

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**  
**APPEAL BY T A Fisher & Sons Ltd**

Appeal Against the refusal of Full Planning Permission  
by West Berkshire Council

ON

Land to the rear of The Hollies, Reading Road, Burghfield  
Common

For

The erection of 32 dwellings including affordable housing,  
parking and landscaping. Access via Regis Manor Road.

Application Reference no. 22/00244/FULEXT  
APPEAL REFERENCE: APP/W0340/W/22/3312261

**APPENDICES TO PLANNING PROOF OF EVIDENCE**

Prepared by  
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Director - Pro Vision

MAY 2023

LAND TO THE REAR OF THE HOLLIES, READING ROAD, BURGFIELD COMMON

Appendices to Planning Proof of Evidence

PRO VISION PROJECT NO. 50929

**PREPARED BY:**

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**APPELLANT:**

T A FISHER & SONS LTD

**DATE:**

MAY 2023

**PRO VISION**

THE LODGE

HIGHCROFT ROAD

WINCHESTER

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**Appendix KM1 – Housing Site Allocations DPD Preferred Options Consultation – Key Issues and Council Responses BUR002/002A/004: Land to the rear of The Hollies Nursing Home and land opposite 44 Lamden Way, Burghfield Common**

## Housing Site Allocations DPD Preferred Options Consultation – Key Issues and Council Responses

### **BUR002/002A/004: Land to the rear of The Hollies Nursing Home and land opposite 44 Lamden Way, Burghfield Common**

Responses received: 554

Template responses received: 503 (91%). 3 individual templates were received, 2 objecting to development on the site, and one supporting development of the site:

- BUR002 002A 004 Template (1) - objection
- BUR002 002A 004 Template (2) - support
- BUR002 002A 004 Template (3) – objection

#### **1. General**

##### *Consultation comments:*

- The DPD omits the proposed development at Mans Hill – the traffic impact of both developments should be taken into account
- Support for allocation
- Object to allocation
- Both preferred options are better than Firlands
- Preference for this site, as it is screened and a wasted area that most people do not know is there
- Loss of semi-rural character
- Only one site should be allocated in Burghfield
- Social housing and traveller sites are well catered for in the Burghfield Common area
- This location should have the least impact on services/facilities
- This village is already at bursting point and cannot withstand further development
- Opposition from parish council (*comment not made by PC*)
- Need for a clear policy to prevent speculative planning applications
- Better to allocate sites than have planning by appeal
- Some of the housing types proposed could have a serious detrimental effect on property prices in the village
- BUR004 has not been subject to the same scrutiny as other sites in the SHLAA. There is a lack of robust analysis relating to the impact in the SA/SEA – more investment would be required here than the other sites – further from schools, shops
- Pleased to see neither Firlands nor Mans Hill have been put forward

##### *Council response:*

The DPD process and the process for considering a planning application are two different processes. The DPD looks strategically at all sites submitted to the council and allocates the most suitable for development. The Development Control process considers each planning application against the current planning policies and other material considerations. Mans Hill was not included within the Council's preferred Options DPD, and the planning application was refused and the appeal was

dismissed. There are no plans to reconsider Mans Hill as part of the DPD process; the site is significantly larger than required within the spatial strategy for the East Kennet Valley and Burghfield. The aim of the DPD is to allocate sites to meet the at least 10,500 housing figure of the Core Strategy, providing a degree of flexibility to ensure that the Council can maintain their five year housing land supply.

It is noted that there is both local support and objection to the inclusion of this site, and that overall the preferred options sites are preferred to either Mans Hill or Firlands, both of which have been subject to refused planning applications. Firlands has been granted planning permission on appeal for up to 90 dwellings, although the Council is challenging this decision. The Parish Council have stated as part of the preferred options consultation that they would prefer development on this site.

The preference for the allocation of only one site within Burghfield Common is noted.

Adopted Core Strategy policy CS6 sets out that all new development on Greenfield sites is required to deliver 40% affordable housing (30% on brownfield land), with a combination of social rented and intermediate affordable units. There is a need for additional affordable housing in West Berkshire and all new development is expected to contribute towards meeting this need. The Council have a duty to provide sites for Gypsy and Travellers, these can only be provided on sites put forward for consideration for this purpose.

The impact on property prices is not a planning issue and therefore, cannot be taken into consideration.

All sites have been subject to site assessment and Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA). These have been carried out on a consistent basis across all sites submitted to the Council for inclusion in the SHLAA.

Comments about the rejection of Mans Hill and Firlands noted.

## **2. Principle of Development**

### *Consultation comments:*

- The site is away from the main part of the village and will not impinge on the approaches in any way
- The character of the area will be preserved
- Parish Council would prefer development on this site
  - Would be visually less obtrusive
  - Is not in active agricultural use – the PC do not support the loss of active agricultural land as at BUR015
  - Smaller development would have less of an impact on the village
- The site is as far away from the village centre (taken as the village hall) as its possible to be
- Significant impact on the character of the area

### *Council response:*

Support for development on this site is noted.

The SA/SEA has not raised any concerns regarding the impact on the character of the area as a result of development on these sites. Sensitive design will be important to respect and enhance the character and appearance of the area.

The only sites that are closer to the village hall are those located along Hollybush Lane, such as BUR007 (Firlands), which is not being considered for allocation partly due to the strength of local feeling against the site. The village hall is less than 1.5km from the site.

### Alternative sites

#### *Consultation comments:*

- The overall impact on the character of the area would be less if BUR006 or 007 were developed – concerns relating to BUR007 over spilling could easily be contained by planning condition
- Existing council properties should be redeveloped to give a greater density and therefore, higher number of dwellings
- Preference for other site (BUR015) due to lesser traffic impact

#### *Council response*

BUR006 and 007 were not included as preferred options and other sites were considered more suitable for development. Part of BUR007 has been granted planning permission on appeal, although the Council are challenging this decision. The site promoters for BUR007 have made it clear as part of the Preferred Options consultation that they would like to see development of up to 300 dwellings across the whole site over time.

The Council do not own any affordable housing stock but work with Housing Associations, therefore, the Council themselves are unable to redevelop areas of affordable housing, this would need to be done by the Housing Associations themselves. Many areas of poor quality affordable housing have been redeveloped in recent years.

Preference for allocation of BUR015 noted.

