject to conditions securing details of a Construction and Environmental Management Plan (CEMP) to be submitted and approved, together with hours of construction work and piling methods.

9.294 A Lighting Assessment (ES Vol. 3 Appendix F20) has been submitted which considers the potential light trespass impact on existing surrounding properties as a result of the proposed development. The Assessment concludes that the proposed development is not predicted to result in any significant adverse impacts

with respect to local sensitive residential locations. The final lighting scheme would be agreed with the Local Planning Authority prior to the commencement of development of each phase to ensure it meets the design criteria detailed in the Lighting Assessment.

9.295 The submitted AQA (Volume 3, Appendix 16.1 of the ES) considers the potential effects of dust and particulate emissions from site activities and materials movement during the construction phase. As detailed in the Construction Impacts section of this report, the Assessment confirms that without mitigation measures there is a risk that neighbours could be affected by elevated levels of PM10 and dust. Mitigation measures are recommended to minimise impacts on neighbours. Consideration has also been given to the need for a management strategy to prevent the burning of materials on site. These mitigation measures should be included in the CEMP and could be controlled by condition, in accordance with the NPPF.

9.296 As such the impacts on existing surrounding properties is not considered to represent a significant constraint in the determination of this application.

Amenity of Future Residents

9.297 The site has scope to ensure that it is designed to offer a high level of residential amenity and quality of life for the future residents.

9.298 However as mentioned and dealt with elsewhere in this report, the failure to provide a comprehensive development of the SSSA and thus to secure an all vehicular access to the west and on to Andover Road and as a result the need for the emergency access provisions in respect of DPC and the failure to provide adequate permeability are main concerns in relation to this application proposal. This is an unnecessary situation and it would result in an unnecessary compromise in the residential amenity and quality of life of the future residents of DPC. The proposal is contrary to Core Strategy Policy CS14 in this respect.

Contaminated Land

9.299 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 a phase 1 desktop study for each development phases, and full details of remediation if required, as proposed by the applicants in draft condition 39.

Loss of Agricultural Land and Impact on Soils

9.300 Paragraph 170 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).

9.301 Paragraph 170 of the NPPF also promotes the view that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing, amongst other factors, soils. The emphasis is on safeguarding the ability of soils to deliver a range of ecosystem services and functions, including food production, carbon storage, water filtration, flood management and support for biodiversity and wildlife.

- 9.302 The assessment of the impacts on agricultural land and soils (ES Vol. 1, Chapter 8) prepared by Reading Agricultural Consultants (RAC) outlines that the majority of agricultural land within this application site is classified as Subgrade 3a (good quality land) and Subgrade 3b (moderate quality land). The assessment considers that the main limitation to the quality of the land in these grades is soil droughtiness due to varying stone contents in the soil profile which limit water availability for crops. Occasionally, stone content in the topsoil is considered sufficient on its own to limit land to Subgrade 3b. The assessment also sets out that there is also some limitation due to soil wetness where slowly permeable clay horizons in the soil profile impede drainage.
- 9.303 The shallow valley through the centre of the site is considered, in the RAC assessment, to comprise land of Grade 4 land (poor quality) due to a soil wetness limitation as a result of high groundwater levels and seepage.
- 9.304 Two small areas of Grade 2 land (very good quality) have been identified, in the RAC assessment. In these areas very slight limitations of either soil wetness (associated with slowly permeable clay horizons in the soil profile) or droughtiness (due to stone contents restricting profile water availability) were identified. RAC's own soil survey was unable to replicate MAFF's (Ministry of Agriculture, Fisheries and Food) soil observations for these areas, however, this was not considered to conclusively demonstrate an absence of Grade 2 quality land.
- 9.305 Land of BMV agricultural quality is considered, in the RAC assessment, to comprise approximately 28ha of the site, with poorer quality agricultural land (Subgrade 3b and Grade 4) and non-agricultural land making up the majority of the site (some 75% of the total application site).
- 9.306 Where BMV agricultural land is involved in land use decisions, the NPPF requires that account is taken of the economic and other benefits deriving from it. The economic value of the better land is limited by its relatively small extent and the dispersed nature of its distribution. No single field unit is considered to comprise BMV quality land as identified in the RAC assessment. The majority of the site is currently contract farmed and as such there are no particular current or prospective economic benefits deriving from the presence of the relatively small quantity of BMV land. Therefore a specific assessment of the implications of the proposed development on individual land interests is considered unnecessary, as confirmed in the RAC assessment.
- 9.307 The development of the application site and the remainder of the allocated site would cause the permanent loss of 8.9 ha of BMV agricultural land, and a reduction in the existing functions of the soil resources. These are considered to be adverse effects, but of minor adverse weighting, and below a threshold of significance.
- 9.308 Within the proposed Country Parkland area, agricultural land uses will be displaced, with the loss of the availability of 19.6 ha of BMV land. Although quantitatively larger than the effects of the development phases, this is also an adverse effect of minor weighting.
- 9.309 However, this is balanced by the lack of disturbance to the soil resources, which would retain their inherent agricultural and other capabilities and would result in an improvement in their contribution to biodiversity through the change of use to a managed parkland environment. This is a beneficial positive effect of moderate weighting.

9.310 The soil resources of the application site are primarily based on clayey substrates and suffer from drainage impedance which limits their agricultural capabilities. The majority of land is in arable use, interspersed with woodland and small areas of grassland, comprising land of acknowledged conservation value. The soils perform actual and potential land drainage and biodiversity functions. In terms of agricultural capability, the land is predominantly of moderate quality in the ALC with limited and dispersed inclusions of higher quality, BMV land. Although national planning policy seeks to safeguard land of this quality, its limited extent and fragmented occurrence is considered to result in only limited negative impact, to be considered in the context of the planning balance.

Minerals

9.311 The adopted Sandleford Park SPD confirms, at paragraph 30, that:

“The Sandleford Park site is an area known to contain sand and gravel deposits. The Replacement Minerals Local Plan for Berkshire (incorporating the alterations adopted in December 1997 and May 2001) identifies the fact that mineral resources, such as those at the Sandleford Park site, are a valuable, but finite, resource and as such the Replacement Minerals Local Plan for Berkshire includes saved policies 1, 2 and 2a that relate to mineral safeguarding and therefore are relevant to the Sandleford Park development.”

9.312 Despite the submitted Planning Statement referring to a previously prepared Stage 1 Mineral Assessment Desk Study and Site Walkover report and a later Site Investigation and Mineral Evaluation Report (para. 4.35), neither of those documents have been submitted with this application.

9.313 Nevertheless, the Principal Minerals and Waste Officer has reviewed the application submissions and raises no objections subject to a condition to secure the incidental extraction of minerals as part of the development of the site, similar to that proposed in the applicants’ Draft Conditions document submitted.

Community Facilities

9.314 The strategic objectives for Sandleford Park as set out in section B of the Sandleford Park SPD include the provision of a local centre within the site to help create a sustainable community. The objectives go on to specify the need for retail provision, early years education provision, a mini recycling centre, employment space and community facilities.

9.315 Principle F1 of the Sandleford Park SPD requires a range of facilities to be provided which are accessible to both existing and future residents in the area.

