

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Submission of representations - Main Modifications to LPR - obo Walker Logistics  
**Date:** 31 January 2025 14:35:41  
**Attachments:** [REDACTED]

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Dear Planning Policy Team,

We write to submit representations on behalf of Walker Logistics (Holdings) Ltd in respect of the Main Modifications consultation to the LPR.

We would be grateful if you could confirm receipt of the attached.

Kind regards,

Beth

**Beth Lambourne**

[REDACTED]

[REDACTED]

**PEGASUS**  
**GROUP**

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# West Berkshire Local Plan

## Main Modifications Consultation

by Walker Logistics (Holdings) Ltd

Representor: Walker Logistics (Holdings) Ltd

Agent: Pegasus Group

Representor Reference Number: 1141799

Date: 31 January 2025 | Pegasus Ref: P24-O427\_ROO2.1\_PL\_MAN\_PR

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# Contents

1. Introduction.....	3
2. Main Modifications Consultation.....	5
Appendix 1 – Email to Programme Officer confirming the Implementation of Planning Permission at Walker Logistics.....	9

# 1. Introduction

- 1.1. This Main Modifications Consultation response has been prepared by Pegasus Group on behalf of Walker Logistics (Holdings) Ltd ('Walkers') who own a site which is partially in industrial, storage and distribution uses (Use Class E(g)(iii), B2 and B8) and partially undeveloped. The undeveloped land highlighted red below extends to approximately 20.9ha and the land highlighted blue is the existing Walkers warehousing site.