### Deliverability

#### *Consultation comments:*

- The site is in multiple ownership which would impact on deliverability
- BUR002A/004 are only viable options if BUR002 is brought forward
- BUR016 is closely related to the existing settlement boundary and can be accessed via a private driveway, therefore could be developed without the benefit of the other sites in the group
- Delivery of 85 houses on this site is questionable

- Part of the site falls outside the land registered under title BK324735, it appear to be unregistered – this impacts on the deliverability of the site as the owner is unknown
- If BUR002/2A are allocated BUR004 should be removed from the allocation – this would reduce the impact on Lamden Way and allow a small area of green space as a buffer between the existing and new development
- Not all landowners were aware their land was included in this site
- There are a number of restrictions on the site (BUR004)

*Council comments:*

Deliverability of a site is critical to its allocation. It is recognised that the site is in multiple ownership, however, the landowners are understood to be committed to developing a single master plan for the whole site and this can also be sought through any planning policy that is prepared to guide the future development of the site. Part of the site has been removed, on the request of the landowner, and is being considered as a separate site (BUR019) for inclusion within the settlement boundary.

It is acknowledged that BUR002, and potentially BUR004 require access through BUR002A, and are therefore, only deliverable in conjunction with BUR002A.

BUR016 was withdrawn from the SHLAA prior to the preferred options consultation and therefore, is not being considered as part of the site.

Housing numbers

*Consultation comments:*

- Burghfield has already received a significant amount of growth
- The village does not need 200 new homes to remain viable or improved
- Housing figure is imposed from remote bodies on the local community
- Housing numbers should not be more than those referred to in the DPD
- There is not a housing shortage in this area
- Mortimer has more facilities, the same bus service and a station – therefore, should receive more development

*Council response:*

The Council's Core Strategy sets out the Council's housing requirement for 2006 – 2026. The council is required to meet this requirement through what is known as a five year housing land supply. Without a five year housing land supply the Council can be vulnerable to planning by appeal, which could result in unsuitable developments coming forward. The Core Strategy also sets out the spatial distribution for development across West Berkshire, including within the East Kennet Valley. Each spatial area has its own housing requirement to be delivered. The core strategy was rigorously tested at an Examination in Public by an Independent Inspector who agreed that based on the evidence provided the East Kennet Valley would be able to take the amount of development proposed.



Within the East Kennet Valley there are two Rural Service Centres (Burghfield Common and Mortimer) and two Service Villages (Woolhampton and Aldermaston). The housing requirement for the area is split between these areas, with the rural service centres receiving more development than the service villages as a result of the better level of service and facilities available. The settlements within the East Kennet Valley are to receive less development than similar level settlements elsewhere in the district to reflect the more limited and poorer transport connections. Aldermaston is not set to receive any development due to its proximity to AWE.

### Land uses

#### *Consultation comments:*

- Should be using brownfield/underused industrial areas around Newbury
- Use of brownfield sites (such as the former Springwood Engineering site in Bunces Lane)
- Loss of a Greenfield site

#### *Council response:*

Where the Council is aware of suitable brownfield sites, these have been taken into account when calculating the remaining housing requirement for allocation. The Core Strategy made it clear that in order to meet the Council's housing requirement development on Greenfield sites on the edge of settlements is necessary. Sensitive design will be important to respect and enhance the character and appearance of the area.

### Planning history

#### *Consultation comments:*

- Previous appeal on the site (2011) was rejected – 'lacking permeability and convenience, no direct link to the village without using the narrow, busy Reading Road' – the site cannot be described as sustainable
- Previous planning permission for BUR002/2A has been rejected at appeal, therefore, the site should have been rejected as having potential for development

#### *Council response:*

The previous application was submitted as a speculative planning application, which in principle was contrary to planning policy. Therefore, the Council had an in principle objection to the site. The site is now being considered through the plan led system, and therefore, if the site was to be allocated for development the principle of development on the site would be established as acceptable.

### **3. Coalescence of settlements**

#### *Consultation comments:*

- Loss of separation between Burghfield Common and Trash Green and Burghfield Village
- Loss of village identity
- A green belt should be identified between Burghfield Village and Burghfield Common

#### *Council response:*

A key feature of even the larger settlements in the District is the way in which few have coalesced in recent times and so the blurring of the physical distinction between places has largely been avoided. It will therefore be essential that any new development helps sustain this strong sense of place and local identity. One of the Core Strategy strategic objectives states 'to ensure that development is planned, designed and managed in a way that ensures the protection and enhancement of the local distinctive character and identity of the built, historic and natural environment in West Berkshire's towns, villages and countryside and this approach is taken forward in policy CS19.

There are no designated green belts in West Berkshire.

### **4. Consultation process**

#### *Consultation comments:*

- Lack of proper consultation
- Carried out during school holidays
- The new proposals have not had the same scrutiny as previous planning applications (Firlands/Mans Hill)

#### *Council response:*

The Preferred Options consultation is an early, informal stage, of consultation to gauge public views on the potential sites put forward for allocation. The consultation period was extended from the usual 6 weeks to take into account the school holidays. Prior to this consultation, workshops were held with local Parish Councils to discuss the potential sites to inform the site selection. A second formal period of consultation will take place from November to December 2015.

Mans Hill and Firlands were speculative planning applications, and were not being considered through the plan led system. The plan led system allows for several phases of consultation with the local community. The Preferred Options consultation allowed members of the public early consultation in to where they would like to see development in the future, rather than development coming forward piecemeal through speculative planning applications. There will be further public consultation on the proposed submission plan, and then members of the public will also be able to comment on the details of any planning applications coming forward in the future.

## **5. Density:**

### *Consultation comments:*

- Density is not appropriate based on the surrounding area
- The high density town based designs developers like building are totally out of keeping in a village environment
- Lamden Way consists of large properties at medium density

### *Council response:*

The densities given in the DPD are indicative and the final density for any development would be subject to negotiation between the Council and the site promoter. 30dph is considered to be medium density development.

Densities in Burghfield Common range from approx. 23dph at Valley Road, to approx. 39dph at Acorn Gardens and approx. 30dph at Lamden Way (and the roads off it). Development of this site at 30dph would be in keeping with the existing densities within Burghfield Common.

## **6. Ecology**

### *Consultation comments:*

- Loss of wildlife habitats (badgers, bats, owls)
- Need for highway improvements will result in the loss of trees/hedgerows
- Environmental and Ecological survey reports must be given the highest priority to prevent urban sprawl
- Need to protect ancient woodlands, hedgerows and meadows
- Woodland on the site reduces the developable area of the site, which could reduce housing numbers on the site to as little as 35.
- Impact on ancient woodland from more people and more cars
- Proximity to Pondhouse Copse – GI should be incorporated and a buffer zone provided – further discussions should take place at planning application stage with Natural England

### *Council response:*

The Council's ecologist has been consulted on all sites considered for allocation. It is recognised that BUR002 is partly within a woodland BAP habitat and that there is a badger set on the site. An extended phase 1 habitat survey would be required, specifically considering badgers, reptiles and bats. Appropriate buffers would be required around the ancient woodland. The site promoters have confirmed that they do not intend to develop the area covered by woodland.