9.316 The Sandleford Park SPD goes on to list the following principal community facilities to be provided:

- *“Primary educational facilities for the new population.*
- *An extension to Park House School sufficient for the new population.*
- *Early Years and Children’s Centre provision for the new population.*
- *A space for indoor community use that may include a place of worship.*
- *Library Provision.*
- *Small scale retail facilities to provide at least one local shop/convenience store.*
- *Health care facilities to serve the site, likely to be through the extension of Falkland Surgery.”*

- 9.317 The supporting text goes on to state that opportunities for shared facilities will be explored where there is potential, for example with Newbury College, Park House School and Newbury Rugby Club. Furthermore, community accommodation is to be designed to ensure that it is suitable for multiple-uses.
- 9.318 Principle F2 of the Sandford Park SPD requires community facilities to be located, where possible, to create a community hub.
- 9.319 Consideration of the early years, primary and secondary educational provision, including an extension to Park House School, is set out in the Education Facilities section of this report.
- 9.320 In respect of health care facilities, the Sandford Park SPD and IDP note that an extension to Falkland Surgery is required to serve the site. Policy CS3 of the Core Strategy requires the delivery of infrastructure in accordance with the IDP.
- 9.321 The Newbury & District Clinical Commissioning Group (CCG) provided no comments to this application. However, the CCG provided a response to the previous application 18/00764/OUTMAJ indicating costs in the region of £700,000 to £750,000 for the expansion of the Falkland Surgery required to mitigate the impact of the development of the whole of the SSSA.
- 9.322 In the absence of adequate secured healthcare mitigation through a planning obligation, the proposal runs contrary to Policies CS3 and CS5 of the Core Strategy as well as the Sandford Park SPD.
- 9.323 The submitted Land Use and Access Parameter Plan proposes a local centre within DPC comprising flexible mixed uses (Use Classes A1-A5, B1a, D1 and C3) and shows the maximum extent of the local centre area proposed. The description of development within the submitted application form restricts the total floor area of A1-A5 uses to a maximum of 2,150sqm, the B1a use to a maximum of 200sqm and the D1 use to a maximum of 500sqm.
- 9.324 The proposed clauses within the submitted Draft S106 Agreement, in respect of the Local Centre proposed, raise concerns regarding the timely delivery and continued retention of the required Local Centre in DPC.
- 9.325 The proposed range of uses within the Local Centre, comprising A1-A5 uses, B1a uses and D1 uses within DPC is considered acceptable. Inevitably the responsibility for delivery of the Local Centre falls on the applicants. However, it is accepted that the Local Centre is required to serve the entire SSSA and this is a further issue that outlines the shortcomings of the failure of this application to secure and deliver a comprehensive development.
- 9.326 As noted by Sport England in their response to this application, part of the playing field land at Newbury Rugby Club is to be lost to the development proposed. During the consideration of previous applications for this application site, Sport England advised that, should the sports pitch proposed within the Park House School expansion land be made available for use by the public outside of school hours as is the case for the existing sports facilities at Park House School, and a triangular section of land within this application site is secured to be transferred to Newbury Rugby Club together with a contribution for the provision of surface and drainage improvements at the Club, then they would not raise objections to the proposal.
- 9.327 The Draft S106 Agreement proposes the following clauses within Schedule 5:

- *“With effect from the Occupation of any Dwelling within that part of the Site shown [] on [], to reserve and make available the Triangle Land for the playing of sports and not to use the Triangle Land for any other purpose; and*
- *not to Occupy any Dwelling until the Owner has made an irrevocable offer to Newbury Rugby Club Limited to transfer back the Triangle Land for nil payment.”*

9.328 The Draft S106 Agreement submitted also proposes the following clause within Schedule 9:

- *“The Council covenants with the Owners to use reasonable endeavours to procure that the Secondary School Site and any sporting facilities that are provided on the Secondary School Site are made available for use by the public following the transfer of the same to the Council pursuant to paragraph 1 of part 3 of Schedule 1 and subsequent occupation by the Park House Secondary School.”*

9.329 Provided those parts of the Draft S106 Agreement submitted are secured, Sport England confirm that they would not raise objections to this application.

9.330 It is noted, however, that the LEA in their response raise concerns regarding the public use of the sports facilities proposed to be provided as part of the Park House School expansion works. The LEA note that the school is an Academy school run by an Academy trust who would need to agree to the proposed public use of their facilities and the management of those facilities. The LEA advise that it is unclear whether the Academy trust would accept the required dual use of the sports pitch. Its contribution as a community facility is therefore brought into question. Given the other issues with the application identified in this report, further consideration of this matter is not necessary at this point in time.

Sustainable Development and Renewables

9.331 The first Core Strategy Strategic Objective is “Tackling Climate Change”. It states *“to exceed national targets for carbon dioxide reduction and deliver the District’s growth in a way that helps to adapt to and mitigate the impacts of climate change”*.

9.332 Core Strategy Policy ADPP2 requires the urban extensions to the town to the south at Sandleford will be well designed and built to high environmental standards.

9.333 Core Strategy Policy CS3 of the Core Strategy is clear that the allocation shall deliver a sustainable and highly quality mixed use development to be delivered in accordance with parameters which include *“generation of on-site renewable energy”*.

9.334 Core Strategy Policy CS14 requires that developments must demonstrate high quality and sustainable design. They will be expected to seek to minimise carbon dioxide emissions through inter alia *“the incorporation of renewable energy as appropriate”*.

9.335 Core Strategy Policy CS15 requires all major development to achieve reductions in CO2 emissions from renewable energy or low/zero carbon energy generation on site or in the locality.

9.336 The Vision and Strategic Objectives of the Sandleford Park SPD look to the development to mitigate against climate change and minimise carbon dioxide emissions, including renewable energy generation. Renewable Energy

Development Principle R1 expects the development “to fully exploit sustainable construction techniques together with ‘building embedded’ technology (such as photo-voltaic roof panels)”. The commentary to R1 considers 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...”.

9.337 In addition, in 2019 West Berkshire Council declared a Climate Emergency and adopted a corporate Environment Strategy for the District with a view to work towards carbon neutrality by 2030. The SSSA should play an exemplar role in that ambition.

9.338 The above are fully supported by, and compliant with, the transition to a low carbon future policies in Chapter 14 of the NPPF.

9.339 All non-residential elements of the proposal must meet BREEAM Excellent, unless it can be demonstrated that compliance would make the development not technically or economically viable. The BREEAM pre-assessments submitted for the primary school, offices and retail facilities demonstrate that Excellent can be achieved, which is welcomed.

9.340 The Energy and Sustainability Statement submitted outlines that the residential dwellings will be designed to meet the requirements of the prevailing Building Regulations. However it patently fails to grasp the opportunity presented by the circumstances of this site to provide an exemplar development in terms of sustainability and on-site renewable energy generation, and indeed proposes no renewables in relation to the proposed residential development.

9.341 This major development proposal, on the larger portion of the Sandleford Strategic Site Allocation (SSSA), fails to use this significant opportunity to fully exploit the specific potential and particular circumstances of the application site and the importance of the strategic allocation to deliver an exemplar development regarding carbon dioxide emissions reduction, in the form of renewable energy generation, and to deliver a zero carbon residential-led mixed use urban extension. In this respect the proposal fails to demonstrate a high quality and sustainable design or that it would be built to high environmental standards. It is considered to be an unsustainable and harmful development, failing to reduce carbon dioxide emissions through the extensive use of renewables on site and otherwise contributing to climate crisis.

9.342 In this respect the proposal is anachronistic, unacceptable, inappropriate, inadequate and unsatisfactory. It is contrary to Policies ADPP2, CS3, CS14 and CS15 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); the Vision, Strategic Objectives and Development Principle R1 of the Sandleford Park SPD (adopted March 2015); the West Berkshire Corporate Environment Strategy (2019) and associated Declaration of Climate Emergency and objective to achieve Carbon Neutrality in West Berkshire by 2030.

Education Facilities

9.343 Core strategy Policy CS3 requires “the provision of a new primary school on site and the extension of Park House School”. Paragraph 5.18 of the commentary also refers to the provision of one-form entry to accommodate the first 1,000 dwellings, expanding to two-form (2FE) entry to accommodate the rest of the development,

as well as an increase in early years provision, and alterations to Park House School (secondary education).

9.344 The Vision, Strategic Objectives and Design Principle F1 of the Sandleford Park SPD also require the provision of these education facilities. Paragraph 94 confirms that the *“education provision will need to be provided to meet the full requirements of the development”*, as *“there is insufficient capacity in the local area to allow growth of existing primary educational facilities”*. *“Therefore the impact will have to be met from the occupation of the first dwelling”*.

Early Years Provision

9.345 The proposal provides for a single Early Years (EY) class to be provided within the primary school on site. The Local Education Authority (LEA) considers that this will be sufficient for the demand created.