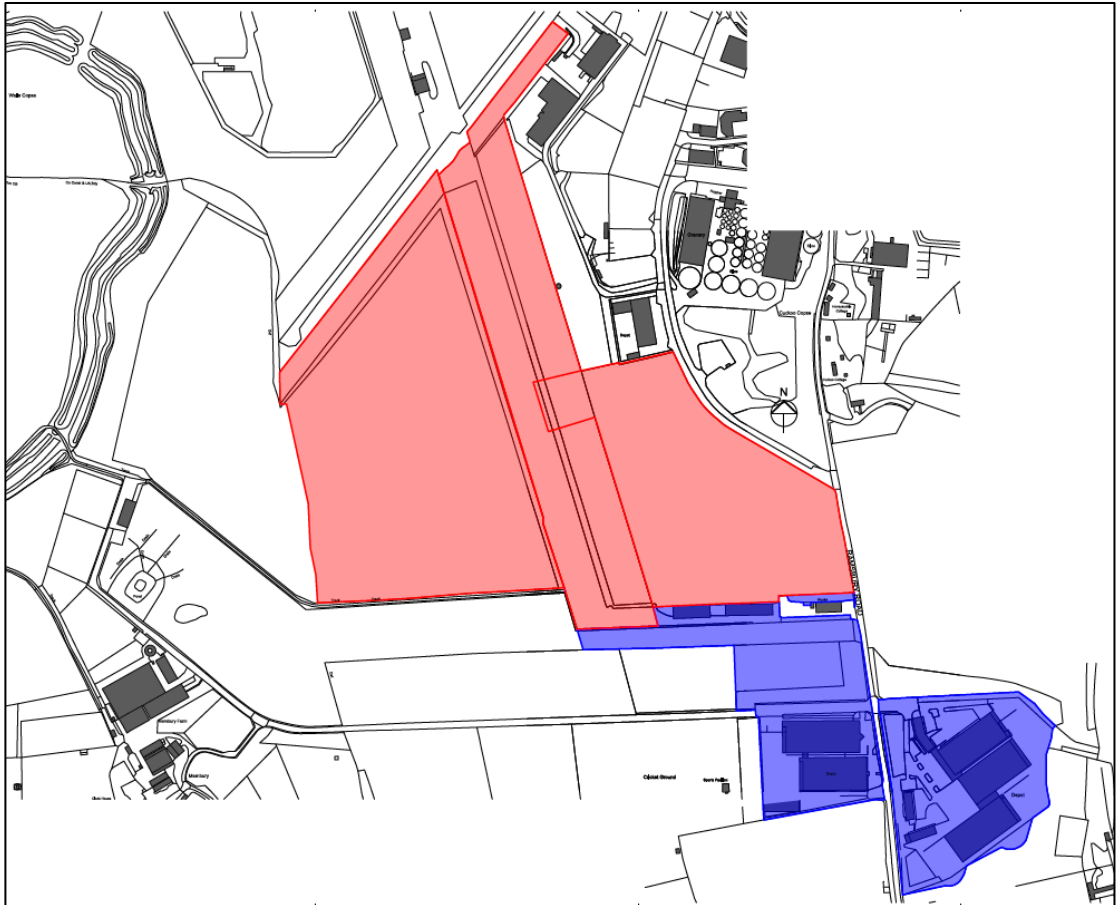


Figure 1 – Site Ownership Plan

## Background

- 1.2. Walkers, supported by Pegasus Group, have long been involved with the Local Plan process. This includes submissions to the:
- 'Call for Sites' between December 2016 and March 2017.
  - 'Housing and Economic Land Availability Assessment (HELAA) Call for Sites in November 2018.
  - Regulation 18 version of the Local Plan Review in February 2021. This included a clarification issued by the Council around the Policies Maps and this is enclosed in Appendix 2 of Walkers Reg 18 Representation.





- Regulation 19: Proposed Submission Plan; and
- Various Hearing Statements to address various matters raised by the Inspector in respect of the Local Plan Examination.

### **Current Situation**

- 1.3. As discussed at the hearings, outline planning permission (Ref. 19/O2979/OUTMAJ), and subsequently reserved matters (RM) approval (Ref. 22/OO897/RESMAJ) was granted on 14 February 2023.
- 1.4. Since these approvals, the relevant pre-commencement conditions have been formally approved and the planning permission has now been implemented. This was confirmed to the Council on 22 July 2024 and to the Programme Officer on 23 July 2024 (**Appendix 1**).
- 1.5. Following the start on site, Walkers can also confirm that further works on site will continue in February 2025, with the development scheduled to be completed around January 2026.
- 1.6. Against this context, Walkers would have the following comments to make to the Main Modifications consultation:



## 2. Main Modifications Consultation

### Introduction

- 2.1. The Inspector has set out in **IN38** that the main modifications proposed by the Council in response to the Inspector's action points are all necessary to address soundness issues and will be effective in so doing.

### **IN38: Main Modifications Consultation**

- 2.2. Since issuing the above document to the Examination Library, Walkers note that the Council responded on 5<sup>th</sup> December 2024 (Exam 66) accepting the Inspector's request in **IN38** as to whether the Inspector can make further modifications to the Plan to make it legally compliant and sound (our emphasis).
- 2.3. This positive response from the Council is supported by Walkers and now appears the only way in which a positively prepared plan, to deliver the clearly identified development needs, can be progressed towards adoption.

### **Exam 62 – Main Mods and Exam 63 – Proposals Map Modification**

- 2.4. Specifically looking at the proposed main modifications, Walkers support **MM30** as it now includes the employment requirement across the District. This identifies a minimum of 57,531sqm (NIA) of office space and a minimum of 98,196sqm (GIA) (24.5ha) of industrial space which is now reflected in Policy SP20.
- 2.5. In addition to this is **MM67**, which now correctly states the approved floorspace figure of 10,390sqm at Membury to be included in Policy ESA2. This main modification, which reflects the implemented planning permission at the Walkers site, is supported by Walkers.

### **Additional Site-Specific Alterations Required**

- 2.6. Further updates at **Annex L of Exam 62 and also Appendix P of Exam 63** are also noted, but Walkers have a number of concerns with the detailed boundaries as amended. This has been raised in previous Hearing Statements and discussed at the Examination. To again assist, an extract of Walkers approved layout plan is provided below. This shows that to the north of the site (to the west of the plane marked out below) some landscaping will be removed and there is an area of reinforced grass and permeable paving.