## 7. Emergency planning

### *Consultation comments:*

- Site is in the middle AWE consultation zone
- One site already rejected for being too close to AWE, but this site is not much further away

### *Council response:*

ONR have been consulted on all the sites within the Preferred Options DPD and have not raised any concerns regarding the level of development proposed in the DPD. Development in the AWE consultation zones will require specific consultation with ONR in line with policy CS8 of the Core Strategy.

## 8. Flood Risk

### *Consultation comments:*

- Potential surface water issues to the northeast of the site which could impact on the location of housing
- Winter 2013/14 floods mean that many people had difficulties getting out of the Burghfield area
- No surface water drainage, water often sits on the site
- Development of the site would result in higher flood risk to neighbouring properties
- The site suffers from localised flooding

### *Council response:*

The site is not with any designated flood areas (fluvial or surface/groundwater). A flood risk assessment would be required to accompany any planning application for the site. This would need to consider all sources of flooding and set out mitigation measures for water generated on the site. Sustainable drainage systems (SUDs) would be required on the site.

There were no reported incidents of properties flooding during the Jan/Feb 2014 floods, although it is acknowledged that a number of local roads were flooded.

## 9. Highways and transport

### Traffic and congestion

### *Consultation comments:*

- Congestion/traffic on Clayhill Road, Lamden Way, Hawksworth Road and Reading Road, Burghfield Road
- The local road system is not designed for more traffic, regular traffic jams occur at traffic lights leading to rat running

- Journeys to Reading/Theale will take longer as there will be delays getting out of the village
- Traffic is now using Burghfield as a cut through instead of the A4
- Reliance on private car travel
- Traffic impact cannot be fully assessed without a specific scheme to consider

*Council response:*

Transport assessment work carried out by the Council in relation to the Mans Hill and Firlands appeal sites have shown that if both the appeal sites were to be developed the highway network would still operate within capacity. This work has been used as a proxy to show that development of either of the preferred options sites would not lead to issues of capacity on the highway network as the numbers involved are less than the two appeal sites. Transport Assessment work carried out for West Berkshire as a whole (although not specifically covering this area) does not show a significant impact on the highway network as a result of development of the Preferred Options HSA sites.

Transport Assessments/Statements would be required to accompany any planning application received and would need to consider the very local impact of the development. A Travel Plan would also be required, which would look at ways to encourage residents to walk and cycle, and consider alternative modes of travel to the car, especially for local journeys.

Access

*Consultation comments:*

- Access to Reading Road and Burghfield hill is difficult now
- Access should be from Clayhill Road, it has better visibility, good pavements and appears safer all round
- BUR004 currently only accessible via Lamden Way, which is a private road

*Council response:*

Specific details relating to access on to Reading Road would be considered at the planning application stage as part of the Transport Assessment/Statement work which accompanies a planning application.

Access to this site could not be achieved onto Clayhill Road.

It is noted that Lamden Way is a private road. Access to BUR004 could be achieved through BUR002A/002.

Parking

*Consultation comments:*

- Local shops do not have adequate parking

*Council response:*

Concern regarding parking at local shops is noted.

Public transport

*Consultation comments:*

- Poor and decreasing bus services
- Mortimer railway station is the closest station, but has limited parking

*Council response:*

Consultation has taken place with the Council's Public Transport Service; they have not raised any concerns regarding development and levels of bus services within Mortimer. The Lime 2/2a service provides a 1/2 hourly service between Burghfield Common and Reading Station on weekdays and Saturdays, with an hourly service on a Sunday. There is also a weekly shopper service to Newbury town centre on a Tuesday and Thursday morning.

It is acknowledged that there is limited parking at Mortimer railway station. The Neighbourhood development is considering the options for improving parking provision.

Road safety

*Consultation comments:*

- A number of accidents and near misses have occurred towards the bottom of the hill while waiting to turn right into James Lane
- There have been a number of road safety incidents on Reading Road

*Council response:*

Road safety issues will be picked up through the site Transport Assessment/Statement that will accompany a planning application.

Walking and cycling

*Consultation comments:*

- Walking children in the village is unsafe now
- No footpath along part of the road for children walking to school – no room to add one either
- Narrow pavements through the village
- Recent request for pedestrian crossing has been declined
- Need proposals for pedestrians and traffic calming

*Council response:*

The provision of a new footway in front of the site would form part of the discussions at planning application stage. A footpath would be required to be provided to join the site into the existing road network. This will form part of the negotiations between the Council and the site promoters.

A new pedestrian crossing could be provided as part of the new development.

It is noted that there are narrow pavements throughout the village. Improvements to the pavement network could be sought as part of the development of the site.

Details of improvements for pedestrians will be set out in a Transport Assessment/Statement to accompany any planning application on the site.

## **10. Historic environment**

*Consultation comments:*

- Proximity to Highwoods, which is designated as a property 2 site (Berkshire Gardens Trust). Development could affect the significance of the setting of the heritage asset. Concern in principle to development of the site

*Council response:*

While there is no formal heritage designation on Highwoods, any impact would be considered as part of any planning application on the site.

## **11. Infrastructure**

*Consultation comments:*

- Local services/facilities are under enormous strain
- Closest children's play area is at the Hatch, which involves crossing Reading Road twice (both on blind bends)
- Would require significant financial developer contributions to ensure issues are resolved

*Council response:*

Existing pressure on some local services and facilities is recognised. The Infrastructure Delivery Plan (IDP) of the Core Strategy considered all of the infrastructure that would be required to support the development required through the Core Strategy (including the scale of development allocated to each of the spatial areas). The IDP will be updated in partnership with service providers once the sites have been confirmed and any necessary infrastructure improvements will be taken forward.

Service providers are aware of the potential sites for future development and discussions are taking place as to the provision of additional services/facilities to

serve the new population. New facilities/services as a result of development would also benefit the existing community.

Any development will be subject to the Community Infrastructure Levy (CIL) which was implemented on 1 April 2015. It will still be necessary to have S106 agreements under certain circumstances, for example to provide affordable housing, or provide infrastructure on site, or pay for infrastructure improvements required off site but specifically as a result of a development.