Primary Provision

9.346 The applicant has proposed a 2FE primary school and early years class on-site which would be sufficient to mitigate the anticipated impact. The documents submitted give different measurements for the primary school site to be provided and differ to the size previously requested by the LEA. The LEA advises that based on a 2FE school with early years provision, we would require a site size of 20,430sqm. It is expected that the site and buildings will be fully funded by the applicant and that the delivery of the school will align with the arrival of the pupils.

9.347 WBC has an Employer’s Requirements Document (ERD) for new build primary schools. This draws together accepted widely used industry standards to create standardised primary school designs. This document incorporates current national and local guidance, DfE Baseline Designs and DfE Bulletin 103. As the primary school will have EYs provision the accommodation provision is required to also be in line with the DfE’s Early Years Framework, which sets out statutory accommodation guidelines. Any primary school design will be expected to meet the above requirements as a minimum.

9.348 The land requirements are set out in the WBC Site and Survey Requirements for New Schools v1.1 document (or the most recent version) and forms part of the LEA’s response. All criteria listed would be the responsibility of the applicant to fund and deliver, prior to land/site transference, unless otherwise agreed with WBC.

9.349 All surveys are required to be carried out and funded by the applicant prior to the transference of land and should be valid at the time of transfer. The land should be transferred at least 6 months prior to the first education contribution being paid.

9.350 The applicant would be responsible for fully mitigating any issues resulting from the surveys. Subject to agreement at the time the mitigation of any issues could be by either the applicant undertaking the mitigation works, which is the Council’s preference, or by a financial contribution to WBC. Mitigation would be required prior to the transference of the land to the Council and so unrestricted access would need to be granted to the Council in order for works to be undertaken if a financial contribution is paid.

9.351 The Draft S106 Agreement submitted lacks sufficient detail regarding the above standards and the costs associated with preparing the site and constructing the

buildings. This will need to be addressed before the proposal can be considered acceptable.

Secondary Provision

- 9.352 The applicant has undertaken a feasibility study to identify a scheme of mitigation for the impact of up to 1500 homes across the northern, central and southern parcels. This application is concerned with the northern and central parcels only. This feasibility study built on the study undertaken by the LA for 2,000 homes and is phased. This phasing attempts to deal with the impact of delivering the scheme across multiple development parcels and at least two applicants. The scheme provides accommodation for the anticipated number of pupils (196) and demonstrates how the impact could be mitigated.
- 9.353 The costs for the scheme have not yet been provided. This will be required in order to agree the pro-rata contributions for the S106 agreement and also to ensure that the phased nature of the project, and the refurbishment of existing spaces, have been adequately accounted for in the cost plan. The costs will need to align with the applicants' submitted feasibility study and each phase will need to be able to stand alone as mitigation, which will need to be reflected in the costs. The cost plan is necessary before the LEA can confirm with any certainty that the scheme is adequate and that it will provide the necessary mitigation.
- 9.354 The scheme relies on the re-use of the existing sports hall once the new sports hall is built. This building is of poor condition and contains significant amounts of asbestos. Any conversion would have to address these issues and provide fit for purpose teaching accommodation. This will need to be allowed for in the project costs, as the costs are likely to be significant for the conversion of this building and a general refurbishment rate will not be sufficient.
- 9.355 The proposal includes an area of 'expansion' land for Park House School. The location of the land is acceptable, although it should be noted that the land requires significant engineering works to enable it to be fit for the intended purpose.
- 9.356 The land should be prepared and marked as per the submissions. It is LEA's preference that this work is carried out by the applicant prior to the transfer given the significant nature of the engineering works. The application documents submitted suggest that the work will be the responsibility of the Council. This will need to be resolved and were the Council to take on this work then there would need to be a mechanism for establishing the costs of preparing and marking the land, prior to the S106 agreement being completed.
- 9.357 However, the required pitch to be provided on the expansion land would result in the loss of an ancient tree (T34) as well as boundary TPO trees and hedgerow and works within the root protection area of and at close proximity to two Veteran trees (T31 and T33), as well as within the buffer zone of the Barns Copse Ancient woodland. There are no exceptional reasons that would justify the deterioration of Ancient woodland and Veteran trees and the loss of an Ancient tree, while the loss of TPO trees and hedgerow is also not justified. In order for the land to be acceptable to the Council, it would have to increase in size and to be able to accommodate the proposed pitch without the loss of the above trees or encroachment and deterioration of Ancient woodland. The applicant will have to set aside and transfer sufficient land that enables the required pitch to be provided without the unacceptable harmful impacts mentioned above. The size of the land proposed is not sufficient or appropriate, it would not be able to be used for the intended purpose and the impact of the development would not be suitably

mitigated and it is therefore unacceptable. As mentioned earlier in this report, it is also important to note that the area of land proposed on this plan to be safeguarded for the expansion of Park House School is smaller and differs in shape to that proposed on the submitted Land Use and Access Parameter Plan, Green Infrastructure Parameter Plan and Building Heights Parameter Plan.

9.358 In order for the expansion land to be acceptable, and in addition to the paragraphs above, the requirements set out in the WBC Site and Survey Requirements for New Schools v1.1 document will need to be met. All criteria listed would be the responsibility of the applicant to fund and deliver, prior to land transference to WBC, unless otherwise agreed in writing with the Council.

9.359 All surveys are required to be carried out and funded by the applicant prior to the transference of land to the Council and should be valid at the time of transfer.

9.360 The applicant would be responsible for fully mitigating any issues resulting from the surveys. Subject to agreement at the time the mitigation of any issues could be by either the applicant undertaking the mitigation works, which is the Council's preference, or by a financial contribution to WBC. Mitigation would be required prior to the transference of the land to the Council and so unrestricted access would need to be granted to the Council in order for works to be undertaken if a financial contribution is paid.

9.361 In summary the proposal seeks to set aside part of the site to form an extension to Park House School in order to mitigate the impact of the development proposed on secondary education provision, as required by Policy CS3 of the Core Strategy. The applicants have proposed that the expansion land to be provided is used to facilitate the identified need for an additional sports pitch. The proposal however will result in the loss of the ancient tree (T34), as well as a number of trees and hedgerow along its western boundary, while also encroaching onto the buffer of the Barns Copse Ancient woodland. It is apparent that these impacts could be avoided by a small increase in the area of proposed expansion land to be secured, the size of which remains inadequate, or, through an alternative proposal for the alterations to the school.

9.362 The proposal is unacceptable as it stands. The proposal would fail to make adequate provision in relation to secondary education, to mitigate the needs of the development and to also ensure the satisfactory provision of a sports pitch. The proposal is therefore contrary to Policy CS3 and CS5 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); and the Vision, Strategic Objectives and Design Principles S1 and F1 of the Sandleford Park SPD (adopted March 2015).

Design and Layout

9.363 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.

9.364 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.

9.365 Core Strategy Policy CS4 expects developments to make efficient use of land with greater intensity of development at places with good public transport accessibility. Higher densities above 50 dwellings per hectare may be achievable along main

transport routes. 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.

- 9.366 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.
- 9.367 The Sandleford Park SPD provides a framework for the development of the allocated site and sets out design principles and requirements for the development of land and buildings at the site. The Vision for Sandleford Park seeks a vibrant and well-designed community and Strategic Objective 11 considers a key delivery outcome to be a high quality built form which responds to the surrounding character and context. Strategic Objective 12 also considers a key delivery outcome to be the conservation and enhancement of the character of the area in terms of both townscape and landscape design and the creation of a sense of identity through the creation of character areas.
- 9.368 Development Principles set out in Parts L, A, P, N, F, U and C of the Sandleford Park SPD are relevant in the consideration of this application.
- 9.369 The submitted Design and Access Statement (DAS) states that it *“illustrates the evolution of the design proposals, with careful consideration given to the Sandleford Park Supplementary Planning Guidance [sic] (March 2015) and best practice principles and guidance.”* The submitted DAS also considers that the key development principles within the Sandleford Park SPD have informed the design proposals for the site (section 1.2.2).