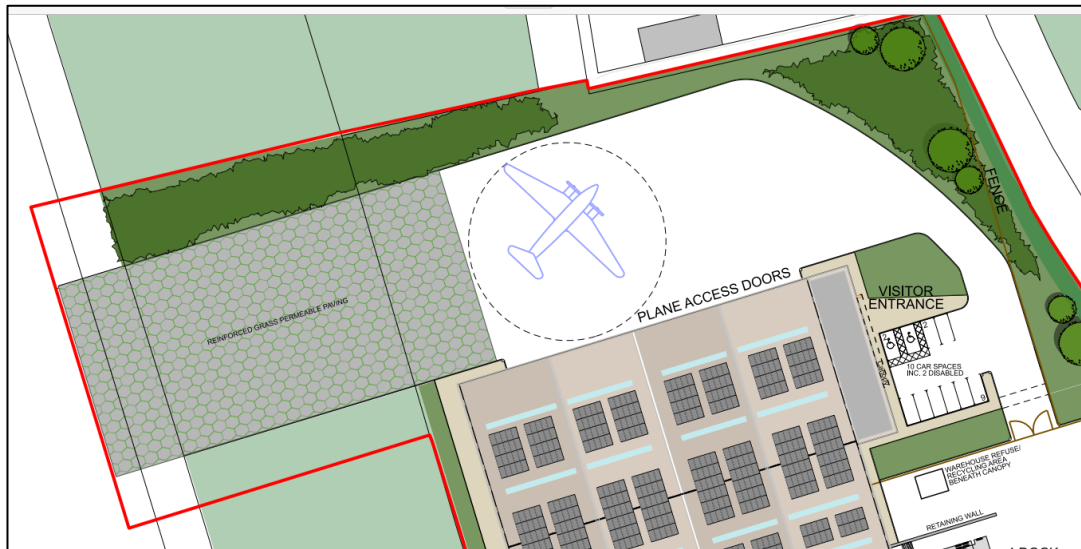


Figure 2 – Extract of Approved Layout Plan

2.7. The Committee Report for the RM application is clear that:

*“The northern part of the site would comprise a large brushed concrete hard standing area boarded by tree and woodland understorey planting, adjacent to the existing vegetation north of the site. The taxiing strip to enable access to the adjoining airfield beyond the application site would be surfaced in grasscrete.” [our emphasis]*

2.8. The landscaping shown above cannot and will not be retained in the location identified for the Taxiing strip.

2.9. Just looking at the submitted wording of ESA2, Walkers would reiterate a number of concerns previously covered in Hearing Statements. Principally, these relate to aligning the policy requirements with the implemented planning permission at the Walkers site.

2.10. In the absence of these changes within the Council’s main modifications, the Inspector should include additional alternations to Policy ESA2 to include:

- E(ii) – the comments relating to the ‘buffer’ need updating to reflect the above response given that part of the western buffer is required and will be implemented to provide Taxiing access to the airfield.
- E(iii) – this needs removing as planning permission has been implemented for buildings that exceed the height of the trees to the west, as shown in the approved cross sections set out below. In any case the height of the trees is not a fixed point as they will inevitably grow, but will also require maintenance to control their height:

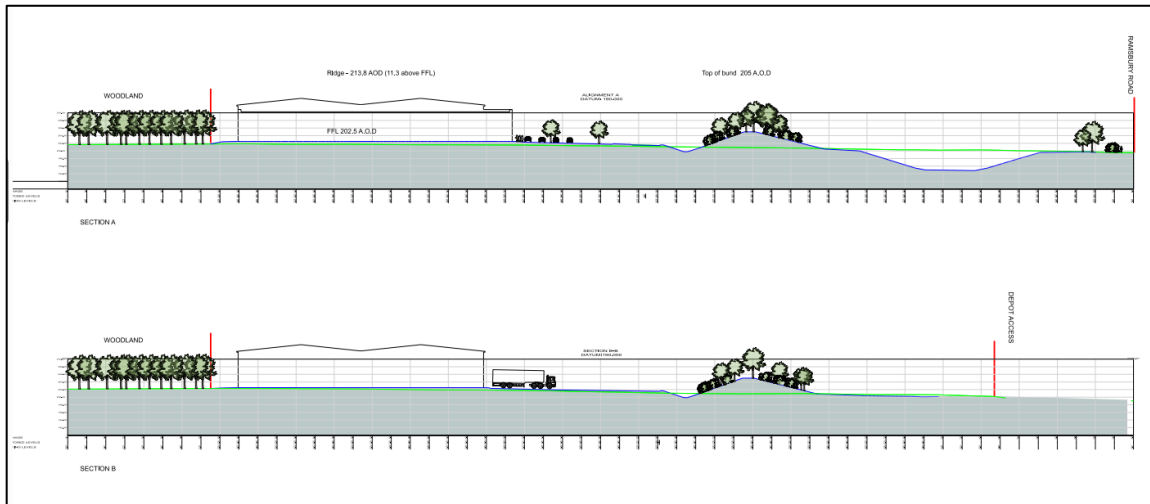


Figure 3 – Extract of Approved Cross Section Plan

- E(v) – this needs deleting as it is unclear how HGV access into the site could have a ‘rural character’. It needs to be a functional and safe access solution, as is already detailed and approved at the site.