Financial Contributions towards mitigating the impact of an increased population on infrastructure (such as GP and NHS dental services, leisure facilities provided by West Berkshire Council) could be sought through CIL.

All new development is required to provide Green Infrastructure in line with Policy CS18 of the Core Strategy; this can include the provision of children's play equipment. Any GI provided would be available for public use, not just use of new residents bringing a benefit to the whole community.

### Education

#### *Consultation comments:*

- Schools are at capacity
- Where will children go to school
- Access to school would be possible without crossing Reading Road
- Local children are not getting into the local school
- Need for new schools, play areas and support services – no mention of where these will be located

#### *Council response:*

Consultation with the Local Education Authority (LEA) has indicated that a satisfactory solution to school place provision can be achieved for the limited amount of proposed development within the village. A longer term feasibility study into education provision in Burghfield Common is to be undertaken due to the recognised pressure.

### Medical facilities

#### *Consultation comments:*

- Doctors at capacity

#### *Council response:*

The need for additional medical facilities will be considered through the Infrastructure Delivery Plan.



## Utilities

### *Consultation comments:*

- Issues relating to sewage flooding – needs a solution from Thames Water before development takes place
- Low water pressure

### *Council response:*

Consultation has taken place with Thames Water. They have raised concerns regarding water supply capability and waste water services and state that improvements to infrastructure are likely to be required. A water supply and drainage strategy would be required as part of any planning application should the site be allocated. This would be sought through a policy for the site.

## **12. Landscape/Setting**

### *Consultation comments:*

- Local villages need to retain their individual characters
- Site has not real use at the moment – not used for agriculture or residential purposes
- This site will have the least visual impact for the two preferred options
- The site is on a slope – development would only be possible on the southern edge nearest the current properties. Topography would not allow acceptable design
- Loss of green lung for village

### *Council response:*

Sensitive design will be critical to the development, and would need to take into account the character of the surrounding area.

It is noted that the site is not in agricultural use.

The site is well screened from Reading Road, and additional planting and landscaping would be required to minimise the impact of development on the landscape. There is currently no public access to the site; development on the site would result in the provision of a degree of public open space, which could improve access to such areas for the local community.

It is noted that the site is on a slope. The site area proposed for allocation has taken the topography into account.

### **13. Personal**

*Consultation comments:*

- Impact on residents at The Hollies Nursing home – increased stress levels – need peace and tranquillity
- No associated employment, meaning many people will have to commute

*Council response:*

Planning conditions can be used to limit working hours/times which can help to reduce noise levels and the impact on the local community.

There are a number of job opportunities in the local area, including AWE, however it is recognised that new residents will be likely to have similar commuting patterns to existing residents.

### **14. Pollution**

*Consultation comments:*

- Noise
- Air quality
- Light pollution

*Council response:*

It is unlikely that development of the site will have a significant impact on pollution levels. All street lighting will need to be designed in accordance with the guidance set out in the Council's Quality Design SPD (part 5, External Lighting) to reduce instances of light pollution. It is unlikely that development of the site would have a significant impact on noise or air pollution levels.

### **15. Sustainability Appraisal/Strategic Environmental Assessment**

*Consultation comments:*

- The SA/SEA was done behind closed doors and not by people with local knowledge
- Comments that the site is close to local services and facilities/close to amenity space and play areas/well related to existing settlement/presence of footways are clearly wrong

*Council response:*

The SA/SEA is carried out on a consistent basis across all sites being considered for allocation. The site is well related to the existing settlement, and is close to local service and facilities (nearest amenity space, pharmacy & medical centre approx. 600m, nearest shops approx. 400m). There are footways throughout Burghfield, and should development take place this would need to be extended to link the site into the exiting footway network. Additional green infrastructure (which could include a

play area) would be provided alongside any development as set out in policy CS18 of the Core Strategy.

## **16. Settlement boundary**

*Consultation comments:*

- No opportunity to further expand the site

*Council response:*

This site is physically constrained; the settlement boundary would be redrawn around the developable area of the site. The revised settlement boundary redefines the 'settlement' area, and protects those areas outside the new boundary from development.

## **17. Comments from the site promoter**

### BUR002A

- This site has been promoted individually for approx. 35 dwellings
- The site is unconstrained and deliverable now
- Safe and suitable access can be gained from Reading Road
- Woodland to the rear of the site is excluded from the submission
- The site could deliver as a standalone site, or as an early phase of a wider allocation

*Council response*

Comments noted. The woodland is covered by a TPO, so it is good to see that it is excluded from the proposed developable area.

The Council would like to see the whole site developed as one and this will be sought through any policy for the site, therefore, access would need to be provided through this site into the remainder of BUR002/004.

### BUR002

- Part of this site is in the same ownership as BUR002A, but not all.
- Collaboration is going on between landowners to enable a comprehensive masterplan to be achieved – 75 – 85 dwellings could be achieved on the site
- No known constraints preventing development
- The site would constitute sustainable development in accordance with the NPPF
- All three landowners have been in detailed discussions and are firm in their commitment to make the land available for development
- The site relates exceptionally well to the existing village structure with access to a wide range of services/facilities
- There will be no material visual or amenity impact
- Development can properly be regarded as rounding off the settlement area in this part of the village

- There will be virtually no inter-visibility between the development of approx 85 dwellings on the site and the surrounding area due to topography and existing development
- The site is used as rough grazing and could not and does not form part of any agricultural unit
- No identified constraints which might adversely impact on development
- Development would not create any precedent for additional development on adjoining land
- Aware of a number of objections being made against the site:
  - Development will not destroy the rural nature of the area – the site is surrounded by development on 2 sides and is not materially visible from outside. Burghfield Parish Council recommended the site to WBC as being appropriate for development. New development would be outside the settlement boundary, but the purpose of the exercise is to identify sites that can be included within a revised settlement boundary. It would not promote ribbon development, it would consolidate the existing ribbon development along Reading Road
  - No loss of agricultural land. The last time the site was in agricultural use was 1957.
  - Density of the site is not yet known and would be subject to discussions with the LPA.
  - Reading Road does not need a TA to know that additional traffic from the site would not exceed the design capacity of the road. Traffic issues relating to the site can be mitigated by design measures as part of planning permission. The previous inspector did not suggest the site was unsuitable due to the traffic impact, rather the objections were relating to walking/cycling links – the allocation of the whole site would link into Lamden Way providing a safe walking/cycling route through the site
  - There is no justification/evidence that the development would overload existing infrastructure. Upgrading of the sewer system, if required, would be required prior to, planning permission being granted
  - No justification/evidence that there would be significant loss of wildlife. Were not aware of the ancient woodland designation, but understand that this applies. There has been some woodland clearance in recent years which could change the designation. It is suggested that the Council's ecologist checks the credibility of the designation. Regardless there is no intention to develop within the wooded areas
  - There is a badger sett in the land off the site. Badgers have not been seen on the site, they are more likely to forage on the more open areas to the north/west of the sett. Ecological studies will be carried out to accompany a planning application
  - It is unlikely that the site is in a significant wildlife corridor

*Council response:*

Comments noted. The woodland on the site is now subject to a TPO, and part of the site is adjacent to ancient woodland and buffers would be required. It is good to see that the woodland areas are proposed to be excluded from the developable area of the site. This does reduce the development potential of the site to approximately 60 dwellings (approx. Density 30dph).