Consideration of Outline Proposals

- 9.370 In respect of this application seeking outline permission for only part of the allocated site, the submitted Parameter Plans and Strategic Landscape and Green Infrastructure Plan are considered to be the controlling plans for future development and have been used in the ES - although it is noted that there are some inconsistencies in the plans used in the individual ES assessments - for the consideration of the environmental impact from the development of this application site.
- 9.371 The submitted DAS is not proposed by the applicants to be secured by condition or act as a controlling document. Given that this document states that it *“acts an important link between the technical assessment of constraints and the collective and integrated design response to them”* and sets out a number design principles and strategies for the proposed development, it is considered that this document carries at least considerable weight in the decision making process.
- 9.372 Ensuring a high standard of design would be predominantly a consideration at the reserved matters stage, but as the overall site context and broad layout are important factors in securing high quality design, consideration must be given at outline stage to key urban design principles.
- 9.373 All comments made within this section relate solely to the design principles, and are without prejudice to the landscape and visual impacts of the development.

- 9.374 It is of concern that the submitted Parameter Plans propose a residential development footprint that significantly encroaches into the northern valley, contrary to the Sandleford Park SPD. Furthermore, as noted throughout this report, the application contains inconsistencies between the plans, and documents submitted, reducing certainty and confidence in the application proposals.
- 9.375 There is concern that the piecemeal approach to the development of the whole of the SSSA prejudices the ability to comprehensively plan the development of the whole of the SSSA to ensure that the design enhances the character of the area and responds sensitively to its context across the whole of the allocated site. Furthermore, the submission of this application for part of the SSSA only prevents the comprehensive planning of connections from and within the allocated site. Without an agreed and approved masterplan for the whole SSSA, and/or the ability to secure design principles for the remainder of the allocated site through a site-wide DAS, it is unclear as to how the layout along the south-western boundary of the application site would relate to and integrate with further development on the remainder of the SSSA, outside of this application site. What may be proposed in the future on the remainder of the SSSA is not guaranteed and cannot be secured as part of this application.
- 9.376 Comprehensive planning of the whole of the allocated site through the adoption of an agreed masterplan, and the securing of an allocated site-wide DAS, would remove this uncertainty as to how different elements of the site would relate to each other, including clearly defined public and private spaces as required by Principle U2 of the Sandleford Park SPD.
- 9.377 Principle U4 of the Sandleford Park SPD requires a permeable layout with good connections to the wider area. As previously noted above, connections to the rest of the SSSA cannot be comprehensively planned as a result of the piecemeal approach to the development proposed.
- 9.378 Furthermore, the lack of a comprehensive approach to the development of the whole of the SSSA has resulted in the applicants seeking to address potential emergency access issues in respect of parcel DPC. Those emergency access proposals result in a number of harmful and unnecessary consequences for the development and the site as identified previously in this report. In addition to those, it is considered that the development proposed in DPC would stand as an island with a single point of vehicular access being via the central valley crossing from the north east, forming a very large scale cul-de-sac.
- 9.379 The illustrative proposal for the central valley crossing, as a result of seeking to address the lack of comprehensive planning and holistic development of the SSSA, is a substantial embankment crossing. That design runs contrary to key design principles for the Character Area CA7 as set out in the Sandleford Park SPD, which, amongst others, requires the valley crossing to sympathetically respond to landform and avoid the need for large scale earthworks.
- 9.380 Furthermore, the illustrative central valley crossing embankment would affect key cycle and pedestrian routes that are proposed along the valley floor. Users of that route would have to climb a steep sided embankment, cross the main access road comprising two separate carriageways and descend the other side in order to access the 'Key Footpath / Cycle Link' to the rear of the Rugby Club/Surgery, as shown on the Land Use and Access Parameter Plan submitted. These issues are considered inadequate in design terms, in respect of permeability and connectivity, contrary to Policies CS13 and CS14 of the Core Strategy as well as the Sandleford Park SPD.

- 9.381 In addition, the illustrative proposal for the emergency access through the country parkland, adjacent to the right of way, would introduce an incongruous feature to this landscape. This would be contrary to key design principles for the Character Area CA10 as set out in the Sandleford Park SPD.
- 9.382 Whilst the submission of the Combined Parameter Plans provides a general indication that the development of the SSSA is capable of being comprehensively planned, there is no ability to require the development of the whole of the SSSA in the manner set out in the Combined Parameter Plans, and there is no reassurance to be gained from the individual approaches being taken by the independent developers. Therefore, the proposed development fails to ensure the holistic comprehensive development of the Sandleford Strategic Site Allocation (SSSA), with a view to maximising its potential as a well-planned and sustainable urban extension.
- 9.383 Inconsistent and inadequate proposals have been submitted in respect of the landscape impact of the proposed accesses along Monks Lane. Key design principles for the Character Area CA4: Monks Lane, as set out in the Sandleford Park SPD, require the character of Monks Lane to be maintained through strategic planting planned for the site. No additional or replacement planting is shown to adequately compensate for loss of trees and hedgerow along Monks Lanes as a result of the accesses proposed. There are serious concerns that the proposal would result in unacceptable adverse and harmful impact on the character and visual amenity and quality of Monks Lane contrary to Core Strategy Policies CS14, CS18 and CS19 as well as the Sandleford Park SPD.

Waste Collection

- 9.384 The Council has a statutory duty to collect household refuse and recycling from domestic council tax-paying properties. This entails the refuse truck remaining on the adopted highway and also within 25 metres of a collection point for individual bins (2-wheeled) and 10 metres for communal bins (4-wheeled), in accordance with Manual for Streets (2007). BS 5906: 2005 provides further guidance and recommendations on good practice and considers that individual bin (2-wheeled) collection points should not normally exceed 15 metres.
- 9.385 Supplementary Planning Document Quality Design Part 1 states in paragraph 2.13.3 that *“new residential development should include storage provision to accommodate current recycling requirements and waste needs.”*
- 9.386 Paragraph 8 of the NPPW states that *“new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service”*.
- 9.387 The waste collection for the outline application would be assessed during the reserved matters stage for each parcel.
- 9.388 The Waste Officer has reviewed the application submissions and requests an area of hardstanding within the development, specifically suitable for placing containers for the collection of recyclable materials, together with contributions for the infrastructure capital cost for a new Mini Recycling Centre (MRC). The Waste

Officer also requests a contribution to upgrade the Household Waste Recycling Centre (HWRC).

9.389 Contributions in respect of waste services provision are expected to be provided through CIL. The applicants' in their Draft Conditions document submitted propose conditions to secure details of waste storage for each parcel of development and to secure an area of 15m by 7m within the local centre for a mini recycling centre. As such, it is considered that the provision for waste collection is acceptable subject to those conditions being imposed.

Planning Obligations and CIL

CIL

9.390 West Berkshire Council has adopted its Community Infrastructure Levy. As new residential dwellings are proposed together with retail units, the development will be CIL liable based on a retail rate of £125sqm and a residential rate of £75sqm. The precise charge for the development of the application site would be determined at the reserved matters stage, at which point the gross internal areas of individual dwellings and buildings would be known.

Planning Obligations

9.391 As noted throughout this report, a number of proposals are required to be secured through a planning obligation. These include (but are not limited to):

- affordable housing;
- travel planning;
- highway works including pedestrian and cycle facilities (off-site);
- country parkland, public open space and play facilities;
- sports pitch provision and community use;
- other green infrastructure;
- public transport;
- primary and secondary education;
- healthcare provision; and
- the Local Centre.

9.392 The submitted Draft S106 Agreement raises a number of concerns, some of which have been identified in this report. Given that there are overriding objections to the development proposed, discussions in respect of a planning obligation have not been entered into, because this would have resulted in abortive work for all parties at this stage. The application is therefore contrary to Policies CS3, CS4, CS5, CS6, CS13, CS17, CS18 of the West Berkshire Core Strategy Development Plan Document (CS DPD, adopted July 2012); the Vision, Strategic Objectives and the Development Principles of the Sandford Park SPD (adopted March 2015); and the West Berkshire Planning Obligations Supplementary Planning Document (PO SPD, adopted December 2014).

Other Matters

9.393 Notwithstanding the extensive consideration of issues identified in this report, in an effort to keep the content of this report to a minimum there may be some areas/issues, including matters raised by consultees, residents and other third parties in their responses and representations, that, whilst not explicitly stated or

addressed in the report, have nevertheless been considered in assessing the application proposal. This report necessarily focuses on the key determinative issues.