2.11. In summary, and as planning permission ref: 22/00897/RESMAJ has now been implemented, this needs to be reflected within additional updates to the Proposals Map, as drafted and shown in Annex L and Annex P of the main modifications consultation and also within Policy ESA2.

#### Additional Plan Modifications Required

- 2.12. Within **MM67**, there is a table, below which is some text which claims that “*The Council will seek to ensure that sufficient sites are provided in the right locations to foster sustainable economic growth*”. Walkers support the inclusion of the statement but it is clear that the Plan simply does not deliver this.
- 2.13. Numerous representors at the Examination raised concerns with the substantial shortfall in employment land needs identified within the Local Plan Review. Calculations undertaken by Pegasus Group identified that approximately 56,190sqm of industrial space was identified to be allocated for the plan period to 2041 (tabulated and confirmed in **MM67**). This left a minimum shortfall of 42,000sqm of industrial space, representing around 43% of the total minimum requirement of industrial space (98,196sqm–56,190sqm).
- 2.14. It was also conceded by the Council at the Examination session that one of the sites included as part of the supply of industrial floorspace in West Berkshire may not come forwards as expected.
- 2.15. Colthrop Industrial Estate (AP67) was identified to deliver around 20,400sqm of industrial floorspace, according to the draft allocation; however, the site has planning permission for a police facility. In the event that the Police scheme is delivered, the site would no longer be able to contribute towards the supply of industrial land. This is noted in an additional footnote to the policy at **MM68**.



- 2.16. If this site were not to come forwards as an industrial site, this would increase the shortfall of industrial floorspace to more than 60,000sqm, or more than 60% of the minimum employment floorspace to be delivered throughout the Plan Period.
- 2.17. This is the main issue that the Council have failed to address throughout the examination process. The Council have not sought to add in any further allocations to meet the minimum floorspace figures now included in Policy SP20 through **MM30**.
- 2.18. Furthermore, this continued failure to deliver the minimum employment needs as is now included in the Plan has not been included in the updated SA. The assessment of Policy SP20 still fails to reflect the alternative scenario advanced by the Council in the plan where somewhere around 40–60% of the identified needs fail to be planned for.
- 2.19. This failure of the Council to address the minimum employment needs can be rectified by the Inspector through further main modifications. This would then comply with the SA as drafted.
- 2.20. As the Inspector will be aware through Walkers various Hearing Statements, part of the wider Walkers Landholding was proposed to be allocated in the Regulation 18 version of the LPR (under Draft Policy SP21, site EMP5). This set out that the site west of Ramsbury Road, Membury Industrial Estate was capable of accommodating around 27,600 sqm of employment floorspace i.e. an additional 16,000sqm or so floorspace, above and beyond that already benefitting from planning permission and identified as Allocation ESA2.
- 2.21. Walkers confirm that their wider landholding to the west of Allocation ESA2 remains available. It is also suitable for employment development, and could comply with the wider policy requirements set out in ESA2 (as proposed to be amended as set out above). The effective extension to Site ESA2 will comply with the SA Appraisal at Appendix 7, which concludes:
- The policy is likely to have an overall neutral impact on sustainability. There are likely to be significantly positive economic sustainability impacts in relation to the allocation of land for employment uses. There are also likely to be significantly positive environmental impacts in relation to climate change reliance. Positive environmental sustainability impacts have also been identified in relation to biodiversity, landscape and heritage as well as in relation to mineral resources. There are also positive social sustainability impacts in relation to road safety and the promotion of sustainable travel. No negative sustainability impacts have been identified (our emphasis)*
- 2.22. Walkers' landholding to the west of ESA2 should be identified by the Inspector as an employment allocation through a Main Modification to the Plan. At this stage, this is the only way to seek to address some of the Council's acknowledged employment land shortfall (which is significant).
- 2.23. The Inspector needs to make further Main Modification(s) to identify further site(s) to ensure that that sufficient sites are identified to foster the sustainable economic growth advocated by the Council.
- 2.24. This is now the only way to ensure that the Plan is consistent with national policy, effective, justified, positively prepared and could be considered sufficiently sound to be adopted.





## **Appendix 1 – Email to Programme Officer confirming the Implementation of Planning Permission at Walker Logistics**

**From:** [Phil Robinson](#)  
**To:** [REDACTED]  
**Cc:** [Beth Lambourne](#)  
**Subject:** FW: West Berkshire LPR policy ESA2  
**Date:** 23 July 2024 16:28:37  
**Attachments:** [image001.png](#)  
[image863921.png](#)  
[Council response to AP68 Final.pdf](#)  
[dakota0001.pdf](#)  
[IMG\\_2444.JPG](#)  
[FDF7092C.JPG](#)  
[387EFF3D.JPG](#)

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Ian

Further to the request of the Inspector that Pegasus Group and the Council agree a position on the Walkers site (allocation ESA2), we did so at the time insofar as the attached AP68.