A Transport Assessment/Statement would be required to accompany the site, but TA work already carried out on behalf of the Council indicates that this level of development can be accommodated.

Thames Water has raised concerns regarding Water Supply and Wastewater capacity in relation to the site. A water supply and Drainage strategy would need to be produced to determine what improvements to the network would be required. Any improvements would need to be delivered ahead of the development.

The retention of the woodland and provision of open space on the site will help to retain any wildlife corridors that are present across the site. It is noted, following a recent site visit, that ecological assessments are underway for the site.

*BUR019 – formally part of BUR002*

- Request for part of the site to be removed and shows as a separate site with separate access
- Would be for 3-4 dwellings
- Built to high sustainability standards, with solar PV panels, solar thermal panels and rainwater harvesting
- The site is adjacent to the settlement boundary
- Concern over the density proposed for BUR002 is not deliverable due to topography, woodland, and is not in keeping with the surrounding area

*Council response*

Comments noted. The site has been removed from the larger site (BUR002) and given the SHLAA ID BUR019.

Comments regarding the larger site (BUR002/004) are noted. It is proposed that the wooded area of the site is retained. This does reduce the developable area slightly, giving a development potential of approximately 60 dwellings across the whole of BUR002/004.

Appendix KM2 – Representations on behalf of the Appellant to the Submission Local Plan consultation

**West Berkshire Local Plan Review 2022-2039****Proposed Submission Representation Form****Ref:***(For official use only)*

<b>Please complete online or return this form to:</b>	<b>Online:</b> <a href="http://consult.westberks.gov.uk/kse">http://consult.westberks.gov.uk/kse</a>
	<b>By email:</b> <a href="mailto:planningpolicy@westberks.gov.uk">planningpolicy@westberks.gov.uk</a>
	<b>By post:</b> Planning Policy, Development and Regulation, Council Offices, Market Street, Newbury, RG14 5LD
<b>Return by:</b>	<b>4:30pm on Friday 3 March 2023</b>

This form has two parts:

- Part A - Your details: need only be completed once
- Part B - Your representation(s): please fill in a separate sheet for each representation you wish to make

**PART A: Your Details**

*Please note the following:*

- *We cannot register your representation without your details.*
- *Representations cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.*
- *All information will be sent for examination by an independent inspector*
- *All personal data will be handled in line with the Council's Privacy Policy on the Development Plan. You can view the Council's privacy notices at <http://info.westberks.gov.uk/privacynotices>*

	<b>Your details</b>	<b>Agent's details (if applicable)</b>
Title:		Miss
First Name:*		Katherine
Last Name:*		Miles
Job title <i>(where relevant):</i>		Director
Organisation <i>(where relevant):</i>	T A Fisher & Sons Ltd	Pro Vision
Address* <i>Please include postcode:</i>		The Lodge Highcroft Road Winchester SO22 5GU
Email address:*		<a href="mailto:katherinem@pro-vision.co.uk">katherinem@pro-vision.co.uk</a>
Telephone number:	0118 933 3500	01962 677 044

*\*Mandatory field*

## Part B – Your Representation

### ***Please use a separate sheet for each representation***

The accompanying guidance note available at: <https://www.westberks.gov.uk/lpr-proposed-submission-consultation> will assist you in making representations.

*Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change(s) as there will **not normally** be a subsequent opportunity to make further representations, **further submissions will ONLY be at the request of the Inspector, based on the matters and issues they identify for examination.***

Your name or organisation ( <i>and client if you are an agent</i> ):	Miss Katherine Miles, Pro Vision (Agent) on behalf of T A Fisher & Sons Ltd
--	---

### **Please indicate which part of the Local Plan Review this representation relates to:**

Section/paragraph:	Please refer to the separate Representations
Policy:	Please refer to the separate Representations
Appendix:	Please refer to the separate Representations
Policies Map:	Please refer to the separate Representations
Other:	Please refer to the separate Representations

### **1. Legally Compliant**

*Please see the guidance notes for an explanation of what 'legally compliant' means.*

#### **Do you consider the Local Plan Review is legally compliant?**

Yes

No

*Please give reasons for your answer:*

Please refer to the separate Representations



## 2. Soundness

Please see the guidance notes for an explanation of what ‘soundness’ means.

### Do you consider the Local Plan Review is sound?

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
<b>Positively Prepared:</b> The plan provides a strategy which, as a minimum, seeks to meet the area’s objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development		✓
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		✓
<b>Effective:</b> the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground		✓
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		✓

Please give reasons for your answer:

Please refer to the separate Representations

## 3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what ‘Duty to Cooperate’ means.

### Do you consider the Local Plan Review complies with the Duty to Co-operate?

Yes

No

Please give reasons for your answer:

Please refer to the separate Representations

#### 4. Proposed Changes

**Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).**

*You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

Please refer to the separate Representations

#### 5. Independent Examination

**If your representation is seeking a change, do you consider it necessary to participate at the examination hearing session(s)?**

Yes

No

*If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:*

*To ensure that the views of our client in respect of the removal of the allocated site known as 'Land to the rear of The Hollies, Burghfield Common' and the inconsistencies in the spatial strategy, particularly towards development within the DEPZ, are heard*

*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

#### 6. Notification of Progress of the Local Plan Review

**Do you wish to be notified of any of the following?**

*Please tick all that apply:*

*Tick*

The submission of the Local Plan Review for Independent Examination	✓
The publication of the report of the Inspector appointed to carry out the examination	✓
The adoption of the Local Plan Review	✓

*Please ensure that we have either an up to date email address or postal address at which we can contact you. You can amend your contact details by logging onto your account on the Local Plan Consultation Portal or by contacting the Planning Policy team.*

<b>Signature</b>		<b>Date</b>	3 March 2023
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**Your completed representations must be received by the Council by 4:30pm on**