10. Planning Balance and Conclusion

Benefits of the proposal

10.1 The application will give rise to a number of clear and public benefits, which carry positive weight in the planning balance. The most notable ones are as follows:

- 432 units of non-policy compliant affordable housing, including 80 extra care units; 648 residential units of market housing in the context of a 5YHLS; provision of country parkland in mitigation but also publicly accessible. All three of these social benefits attract less than significant weight.
- Temporary construction employment opportunities; secondary employment through future residents' spending in the local area, while many of them are likely to be involved/employed in the local economy. These economic benefits attract considerable weight.
- Pedestrian/cycling facilities; incidental extraction of minerals; identification and recording of archaeological assets. These benefits attract limited weight.
- Primary school provision is purely education mitigation and therefore attracts no or neutral weight, as does the New Homes Bonus and therefore they are not regarded as benefits with positive weight in the planning balance.

Disbenefits of the proposal

10.2 The application will also have a number of adverse impacts and give rise to a whole range of disbenefits, which carry negative weight in the planning balance. A number of notable ones (not a complete list) are as follows: negative

- Impact of proposals on highways network attracts substantial weight; this weight would be reduced to moderate if full mitigation works were to be fully agreed.
- Failure to provide a satisfactory extension to Park House School and associated sports pitch, as part of the secondary education mitigation also carries substantial weight.
- Failure to provide satisfactory healthcare mitigation; proposal results in an unacceptable form of development vis-a-vis Development Parcel Central in terms of emergency access and permeability; impact of proposed earthworks embankment central valley crossing in visual / landscape terms in respect of integrity/character/connectivity of central valley as well as in ecological terms (wetland corridor priority habitat; failure to provide renewable energy generation to reduce CO2 emissions towards a zero carbon development on what should be an exemplar site in view of the climate emergency situation; adverse impact on and fragmentation of irreplaceable ancient woodland habitats, including as a result of the drainage strategy; loss of ancient tree (T34) and potential loss/deterioration of veteran and category A TPO trees; impact (including unquantified and unmitigated impact on priority species and habitats, including bats. Each of the above disbenefits would carry significant negative weight in the planning balance.
- Loss of TPO trees and hedgerows in connection with the proposed access without full mitigation and justification; elements of 'domestication' within the country parkland. These two disbenefits would carry considerable weight.

- Loss of best and most versatile agricultural land, which would attract limited negative weight.

Impact on Heritage Assets

- 10.3 As set out in the section on the historic environment, the country parkland area has open views both from and to Sandlesford Priory. It is meant to reflect the Capability Brown landscape on the priory and it forms part of the setting of the Sandlesford Priory Grade I listed building and the Grade II registered park and garden. In accordance with NPPF paragraph 193 great weight should be given to the asset's conservation. The proposed introduction of various elements in the country parkland, such as the cycleway and Grasscrete surface to provide emergency access, associated bollards, stream crossing bridge structure, effect on Waterleaze Copse ancient woodland at the point where it cuts through, detention basins, NEAP, and potentially some benches and bins will have a domesticating effect and a negative impact on the significance of the setting of the identified designated heritage assets. It is considered that the proposals will result in less than substantial harm to the significance of these heritage assets, and in Officers' view at the lower end of the 'less-than-substantial' scale.
- 10.4 Taken as a whole (in accordance with NPPF paragraph 196), the benefits of the scheme range from 'limited' to 'less than significant' in magnitude as set out above. They can be regarded as public benefits and set against the low level of harm the significance of the heritage assets. They would provide clear and convincing justification for that harm (NPPF paragraph 194). 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)

- 10.5 As set out in section 8 of the report, the Council has a 5YHLS, including a 5% buffer, and meets 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 which are consistent with the relevant NPPF policies and provisions.
- 10.6 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) does not get engaged in this case.
- 10.7 Furthermore, as per the contents in section 9 of the report, the proposal would result in the loss and/or deterioration of irreplaceable habitats (one ancient tree T34, veteran trees (T127, T31 and T33) and ancient woodlands). There are neither any wholly exceptional reasons to justify the loss and/or deterioration of these irreplaceable habitats, nor any sufficient and suitable compensation strategy exists, in accordance with NPPF paragraph 175(c), which requires that the proposal should be refused in those circumstances. This provides a clear reason for refusal, in accordance with the provisions of NPPF paragraph 11(d)(i) and Footnote 6. It is therefore also for this second reason as well, that the tilted balance (i.e. the presumption in favour of sustainable development) does not get engaged in this case.

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

- 10.8 As set out in section 9, in view of the strategic site allocation (Policy CS3), the residential development on this site accords with the Core Strategy spatial strategy Policy ADPP1 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 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 would 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.
- 10.9 Notwithstanding the in-principle acceptability of residential development, in view of the analysis and conclusions in section 9, the proposal is contrary to the whole suite of Core Strategy Policies namely ADPP2, CS3, CS4, CS5, CS6, CS13, CS14, CS15, CS16, CS17, CS18 and CS19, as well as HSA DPD Policy GS1. The latter developed the need for comprehensive planning of major sites first cited in ADPP1. As explained in Section 8, all the above policies are up-to-date and should carry full weight.
- 10.10 The proposal also goes contrary to the Vision, a number of the Strategic Objectives and many of the Development Principles of the supporting Sandleford Park SPD, and it is also contrary to the provisions of other West Berkshire SPDs.
- 10.11 In respect of the NPPF the proposal is also contrary to a number of its policies and provisions including paragraphs 108, 109, 110, 111 (Highways), 127, 130, 131 (Design), 148, 150, 153 (Renewables), 170 (Valued landscape and biodiversity), 174, 175 Biodiversity and habitats and ancient woodland and ancient / veteran trees.
- 10.12 In view of the above the application is contrary to most of the 'most important' policies in the development plan, which are up-to-date. At the same regard is had to the in-principle policy acceptability and presumption in favour. Nevertheless, the proposal still results in extensive and wide-ranging development plan policy conflict, which is also reflected in the conflict with various policies in the NPPF, as well as the Sandleford Park SPD, which carries significant weight and also other SPDs.
- 10.13 The proposal is therefore considered to be contrary to the development plan as a whole and if approved would represent a departure from the adopted plan. The application proposal does not represent sustainable development for the purposes of the NPPF. The application therefore cannot be approved without delay as per t NPPF paragraph 11(c).
- 10.14 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.
- 10.15 Again, as mentioned above in this case the proposal is contrary to various NPPF policies, the Sandleford Park SPD and other SPDs, which are material considerations in the assessment of this application.

The Planning Balance

10.16 In considering the planning benefits of the proposal, it is considered that these do not outweigh the disbenefits. In addition the policy conflict with the development plan attracts substantial weight and indicates that the proposal should be refused unless there are material considerations that would justify a different decision.

10.17 In this case none of the benefits, individually and/or in their totality, outweigh the disbenefits and/or the extensive policy conflict. Furthermore the NPPF and SPDs are material considerations which carry significant weight. Assessment against their policies and principles reinforces further the 'policy' conflict and adds to the unacceptability and inappropriateness of the proposal. Also, as indicated in the report all of the concerns, the harm and the unacceptability could neither be overcome through conditions, nor through the provisions of the submitted Draft Section 106 Agreement.

Conclusion

10.18 In view of the above the application proposal is unacceptable, inappropriate and unsatisfactory and should be resisted.

11. Recommendation

11.1 To REFUSE PLANNING PERMISSION for the reasons listed below.

Reasons for Refusal

Comprehensive Development of the Site

1. The proposed development fails to ensure the holistic comprehensive development of the Sandleford Strategic Site Allocation (SSSA), with a view to maximising its potential as a well-planned and sustainable urban extension. The submitted application documentation fails to provide adequate certainty and confidence that this proposal will deliver the required comprehensive development of the SSSA as a whole, along with the co-ordinated and timely delivery of the associated infrastructure, services and facilities necessary to mitigate its impact across the entirety of the SSSA and beyond. The unacceptability of the proposal is exacerbated by numerous inconsistencies in the contents of the various submitted plans and reports, as well as in relation to the proposals for the adjoining site.