Following the issuing of AP68, Walkers have now implemented their planning permission on allocation ESA2. This was confirmed in the email below and we also provided the attached details to the Council. Despite asking if the Council want to update Statement AP68 to reflect this, the Council have decided not to do so.

I thought I best bring the implementation of the planning permission to your and the Inspector's attention, given that the Council's position on ESA2 is predicated by Walkers not implementing their planning permission.

I trust this is useful, but if you or the Inspector need any further information, please do not hesitate to be in contact.

Cheers

Phil

**Phil Robinson**

Senior Director ~ Planning

E [REDACTED]  
M [REDACTED] | DD [REDACTED] | EXT [REDACTED] | T [REDACTED]  
Queens House | Queen Street | Manchester | M2 5HT



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To: Glencar Construction Ltd  
Glencar House,  
32 34 Upper Marlborough Road,  
St Albans,  
AL1 3UU

FAO – Mr Doug Higson

By email only to: [REDACTED]

Our ref: 111925-100/68/WF/BO/BR

Date: 27 June 2024

Dear Sirs

**Dakota Building, Ramsbury Road, Lambourn Woodlands, Hungerford RG17 7TJ**

We write on behalf of our client, Walker Logistics Holdings Limited, to advise that it is their intention to enter into a Building Contract with your company for the construction ("Enabling Works / Site setup") at the property defined above based upon the following agreed conditions. This letter of intent is considered to be legally binding, under English Law.

- a) You are to undertake the site enabling works as set out in your 'Meaningful Start' document issued on 10 November 2023. These works are to comprise the commencement of the initial section of the estate entrance road, stoned up and base course of tarmac with temporary blockwork kerbing, stepped back behind the hedgerow.
- b) You will carry out the Works up to a maximum value of [REDACTED] (including overhead and profit but excluding VAT) comprising of the following:

Risk [REDACTED]  
Insurance  
OH&P [REDACTED]  
Works

[REDACTED]

40 Berkeley Square Bristol BS8 1HP  
T: +44 117 927 5847  
W [hollisglobal.com](http://hollisglobal.com)

Will Floyd

M: [REDACTED]

E: [REDACTED]

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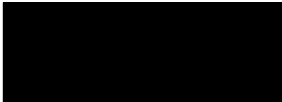
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Registered office: Battersea Studios, 80-82 Silverthorne Road, London SW8 3HE.  
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## Total

- c) The Works will be carried out in accordance with specifications prepared by Hollis, which will ultimately be incorporated into the Contract Documents.
- d) Formal possession of the property to carry out the works will be given on 01 July 2024, (subject to confirmation from the Principal Designer that it is acceptable for you to proceed in accordance with clause "h" below) and you should proceed on the basis that the works are being carried out in accordance with your overall Construction Programme as defined in your proposed programme (3 weeks overall to complete the works).
- e) The Works as defined in the specification will be complete by 19th July 2024.
- f) The Works will be carried out on the basis that the Form of Contract will be the JCT Design and Build Contract 2016 with employer's amendments as detailed in the tender already issued.
- g) Interim payment assessments and certificates will be made in accordance with the payment provisions of the aforementioned form of contract.
- h) Your company will provide all necessary documentary evidence of implementation of all contract insurances, warranties, and tax certificates to the satisfaction of the Contract Administrator.
- i) Your company will provide sufficient documentation in respect of the pre-construction phase plan as required by the Principal Designer, prior to works commencing on site.
- j) Your company shall duly complete the Contract as described in above Item "d" and as prepared by the Contract Administrator, within two weeks from receipt. The Contract will be executed as a deed.
- k) In the absence of a Contract, this letter of intent shall apply throughout the project period, however when the Contract is executed, the Contract terms shall apply retrospectively.
- l) Your company is hereby instructed to carry out such preparatory works as are necessary for the due and proper commencement of works to achieve the above commencement and completion dates.
- m) If for any reason the maximum value in Item "a" above is likely to be exceeded then you must give reasonable notice to the Contract Administrator requesting further instruction. For the avoidance of doubt no payment of sums in excess of costs identified (including overheads or profit) in this letter will be made without prior authorisation.
- n) In respect of all design rights and copyright in all technical information, drawings, models, bills of quantities, specifications, schedules, details, plans, calculations or other material provided or to be provided by you in respect of the Works and any works, designs or inventions incorporated or referred to therein in relation to the Works ("the Document") you hereby grant to us an irrevocable non-exclusive royalty free licence to use, reproduce and modify the Documents for all purposes relating to the Works with the right without your consent to assign the licence or grant a sub-licence of it. You shall not be liable for any such use by us for any purposes other than that for which the same were provided.