**Friday 3 March 2023.**

**WEST BERKSHIRE COUNCIL LOCAL PLAN REVIEW  
2022-2039: PROPOSED SUBMISSION  
(REGULATION 19) CONSULTATION  
LAND TO THE REAR OF THE HOLLIES  
READING ROAD  
BURGHFIELD COMMON**

Representations prepared by Pro Vision on behalf of T A Fisher & Sons

March 2023

**LAND TO THE REAR OF THE HOLLIES**

WEST BERKSHIRE COUNCIL LOCAL PLAN REVIEW  
PROJECT NO. 50929

**PREPARED BY:**

JAMES BLAKE MRTPI  
SENIOR PLANNER

**CHECKED BY:**

KATHERINE MILES MRTPI  
DIRECTOR

**DATE:**

MARCH 2023

**PRO VISION**

THE LODGE  
HIGHCROFT ROAD  
WINCHESTER  
HAMPSHIRE  
SO22 5GU

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## 1.0 Introduction

- 1.1 These representations have been prepared by Pro Vision on behalf of our client, T A Fisher & Sons, in response to West Berkshire Council's ('the Council') consultation on the Local Plan Review 2022-2039 (Regulation 19) Consultation (January 2023).
- 1.2 Our client has an agreement with the landowners of the site, known as 'Land to the rear of The Hollies' in the District, which currently forms part of an allocated site for approximately 60 dwellings under Policy HSA16 in the adopted Housing Site Allocations Development Plan Document (HSADPD) (May 2017).
- 1.3 It is understood the 'emerging draft' Local Plan Review (LPR) no longer seeks to carry this allocation forward. This is despite part of the allocated site having already been built out and now occupied by residents. The Council say this is because the site now falls within the extended Detailed Emergency Planning Zone (DEPZ) of AWE Burghfield. The DEPZ was extended as a result of the updated Radiation (Emergency Preparedness and Public Information) Regulations (REPPiR) 2019.
- 1.4 Our client **does not** support the removal of this allocated site from the Development Plan. Our client is keen to work collaboratively with the Council to secure the development of the remaining part of this currently allocated site. These representations therefore focus on responding to the removal of the allocated site from the LPR and the changes proposed to Policy SP4 in relation to AWE Aldermaston and AWE Burghfield.
- 1.5 These representations also seek to respond to the Council's development strategy (including Policies SP1 and SP3, SP12 and SP14) and decision-making in relation to an effective 'moratorium' on new development within Burghfield Common, despite the village remaining as a 'Rural Service Settlement', which offers '*development potential appropriate to the character and function of the settlement*', according to the proposed Spatial Strategy.
- 1.6 These representations also discuss Policy RSA12, which seeks the provision of approximately 100 dwellings within Burghfield Common<sup>1</sup>, within the extended DEPZ.

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<sup>1</sup> Approved under applications 22/00325/RESMAJ and 18/02485/OUTMAJ.

1.7 In order to consider whether a Local Plan is sound, reference needs to be made to the National Planning Policy Framework (NPPF) (July 2021) paragraph 35. This identifies that a sound Plan is:

- a) **Positively Prepared** – ‘providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development’;
- b) **Justified** – ‘an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence’;
- c) **Effective** – ‘deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground’; and
- d) **Consistent with National Policy** – ‘enabling the delivery of sustainable development in accordance with the policies in this Framework’.

1.8 It is in light of these criteria that the LPR (Regulation 19) version has been considered. We find the de-allocation of site HSA16 is not consistent with the Council’s approach to its development strategy and the settlement hierarchy. In addition, its approach towards a ‘moratorium’ on further development within the parish of Burghfield Common is flawed.



## 2.0 Representations

### Overview

- 2.1 As outlined in Section 1, the LPR no longer seeks to carry forward the site subject of these representations as an allocated site for residential development.
- 2.2 HSADPD Policy HSA16 sets out to deliver approximately 60 dwellings with a mix of dwelling types and sizes, as did draft Policy RSA19 of the Local Plan Review 2020-2037 (Regulation 18), although this has since been removed from the latest iteration of the Local Plan Review 2022-2039 (Regulation 19).
- 2.3 In Appendix 7 (Schedule of Policies to be Superseded / Deleted) of the LPR there is no explanation why the site has been removed from the Plan, simply that *“The following site allocation policies from the Housing Site Allocations DPD 2006-2026 have not been carried forward as part of the LPR because they are not considered deliverable at this time:*
- *HSA6 Poplar Farm Cold Ash*
  - *HSA16 The Hollies Burghfield Common”.*
- 2.4 The definition of ‘deliverable’ is provided within the NPPF and states: *“To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years...where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years”.*
- 2.5 The site is under option to a housebuilder who has submitted a full application for planning permission on the allocated site. The site is therefore regarded as deliverable under the NPPF definition.
- 2.6 The currently allocated site’s recent planning history is necessary to consider and is summarised below.
- APP/W0340/W/22/3312261 – appeal against the refusal of application 22/00244/FULEXT on land to the rear of The Hollies – submitted to the Planning

Inspectorate 30 November 2022 (elevated to an Inquiry – currently undetermined at the time of this representations submission).

- 22/02010/PREAPP – *“pre-application advice consultation for a proposed development of up to 32 residential dwellings (Use Class C3), including access, associated parking, landscaping and Public Open Space (POS)”* on land to the rear of The Hollies – advice received 1 November 2022.
- 22/00244/FULEXT – *“erection of 32 dwellings including affordable housing, parking and landscaping. Access via Regis Manor Road”* on land to the rear of The Hollies – refused planning permission 1 June 2022.

2.7 The 32 dwellings refused under application 22/00244/FULEXT sought to make up the remainder of the 60 allocated dwellings under Policy HSA16. The application was refused for the following (summarised) reasons:

1. The need for a legal agreement to secure Affordable Housing;
2. The site’s location within the extended DEPZ and the impact of the development on public safety; and
3. The impact of the development on protected trees.

2.8 Reason for Refusal 1 and 3 are considered to be able to be suitably addressed. Reason for Refusal 2 is to be the main focus for discussion at the upcoming planning appeal Inquiry.

2.9 The following two applications relate to the eastern parcel of the allocated site (i.e. land which our clients do not have an interest in). Nonetheless, as the eastern parcel forms part of the same allocation and is within the extended DEPZ, its planning history is relevant.