The failure to secure the comprehensive development of the SSSA renders this proposal unacceptable and contrary to:- i) Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); ii) the Vision, the Strategic Objectives and the Development Principles, including S1, of the Sandleford Park Supplementary Planning Document (Sandleford Park SPD, adopted March 2015); and iii) Policy CS5, CS13, CS14, CS17, CS18 & CS19 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012).

Strategic Landscape and Green Infrastructure

2. Policy CS3 requires infrastructure improvements to be delivered in accordance with the West Berkshire Infrastructure Delivery Plan (IDP, 2016). The IDP identifies the provision of green infrastructure to be necessary infrastructure. Development principle L1 of the Sandleford Park SPD requires a planning application to be accompanied by a clear Strategic Landscape and Green Infrastructure Plan for the whole of the allocated site to integrate the development with the landscape and green infrastructure, and to incorporate the landscape, ecology/biodiversity, drainage and public open space / recreation development principles in the Sandleford Park SPD.

The development proposal fails to secure a consistent Strategic Landscape and Green Infrastructure Plan for the whole of the allocated site.

The proposals for development are uncertain and contradictory, as a consequence of inconsistencies, omissions and unnecessary duplication within and between the relevant submitted drawings and associated reports. For example these include:- green links within the application site and also in relation to the remaining area of the Sandleford Strategic Site Allocation (SSSA); strategic drainage mitigation elements; the location, size and extent of the education land offered as the Park House School extension, in this case proposed to provide a sports pitch; and tree and hedge removals and retention. There is no certainty in the proposal in respect of:- the required mitigation regarding the removal of existing green infrastructure (trees and hedgerow) along Monks Lane frontage to provide the proposed accesses; the future of the important row of mature trees along the southern boundary of Park House School adjoining Warren Road in the context of the need to provide a satisfactory public transport / all vehicle access through to Andover Road.

The unacceptable proposal of piecemeal development of only part of the SSSA gives rise to the need for unnecessary mitigation, which itself would result in harmful impact arising from, for example the proposed emergency access proposals for Development Parcel Central (DPC), incorporated as part of the central valley crossing structure and also the widened cycleway through the country parkland.

The proposed development does not form part of a well-planned comprehensive and satisfactory proposal for the SSSA in accordance with the Sandleford Park SPD, nor does it secure the comprehensive delivery of the intended sustainable urban extension and fails to provide a holistic approach to the landscape, visual impact, green (and other) infrastructure for development of the whole of the SSSA.

For those reasons, this application for only part of the allocated site is considered to prejudice the successful delivery of the development of the SSSA and it is unacceptable and contrary to Policies CS3, CS5, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012), Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017), and the Development Principles, including L1 and F1 of the Sandleford Park SPD (adopted March 2015).

Landscape and Visual Impact Assessment

3. The submitted Landscape and Visual Impact Assessment (LVIA) is unsatisfactory and unacceptable in that it fails to adequately and appropriately assess the landscape and visual impact of the proposed development of the application site,

which forms part of a valued landscape. The LVIA was not undertaken using the latest West Berkshire Landscape Character Assessment 2019. As a result, the more up-to-date key characteristics, value attributes, sensitivities have not been identified/updated using the most recent information and this has not informed or influenced the scheme's design. As a consequence, the assessment of effects does not assess the correct Landscape Character Areas (LCAs) (WH2: Greenham Woodland and Heathland Mosaic; or the important interaction with the narrow, but critical UV4: Enborne Upper Valley Floor).

In addition, the LVIA and associated information fail to adequately consider the landscape and visual impact of a number of proposed elements and on a number of existing features, including those listed below:-

- i) the embankment structure within the central valley;
- ii) the suite and extent of encroaching proposals within the northern valley;
- iii) the NEAP and LEAP locations;
- iv) the engineered nature of Sustainable Drainage Systems (SuDS) features, and their close proximity to ancient woodlands;
- v) ancient and other woodlands and their buffers;
- vi) ancient, veteran and category A trees;
- vii) the western access point at the boundary with Sandleford Park West (SPW);
- viii) the Monks Lane accesses; and
- viii) the creation of emergency accesses and associated works to serve Development Park Central (DPC).

Notwithstanding the above, the submitted LVIA acknowledges that the proposal results in harm, at times significant, to the landscape and visual resources of the site. The proposals fail to take account of key characteristics and special features, which are sensitive and form highly valued components in this complex landscape and they will result in an unacceptable level of harm, with significant impact on the landscape character and visual resources. The application proposals fail to protect or enhance a valued landscape, as set out in NPPF paragraph 170, which also recognises the intrinsic character and beauty of the countryside, including the benefits of trees and woodland.

The lack of an adequate LVIA for the proposed development, and the identified harm to the landscape character and visual resources without sufficient mitigation is contrary to Policies CS14 and CS19 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); and the Vision, Strategic Objectives and the Development Principles in category L of the Sandleford Park SPD (adopted March 2015).

Affordable Housing

4. The Council's policy on affordable housing (CS6 of the Core Strategy) requires a 40% on-site provision for major developments on greenfield sites, 70% of which should be for social rented. Although the application satisfies the overall 40% affordable housing requirement, it proposes that 70% of that provision to be for a mixture of affordable rented and social rented units. In this respect the proposal is unacceptable and unsatisfactory in that it fails to deliver the required proportion of units for social rent, for which there is the greatest need in the District.

In addition Schedule 8 of the accompanying draft Section 106 Legal Agreement submitted by the applicant proposes 80 extra care units (70x 1-bed & 10x 2-bed),

which are all to be provided in one location within Development Parcel Central (DPC) and which form part of the affordable housing provision. Schedule 8 of the draft Section 106 stipulates that in the event that it was not feasible to progress the Extra Care Housing, the said units shall become General Affordable Housing Units. However, the unit mix and spatial distribution requirements of General Affordable Housing within the site are substantially different, to that of Extra Care Housing. Unless the proposal were to be considerably adjusted in good time, such a scenario would result in an unacceptable concentration of 80 units with an unacceptable unit mix. The development would fail to create a successful, sustainable, mixed and balanced community and to make satisfactory affordable housing provision.

Furthermore Schedule 8 of the draft Section 106 also provides that, under certain circumstances, the 30% intermediate housing would be allowed to switch to market housing, failing to make the required 40% affordable housing provision. Should the above occur, this would also result in a material change to the description of the development proposed, for which planning permission is hereby sought.

In all three of the above respects the application would be unacceptable and harmful to the community's need for affordable housing. The application therefore fails to make a policy compliant provision of affordable housing and it is contrary to Policies CS3, CS4 and CS6 of the West Berkshire Core Strategy Development Plan Document (Core Strategy adopted July 2012); the Vision, Strategic Objectives and the Development Principles in category F of the Sandleford Park SPD (adopted March 2015); and the affordable housing provisions of the West Berkshire Planning Obligations Supplementary Planning Document (PO SPD, adopted December 2014).

Sustainable Development and Renewables

5. This major development proposal, on the larger portion of the Sandleford Strategic Site Allocation (SSSA), fails to use this significant opportunity to fully exploit the specific potential of the SSSA's inclined south facing orientation, greenfield status and scale to deliver an exemplar development regarding carbon dioxide emissions reduction, in the form of renewable energy generation, and to deliver a zero carbon residential-led mixed use urban extension. In this respect the proposal fails to demonstrate a high quality and sustainable design or that it would be built to high environmental standards. It is considered to be an unsustainable and harmful development, failing to reduce carbon dioxide emissions through the extensive use of renewables on site and otherwise contributing to climate crisis.

In this respect the proposal is anachronistic, unacceptable, inappropriate, inadequate and unsatisfactory. It is contrary to Policies ADPP2, CS3, CS14 and CS15 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); the Vision, Strategic Objectives and Development Principle R1 of the Sandleford Park SPD (adopted March 2015); the West Berkshire Corporate Environment Strategy (2019) and associated Declaration of Climate Emergency and objective to achieve Carbon Neutrality in West Berkshire by 2030.