- o) We confirm that should the works be cancelled for whatever reason before the Contract is duly completed, the Employer will reimburse your company for such sums as have reasonably been expended (which for the avoidance of doubt will exclude loss of profit). All costs to be agreed with Hollis. In this unfortunate event you will unconditionally deliver to us all the Documents and information relating to the Project that are available to you.

Yours sincerely, \_\_\_\_\_



**Will Pasco**  
Director

For and on behalf of  
Walker Logistics

cc Paul Reid  
Philip Walker

Countersigned .....

Dated .....

For and on behalf of .....

















**From:** Sarah Conlon [REDACTED]  
**Sent:** Tuesday, July 23, 2024 3:36 PM  
**To:** Phil Robinson [REDACTED]

[REDACTED]  
Lambourne <Beth.Lambourne@pegasusgroup.co.uk>

**Subject:** RE: West Berkshire LPR policy ESA2

Hi Phil,

Thank you for your email, the contents of which are noted.

The Council does not consider it necessary to update its response to AP68. However, should you wish to update the Inspector it may be worth contacting the Programme Officer directly.

Kind regards,  
Sarah

**Sarah Conlon**

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**From:** Phil Robinson [REDACTED]  
**Sent:** Monday, July 22, 2024 1:53 PM  
**To:** Sarah Conlon [REDACTED]

[REDACTED]  
**Subject:** RE: West Berkshire LPR policy ESA2

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Sarah

Further to the note issued to the Inspector and also our follow up confirmation that works were starting on site on 1<sup>st</sup> July, I have attached some photos of the works that have been undertaken at the site to implement the planning permission.

I suspect it will be useful to send the attached details to the Local Plan Programme Officer so he can relay to the Inspector, but do you also want to update your AP68 note on ESA2 to reflect the current position on the site?

Cheers

Phil

**Phil Robinson**

Senior Director - Planning

[REDACTED]

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**From:** Phil Robinson [REDACTED]  
**Sent:** Wednesday, July 3, 2024 5:09 PM  
**To:** Sarah Conlon [REDACTED]

**Subject:** RE: West Berkshire LPR policy ESA2

Sarah

Thanks for issuing the note you have sent onto the Inspector.

Just to follow up, like I said I would, I have attached the letter of intent to commence the enabling works for Dakota. They should also be on site now and I will send photos of the works when it is clear that the works have satisfied S.55 of the TCPA and the scheme can be considered formally implemented.

If you have any questions in the interim, please do not hesitate to be in contact.

Cheers

Phil

**Phil Robinson**

Senior Director - Planning

[REDACTED]

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**From:** Sarah Conlon [REDACTED]  
**Sent:** Friday, June 28, 2024 10:14 AM  
**To:** Phil Robinson <[REDACTED]>  
[REDACTED]

**Subject:** RE: West Berkshire LPR policy ESA2

Hi Phil,


Many thanks for your email. Your comments have been added to the attached response which will be sent to this Inspector this morning.

You will see the points of agreement are clear within the table and the text has been updated to reflect our respective positions with regard to part 'e' of the policy.

I trust this is acceptable.

Kind regards,  
Sarah





**From:** Phil Robinson <[REDACTED]>  
**Sent:** Thursday, June 27, 2024 3:39 PM  
**To:** Sarah Conlon <[REDACTED]>  
**Subject:** RE: West Berkshire LPR policy ESA2

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Sarah

Thank you for the Council's patience on this matter before we prepared this response.

To start with, and as mentioned after the Examination session, the extant planning permission will be implemented. This will be next week as Walker Logistics have appointed Glencar Construction to commence works, with welfare units/site mobilisation and compound creation and the first construction tasks thereafter will be the setting out of the estate road then the topsoil strip and then the laying of 6f5 subbase and installing kerbs.

I am just waiting for a copy of the formal appointment of Glencar and I will send this on when it arrives.