- 19/00772/RESMAJ – *“approval of reserved matters application following outline application 16/01685/OUTMAJ for 28 dwellings. Matters to be considered: Appearance, Landscaping, Layout and Scale”* on land adjacent to Primrose Croft – granted permission on 8 August 2019.
- 16/01685/OUTMAJ – *“outline planning application for 28 dwellings. Matters to be considered: Access. Matters reserved: Appearance, Landscaping, Layout and Scale”* on

land adjacent to Primrose Croft – granted outline planning permission on 30 October 2018.

- 2.10 The 28 dwellings on the eastern part of the allocated site have since been built out by Crest Nicholson Operations Ltd and are now occupied.
- 2.11 Table 3.1: Neighbourhood plans of the Site Selection Methodology (January 2023) identifies that within the Designated Neighbourhood Area of Burghfield Common, there will be no allocations as *“The Atomic Weapons Establishment (AWE) has a base within the Parish. Changes to legislation have resulted in the redetermination of the emergency planning arrangements around AWE Burghfield. The Detailed Emergency Planning Zone (DEPZ) for AWE Burghfield now covers the whole Parish. Due to the presence of the DEPZ, it is not considered appropriate to allocate further sites for housing in Burghfield”*.
- 2.12 An update to the HELAA has been prepared (January 2023) as part of the evidence base which excludes the site. There is no commentary on why ‘The Hollies’ site has been removed from the HELAA. However, other sites within Burghfield Common (and therefore within the extended DEPZ) are shown as not being ‘automatically excluded’ from further consideration<sup>2</sup>, although are noted not being deliverable for an arbitrary 15 years. However, this does imply that these sites might be deliverable within the longer term, which is an acceptance that the DEPZ is not in fact placing a moratorium on development.
- 2.13 The HELAA confirms at paragraph 2.2 that sites within notified safety zones (i.e. AWE Burghfield) will not automatically be excluded and instead *“the impact will be assessed on merits, taking into account the type of development and the nature of the hazard. Therefore, sites within notified safety zones have gone through to Stage 2 of the HELAA (site assessment) and advice from the Ministry of Defence has been fed into the site assessment”*.
- 2.14 Taking the above into account and noting that other sites are put forward for residential development within the extended DEPZ, the site should not be excluded from the HELAA and we consider it remains still suitable, achievable, available and deliverable now, being within the control of our client, a local house builder.
- 2.15 It is also relevant to note, having regard to the definition of “deliverable” in the NPPF, that the Council has carried forward the allocation of site at Poundhouse Farm (HSA15) into Policy

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<sup>2</sup> BUR1, BUR2 BUR4, BUR8, BUR9, BUR10, BUR11, BUR15, SUL1, SUL2, SUL3, SUL4 SUL6

RSA12 of the LPR. This allocation is for significantly greater development – 100 dwellings – than the 32 dwellings at The Hollies. The two sites share a boundary. Both sites are currently allocated within the Housing Site Allocations DPD. Both sites were regarded as deliverable in the Annual Monitoring report for 2021/22 and in the Regulation 18 Local Plan consultation before that, yet the Council has singled out The Hollies for deallocation. This is not positive planning. If this is allowed to continue, it will leave an undeveloped gap within the settlement policy boundary.

- 2.16 In summary, we consider that the Council’s failure to carry forward allocation HSA16 into the plan is not justified. No sound reasons have been provided and this results in the plan not being positively prepared. The LPR is therefore unsound as drafted.

#### **Policy SP4 – AWE Aldermaston and AWE Burghfield**

- 2.17 With reference to Policy SP4 of the LPR, it is noted the site falls within the Atomic Weapons Establishment (AWE) Detailed Emergency Planning Zone (DEPZ) for AWE Burghfield, as identified by the maps in Appendix 3 of the Plan.

- 2.18 Policy SP4 explains that *“in the interests of public safety, and to ensure that any proposed developments do not pose an external hazard to the AWE sites, any new development... located in the Detailed Emergency Planning Zone (DEPZ) of... AWE Burghfield is likely to be refused planning permission by the Council, especially when the Office for Nuclear Regulation (ONR) and/or Ministry of Defence (MoD) have advised against that development and/or objection”*.

Within the DEPZ, the ONR is to be consulted on applications for *“any new development, re-use or re-classification of an existing development that could lead to an increase in residential... populations thus impacting on the off-site emergency plan”*.

- 2.19 We consider that as the site was allocated in the 2017 HSADPD and that only part of the allocation has been completed to date the site’s development is in accordance with the allocation policy and can be accommodated without compromising the safe functioning of AWE Burghfield, public safety or impacting adversely on the function of the Emergency Plan.

- 2.20 Therefore, the principle of development remains plainly acceptable.

- 2.21 Prior to the submission of application 22/00244/FULEXT, correspondence with the Council’s Principal Planning Officer on 14 January 2021 identified that:

*“Our position is that the HSA DPD allocation remains in the Local Plan, so the principle of development is established. You will probably have seen our current consultation on the emerging Local Plan Review which proposes rolling forwards this [Policy HSA16] allocation”.*

- 2.22 This provided confidence to our client to proceed with an application on the site for the remaining balance of 32 dwellings of the allocated 60 dwellings.
- 2.23 Following the refusal of 22/00244/FULEXT, our client submitted a request for Pre-application Advice (22/02010/PREAPP). Part of the Council’s response was to indicate that from a planning policy perspective, ‘senior officers’ at the Council now considered there to be a ‘moratorium’ on all new development in the DEPZ in West Berkshire. However, we consider this was not, or never was, the intention of the DEPZ.
- 2.24 The updated REPPiR Regulations (2019) resulted in the extension of the DEPZ around AWE Burghfield to include the settlement of Burghfield Common. However, this has not prevented the delivery of development within the DEPZ. Indeed, the Annual Monitoring Report (AMR) (January 2023) shows at Table 3.7 that Phase 1 of Policy HSA16 was completed in 2021/2022, whilst Table 3.20 identifies there is an outstanding commitment for 114 dwellings within the DEPZ at Burghfield.
- 2.25 Further, Paragraph 3.34 of the AMR states that *“Due to the introduction of the new [REPPiR] that came into force in 2019, it extended the existing AWE land use planning consultation zone known as the DEPZ (Detailed Emergency Planning Zone). From 2020/21 onwards any development within the DEPZ will therefore be **monitored**”* (our emphasis).
- 2.26 The AMR is a significant and material consideration relating to the principle of development on this site. If the Council intended to prevent any further development in the DEPZ, then the AMR, published after the decision on application 22/00244/FULEXT was made, would have removed the site from Table 3.7 (Local Plan Housing Sites progress). It has not. In addition, the Council state that development within the DEPZ will be *“monitored”*. This is entirely different from placing a ‘moratorium’ on all development in the DEPZ. There is clearly therefore an inconsistency between the Local Plan evidence base and Appendix 7 of the LPA – the evidence base does not support the exclusion of this site from allocation in the LPR nor does it support that this site *“is not deliverable at this time”*. As above, the LPR is therefore unjustified on this basis.