Development Parcel Central, Emergency Access and the Central Valley Crossing

6. Development Parcel Central (DPC) would effectively comprise a substantial residential quarter, as well as a local centre which would serve the entire urban

extension at Sandleford and provide the necessary mix of uses required by the allocation of the site. The piecemeal nature of this development proposal for only the eastern part of the Sandleford Strategic Site Allocation (SSSA, and the failure to put forward a well-planned, co-ordinated, comprehensive and holistic development for the SSSA, mean that the proposed development does not on its own provide and/or guarantee the necessary vehicular access through to Andover Road to the west. As a result, DPC would stand as an island with a single point of vehicular access being via the central valley crossing from the north east, forming a very large scale cul-de-sac. This is considered inadequate in urban design terms, in respect of permeability and connectivity.

The application includes two proposals for emergency access, one across the central valley and one along the cycle route within the country parkland. Both of these fail to provide satisfactory vehicular emergency access for DPC and its community. This is unacceptable, inappropriate and unsatisfactory in highways terms, for the necessary emergency and service vehicles, as well as for all the residents and users of DPC. The proposals would result in an unacceptable form of development, failing to provide a successfully integrated urban extension.

Access is not a reserved matter and it is considered that the detailed access proposals fail to provide satisfactory access to DPC and in this respect the proposed access details are inadequate and insufficient and therefore unacceptable.

In addition, the critical issue of access to DPC and the applicant's proposed design response have a number of harmful and unnecessary consequences for the development and the site as follows:-

i) in highways terms satisfactory emergency access could only be provided in this case in the form of two separate and independent access road structures across the entire width of the central valley. The applicant's illustrative solution is for a single substantial earthworks embankment bridge structure instead. This would result in unnecessary and unacceptable harm to:- a) the landscape character and visual quality of the valley; b) trees on the valley side; and c) the ecology of the riparian valley, including the priority habitat of rush pasture, with the area of purple moor grass of county importance. Similar concerns are also raised in respect of the potential adverse harmful impact of the proposed construction access across the central valley to DPC and also to PHS. The proposed central valley crossing embankment would also introduce an unacceptable and unnecessary obstacle to the proposed pedestrian and cycle routes running along the two sides of the central valley, which seek to connect the country parkland and the whole of the SSSA to the Rugby Club site to the north; and

ii) the other emergency access in the form of the Grasscrete widening of the proposed cycleway within the country parkland and its consequent diversion in part from running adjacent to the public right of way (PROW9), would introduce an unnecessary additional element of domestication within the country parkland, which results in unnecessary and unacceptable harm to the landscape character and visual quality of the landscape, as well as to an ancient woodland (Waterleaze Copse) and associated riparian valley crossing, through which it would pass.

The proposal, by disregarding the importance to deliver a comprehensive and co-ordinated holistic development, is ill-thought out, will cause unnecessary substantial material harm to a whole range of interests of acknowledged importance, would fail to deliver a satisfactory form of development and is therefore unacceptable and inappropriate on a number of levels. In this respect it is contrary to Policies ADPP2, CS3, CS5, CS13, CS14, CS17, CS18, CS19 of the West Berkshire Core Strategy Development Plan Document (CS DPD, adopted July 2012); Policy GS1 of the West

Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); and the Vision, the Strategic Objectives and the Development Principles including S1, L1, L2, L4, L6, L7, E1, E2, A1, A2, A6, F1, F2, U1, U4, U5, CA7 & CA9 of the Sandleford Park SPD (adopted March 2015).

The A34

7. The application fails to provide sufficient information to demonstrate that the development proposed would not result in a severe impact requiring mitigation on the A34 Strategic Road Network, despite the IDP identifying the A34/A343 junction as critical infrastructure. The proposal is therefore contrary to Policies ADPP2, CS3, CS5 and CS13 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012).

Ancient Woodlands

8. The application site includes a network of six ancient woodlands and one other woodland with a number of ancient indicators. All the trees on the site are the subject of a Tree Preservation Order (TPO 201/21/1016-W15-MIXED). In accordance with NPPF paragraph 175(c) ancient woodlands are irreplaceable habitats. Although the submitted documentation refers to the intended provision of 15m buffers to the ancient woodlands and 10m buffers to the other woodland, the proposals indicate that in certain instances works will encroach into the 15m buffers, as in the case of the sports pitch proposed to the south of Barns Copse, or the proximity of conveyancing channels and detention basins in relation to Dirty Ground Copse, Highwood and Slockett's, Copse, or the proposed cycle route and Grasscrete works in relation to Waterleaze Copse. The Planning Authority considers that notwithstanding the 15m buffers metric in Sandleford Park SPD, 15m buffers should be a minimum in accordance with Natural England standing advice and the development should be providing appropriate and more generous buffers as appropriate, to ensure unnecessary deterioration and harm to these irreplaceable habitats. At the same time the existing connectivity of Crooks Copse with Highwood and Slockett's Copse, is seriously at risk from the encroachment of the development proposals into the area of the northern valley, significantly narrowing that corridor beyond what is envisaged by the SP SPD. Furthermore the proposed drainage strategy gives rise to concerns in respect of potential direct surface water drainage from Development Parcel Central (DPC) and Development Parcel North 2 (DPN2) into the adjacent Dirty Ground Copse and Slockett's Copse respectively.

The proposed development fails to provide acceptable indications, and therefore sufficient confidence and certainty, that the proposed development will not cause the avoidable deterioration of and harm to the ancient woodlands on site. The application proposal fails i) to adequately set out and explain any wholly exceptional reasons which apply in this case and justify any such harm; and ii) to clearly set out the suitable compensation strategy that would be put in place to address this harm.

In this respect the application is unacceptable, inappropriate and contrary to Policies CS3, CS14, CS17, CS18, CS19 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); and the Strategic Objectives and Development Principle L4 of the Sandleford Park SPD (adopted March 2015).

Impact on and Loss of Ancient, Veteran and Tree Preservation Order Trees

9. In addition to the woodlands the site contains many individual trees and also others forming part of hedgerows. All the trees on the site are the subject of a Tree Preservation Order (TPO 201/21/1016-W15-MIXED).

The proposal will result in the loss of an ancient oak (T34) and the potential loss of a veteran oak (T127) to facilitate aspects of the development. In both cases the application has failed to explain why their loss cannot be avoided, as it appears that it could be, and to set out the wholly exceptional reasons and to provide details of the suitable compensation strategy that would justify their loss.

The proposal will also result in works within the root protection area of four other veteran trees and their potential deterioration, the loss of a category A tree within the central valley and the loss of a number of trees and hedgerow in relation to the extension land to PHS. All these works appear to be avoidable and the proposal does not demonstrate alternative approaches to avoid such harm to trees that are the subject of a TPO.

The proposal will also result in the extensive loss of trees and hedgerow along Monks Lane without satisfactory strategic mitigation, to the detriment of the amenity, visual quality and verdant character of this important thoroughfare street scene.

The proposed development will cause harm to a number of irreplaceable priority habitats comprising ancient and veteran trees and a number of other important trees that are the subject of a TPO, without satisfactory justification and compensation / mitigation. The proposal is therefore poor, unacceptable and inappropriate and contrary to Policies CS17 and CS18 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); and the Strategic Objectives and Development Principle L4 of the Sandleford Park SPD (adopted March 2015).

Education Land

10. The proposal seeks to set aside part of the site to form an extension to Park House School in order to mitigate the impact of the development proposed on secondary education provision, as required by Policy CS3 of the Core Strategy. The applicants have proposed that the expansion land to be provided is used to facilitate the identified need for an additional sports pitch. The proposal however will result in the loss of the ancient tree (T34), as well as a number of trees and hedgerow along its western boundary, while also encroaching onto the buffer of the Barns Copse ancient woodland. It is apparent that these impacts could be avoided by a small increase in the area of proposed expansion land to be secured, the size of which remains inadequate, or, through an alternative proposal for the alterations to the school.