With this as context, there is no need for Policy ESA2 to reflect a position that the extant planning permission will not be implemented. As such Walkers maintain that ESA 2 needs to acknowledge what has been approved and is being implemented at the site. It would be useful to reference the planning application reference in the opening sentence of the Policy.

I have made a few comments on the initial draft changes issued by the Council. Overall ESA2 should reflect the approved application at the site and this results in a number of consequential changes.

Part 'E' doesn't need to reference the Council's landscape evidence. What is approved is inconsistent with the landscape evidence, which also means that several of the criteria in E needs to change:

- Iii – needs removing. We are implementing a planning permission which protrudes above the tree belt, so this must be acceptable;
- V – the element ' the development should be low key, have a rural character ...' needs removing. Its not clear how anyone delivering the logistics scheme at this site could realistically comply with that, certainly given the accepted level and type of HGV vehicle movements. I suspect the large signage point could be retained, as I understand we are yet to apply for advertisement consent.

I hope this is clear and the Council accept that the approved planning application on the site should be driving the content of Policy ESA2 and there should be no inconsistencies with the wording of the Policy and what must be acceptable on the site given the planning approval in place.

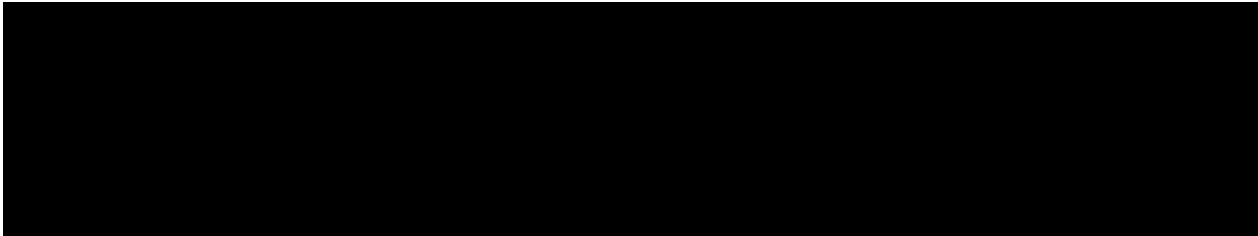
I am around on the mobile if you want to talk this through further before we respond to the Inspector.

Cheers

Phil

**Phil Robinson**

Senior Director - Planning



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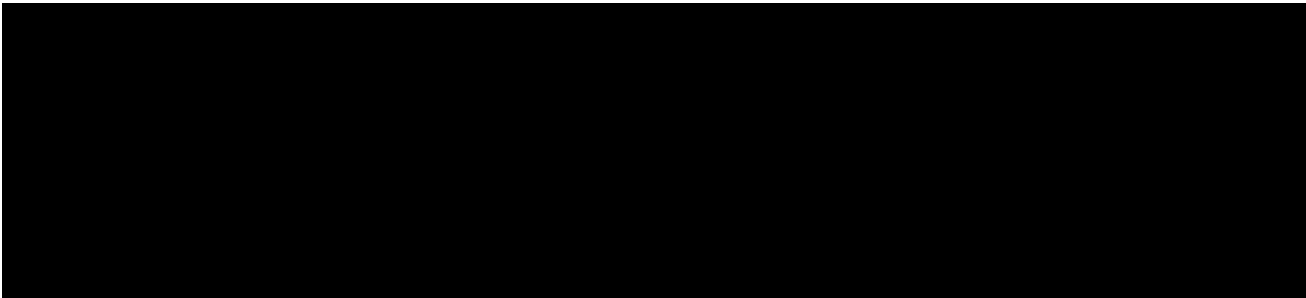
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**From:** Sarah Conlon [REDACTED]  
**Sent:** Wednesday, June 26, 2024 8:43 AM  
**To:** Phil Robinson [REDACTED]  
**Subject:** RE: West Berkshire LPR policy ESA2

Morning Phil,

Many thanks for the update – look forward to hearing from you.

Kind regards,  
Sarah



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**From:** Phil Robinson [REDACTED]  
**Sent:** Wednesday, June 26, 2024 6:39 AM  
**To:** Sarah Conlon [REDACTED]  
**Subject:** RE: West Berkshire LPR policy ESA2

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Sarah

As an update my Client has provided their responses now they are back in the country. Counsel returns from leave today.

I have asked that our team be in a position to respond by tomorrow lunchtime – so you have a little more time to consider our response to the Inspector, than what you were asking us to work to last week.

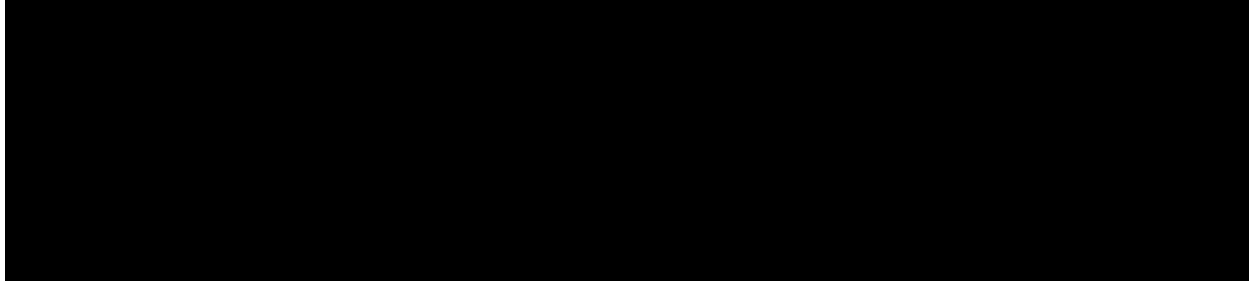
I hope this timescale is fine for the Council but let me know if you have any questions or further thoughts on our

response.

Cheers

Phil

**Phil Robinson**



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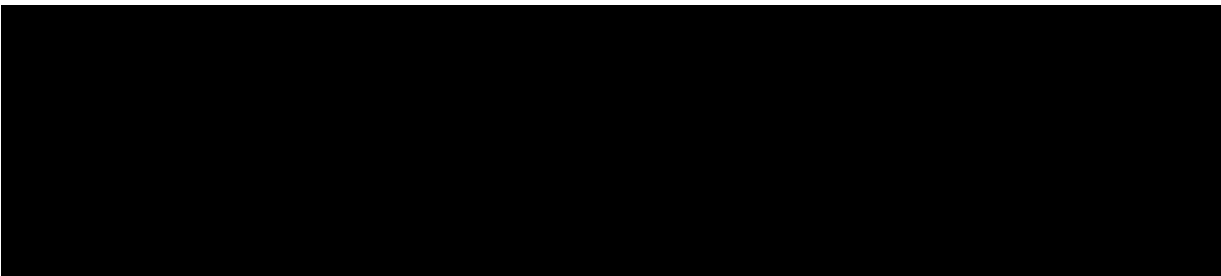
**From:** Sarah Conlon [REDACTED]  
**Sent:** Tuesday, June 25, 2024 7:47 PM  
**To:** Phil Robinson [REDACTED]  
[REDACTED]  
**Subject:** FW: West Berkshire LPR policy ESA2

Hi Phil,

I am just following up on the below email as I am conscious the deadline for a response to the Inspector is midday on Friday and we are in hearing sessions all day tomorrow. As such, I'd be grateful if you could give me an update on timescales from your end.

I look forward to hearing from you.

Kind regards,  
Sarah



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**From:** Sarah Conlon  
**Sent:** Wednesday, June 19, 2024 3:03 PM



**Subject:** West Berkshire LPR policy ESA2

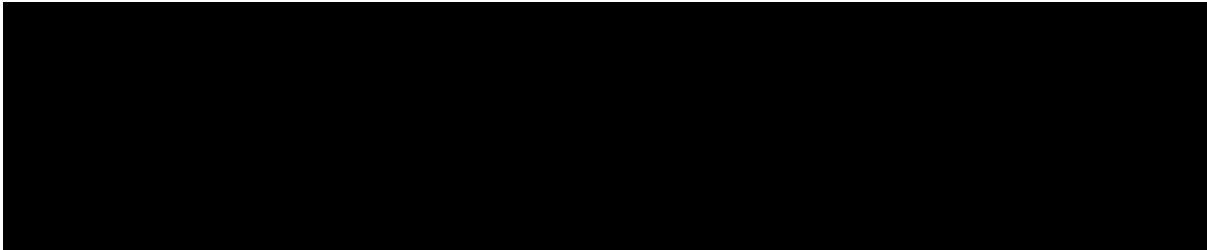
Hi Phil,

Further to the hearing session last week and the Inspector's Action Points for week four, please find attached the Council's proposed modifications to policy ESA2 and the associated site boundary, along with a proposed modification to the DEA boundary at Membury.

I'd be grateful if you could have a look and let me have any comments before 2pm tomorrow.

Happy to discuss if you would find that helpful.

Kind regards,  
Sarah



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