The proposal is unacceptable as it stands and as a result the proposal would fail to make adequate provision in relation to secondary education, to mitigate the needs of the development and to also ensure the satisfactory provision of a sports pitch. The proposal is therefore contrary to Policy CS3 and CS5 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); and the Vision, Strategic Objectives and design Principles S1 and F1 of the Sandleford Park SPD (adopted March 2015).

Ecology

11. It is considered that the proposed development gives insufficient regard to the post-construction adverse impacts on the existing retained habitats. The current proposals are expected to lead to:-
- i) a gradual but significant decline in the quality of the habitats on site, such as:- ancient woodland, rush pasture (including Purple Moor Grass), ponds, riparian/fluvial habitats, secondary woodland / Lowland mixed deciduous woodland, hedgerows, and Woodpasture and Parkland BAP priority habitat; and
 - ii) an unacceptable reduction in the suitability of habitats for a number of protected species, such as:- bats, reptiles, skylarks, lapwings, dormice and badgers; and also notable species such as native amphibians and hedgehogs.
- These are caused by increased anthropogenic pressures on the site which have neither been adequately considered, nor mitigated for with appropriate compensation measures.

Furthermore, the submitted Biodiversity Net Gain Assessment (ES Vol. 3 Appendix F2 1) is considered inadequate as it does not account for the degradation of the retained existing habitats.

In addition there are a large number of inconsistencies within the submitted documentation, and the considerations being made have the potential to also have an adverse impact of the local natural environment, with environmental impacts not adequately addressed / mitigated for.

The proposal is unacceptable on ecological and biodiversity grounds and it is contrary to Policies CS14, CS17 and CS18 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017); and the Vision, Strategic Objectives and Design Principle L4 of the Sandleford Park SPD (adopted March 2015).

Impact on SACs

12. The proposed development could have potential significant effects on European Designated Special Areas of Conservation (SAC), namely Kennet Valley Alderwoods SAC, Kennet and Lambourn Floodplain SAC and the River Lambourn SAC. With regard to the Conservation of Habitats and Species Regulations 2017, the proposal provides insufficient information regarding the likely impacts on air quality of the development proposed. The lack of provision prevents the necessary assessment of the potential significant effects on these SACs and any necessary mitigation required. The proposal does not include the information that is necessary to determine the significance of these impacts and the scope for mitigation.

The lack of sufficient information is contrary to the Conservation of Habitats and Species Regulations 2017, Policies CS17 of the West Berkshire Core Strategy Development Plan Document (CS DPD, adopted July 2012) and Policy GS1 of the West Berkshire Housing Sites Allocations Development Plan Document (2006-2026) (HSA DPD, adopted May 2017).

Drainage / Sustainable Drainage Systems (SuDS)

13. The proposal does not provide sufficient information in respect of:-

- i) the interrelationship of surface water runoff between the application site and the remainder of the Sandleford Strategic Site Allocation;
- ii) the impact of the proposed conveyance channels on ground water levels; and
- iii) the impact of surface water runoff on ancient woodland.

In the absence of that information there is potential for adverse impact on ground water and the woodlands.

Furthermore, the proposed drainage strategy proposes detention basins within the country park (A, B and C) with approximately the same surface area in square metres as volume in cubic metres, resulting in basins approximately 1 metre in depth with near vertical sides. This would be unacceptable as basin side slopes should be constructed ideally with a 1 in 4 gradient in accordance with SuDS Manual C753. The use of conditions to address this concern would not be reasonable given the limited area around the basins and high potential to detrimentally impact on existing streams (which require an 8 metre buffer zone on both sides), proposed footpaths and ancient woodland.

In addition, the Drainage Strategy Plan submitted (ES Vol. 3 Appendix K1, drawing number 10309-DR-02) is incomplete, omitting a significant element of green infrastructure comprising the River Enborne, appears to show surface water flowing almost in line with the contours in several places, rather than angled to them as would be expected. Furthermore, surface water flow appears to be directed through the ancient woodlands of Dirty Ground Copse and Slockett's Copse which is unacceptable due to potential ecological damage that would cause. With regard to the status of those woodlands as irreplaceable habitats, the development proposal has failed to determine through modelling that new surface water flow will not detrimentally affect the ancient woodland.

The lack of sufficient information prevents a full consideration of the impact of the proposed development on ground water levels and ancient woodlands and the necessary mitigation required. Furthermore, the provision of acceptable and adequate detention basins are unlikely to be achievable whilst respecting the existing watercourses, proposed pedestrian infrastructure and ancient woodlands. As such the proposal is unacceptable and contrary to Policies CS3, CS14, CS16, CS17 and CS18 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012); the Vision, Strategic Objectives and Development Principle H1 of the Sandleford Park SPD (adopted March 2015); and the West Berkshire Sustainable Drainage Systems SPD (adopted 2018).

Infrastructure provision and Planning Obligation(s)

14. The development fails to secure satisfactory Section 106 planning obligation/s to deliver the necessary infrastructure, mitigation and enabling works (on and off site), including in terms of: affordable housing, travel plan, highway works including pedestrian and cycle facilities (off-site), country parkland, public open space and play facilities, sports pitch provision, other green infrastructure, public transport, primary and secondary education, healthcare and local centre, including community and commercial uses.

The application is therefore contrary to Policies CS3, CS4, CS5, CS6, CS13, CS17, CS18 of the West Berkshire Core Strategy Development Plan Document (CS DPD, adopted July 2012); the Vision, Strategic Objectives and the Development Principles of the Sandleford Park SPD (adopted March 2015); and the West Berkshire Planning Obligations Supplementary Planning Document (PO SPD, adopted December 2014).

Informatives

1.	<p>In attempting to determine the application in a way that can foster the delivery of sustainable development, the local planning authority has approached this decision in a positive way having regard to Development Plan policies and available guidance to try to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has also been unable to find an acceptable solution to the problems with the development so that the development can be said to improve the economic, social and environmental conditions of the area.</p>
2.	<p>This decision to REFUSE the proposed development is based on the following plans and reports:</p> <ul style="list-style-type: none"> • Location Plan (drawing number 14.273/PP01 RevB); • Land Use and Access Parameter Plan (drawing number 14.273/PP02 RevH1); • Green Infrastructure Parameter Plan (drawing number 14.273/PP03 RevG1); • Building Heights Parameter Plan (drawing number 14.273/PP04 RevG1); • Parcelisation Plan (drawing number 14.273/PP05 RevB); • Strategic Landscape and Green Infrastructure Plan (drawing number 04627.00005.16.632.13); • Country Park Phasing Plan (drawing number 04627.00005.16.306.15); • Monks Lane Eastern Site Access (drawing number 172985/A/07.1); • Monks Lane Western Junction Access (drawing number 172985/A/08); • Illustrative Layout Plan (drawing number 171); • Access Road Plan (drawing number 14.273/928); • Combined Land Use and Access Parameter Plan (drawing number 14.273/PP02 RevI); • Combined Green Infrastructure Parameter Plan (drawing number 14.273/PP03 RevH); • Combined Building Heights Parameter Plan (drawing number 14.273/PP04 RevH); • Combined Strategic Landscape and Green Infrastructure Plan (drawing number 04627.00005.16.633.14); • Planning Statement (May 2020, Issue A); • Affordable Housing Statement (May 2020, Issue A); • Transport Assessment (March 2020); • Environmental Statement (Non- Technical Summary, Vol. 1 - Main Report, Vol. 2 A3 Figures, Vol. 3a & 3b Appendices; March 2020); • Design and Access Statement (February 2020, Issue 8); • Energy and Sustainability Statement (December 2019, 2017.013.001b); • Draft S106 Agreement (6th May 2020, 2112295/AZT/SKA01); • Response to Reasons for Refusal To Application 16/03309/OUTMAJ (May 2020); • Draft Planning Conditions (May 2020, Issue A); • Memorandum of Understanding (6th May 2020); • Statement of Community Engagement (March 2018).
3.	<p>This application has been considered by West Berkshire Council, and REFUSED. Should the application be granted on appeal there will be a liability to pay Community Infrastructure Levy to West Berkshire Council on commencement of the development. This charge would be levied in accordance with the West Berkshire Council CIL Charging Schedule and Section 211 of the Planning Act 2008.</p>