- 2.27 The REPP19 Regulations require the Council to prepare an off-site Emergency Plan to cover the DEPZ and to review and update the plan as necessary. It became clear at a Pre-application meeting held in October 2022 that a 'line in the sand' was drawn by the Council's Emergency Planning Officer, who personally decided that sites with outline planning permission should be included in the Emergency Plan's provisions and to exclude sites that were allocated for development. This personal view clearly does not take account of the definition of deliverable in the Framework.
- 2.28 The purpose of an allocated site is to establish the principle that a suitable form of development can be located on a particular site. Allocated sites should therefore automatically be included within the provisions of an Emergency Plan, regardless of whether they have achieved planning permission or not. The Emergency Planning Officer's decision was not based on any satisfactory legislative rationale or guidance, but on a personal judgement. It remains unclear as to why the provision of a further 32 dwellings on the remainder of the allocated site could not be accommodated in the Emergency Plan when the REPP19 Regulations accept that such plans will need to be amended to reflect changes over time. Indeed the original emergency plan has had to be updated to include the whole settlement of Burghfield and Burghfield Common as well as other settlements in Wokingham District, Basingstoke and Deane Borough and development on the edge of Reading. Therefore in 2019 the plan had to have a significant update and the Council has failed to provide any evidential reasoning as to why it could not accommodate this single allocated site but could accommodate all others.
- 2.29 At the time of preparation of the Regulation 18 draft Local Plan there had been no increase in risk at AWE Burghfield in the AWE Detailed Emergency Planning Zone Report dated 4 March 2020, prepared by the Council's Emergency Planning Officer for Members of West Berkshire Council. The Report stated in Section 3, under the heading 'Risk Management' that "*It is important to note that there are **no changes in activity on the AWE sites, and there is no greater risk to the public than before this legislation was introduced***" (our emphasis). This is repeated in the conclusion at paragraph 7.1. Subsequently, a further "*declaration of no change*" for AWE Burghfield was issued in November 2022. Therefore, the 'risk' of an incident occurring has not increased and so development should not be restricted in the updated DEPZ. In the updated report prepared by the Council in January 2023, similarly it is stated that there is no change in activity at AWE and no greater risk to the public. The change in the planning policy position in respect of this site between the Reg 18 consultation and this Reg 19 consultation is therefore not explained or evidence based.

- 2.30 Nevertheless, and importantly, the Regulations and the Guidance do not preclude development within the DEPZ. They do not state that development should be prevented from coming forward just because it is in the DEPZ. On the contrary, REPPiR-19 Regulations recognise that the population within the DEPZ will naturally change within the life of the emergency plan hence why Regulation 12 of REPPiR-19 Regulations require the Council to, at intervals not exceeding three years, review and revise the emergency plan.
- 2.31 The Regulations also envisage that development will come forward within the DEPZ, and there are many passages in the Guidance which acknowledge that development will take place in the DEPZ, particularly paragraph 250: *“In order to understand if a change in the local area necessitates a re-determination [of the DEPZ], the local authority should consider developments within or adjacent to the detailed emergency planning zone taking into account their potential impact on the effectiveness of the emergency plan”*.
- 2.32 As such, it is only the Council’s role to *consider* whether proposed development can be accommodated within the off-site Emergency Plan, not to treat the DEPZ as an absolute constraint onto any development. The REPPiR-19 Regulations clearly do not support the Council’s ‘moratorium’ on development in the DEPZ. Furthermore, in respect of the offsite Emergency Plan, paragraph 13 of the appeal decision at Boundary Hall, Tadley in 2011, confirms the Secretary of State’s conclusion that *“that the Off Site Plan is designed to be **flexible and extendable** and that, while it is possible that the implementation of the application scheme would necessitate changes to the Plan, **the evidence does not lead to the conclusion that the Plan would fail**”* (our emphasis).
- 2.33 We are also aware of a recent (31 January 2023) Appeal Decision in Wokingham concerning a proposed residential development at Three Mile Cross. That appeal was allowed by PINS (**Appendix A**) with the Inspector accepting that:
- the risk to a person being harmed by an incident at AWE Burghfield was one in many thousands or millions of years. The risk to public safety was therefore very low. (Para 12)
  - if an incident were to occur, a person not sheltering (i.e. a person exposed to radiation from the plume) would receive a radiation dose less than the average annual dose received by residents in Cornwall. (Para 18)

- the proposal would not present a barrier to the ability of blue light services to safely carry out their duties, nor would it affect the Council’s ability to execute and manage its obligations under the REPPiR Plan. (Para 22)

2.34 Whilst we appreciate that decision was not available at the time the Council published this LPR for consultation, it does serve to highlight that residential development in the DEPZ can be allowed and therefore further supports the case for carrying forward the allocation of this site into the LPR.

2.35 In summary, we consider that the Council’s strategy for Burghfield is simply not justified or informed by the evidence, and that the Council’s misguided approach to the role of the REPPiR-19 Regulations has significant repercussions to the delivery of an allocated housing site and the objective of achieving sustainable development in this village.

2.36 Given the starting point for development should be a presumption in favour of sustainable development (NPPF Paragraph 10), we do not consider that Policy SP4 (particularly in reference to development likely being refused) is positively prepared. In addition, we consider the de-allocation of the site from the LPR on the grounds of it being within the extended DEPZ and its perceived impact on the function of the Emergency Plan is fundamentally incorrect. The LPR is therefore not sound and should not proceed to Examination.

### **Other Relevant Policies**

2.37 In relation to Policy SP1, the spatial strategy seeks to focus development within settlement boundaries, to optimise the use of previously developed land and make the best use of land whilst conserving and enhancing the distinctive character and identity of the built, historic and natural environment. We agree with this strategy in the context of the continued allocation of land to the rear of The Hollies.

2.38 Policy SP3 identifies Burghfield Common as a ‘Rural Service Centre’, which offers *“development potential appropriate to the character and function of the settlement through: Infill or changes of use within the settlement boundary; non-strategic sites allocated for housing and economic development through other policies in the LPR or neighbourhood plans; and rural exceptions affordable housing schemes”*.

2.39 However, this policy appears to be at odds with the Council’s position in respect of The Hollies as it does not rule out further development in Burghfield Common, despite the approach taken



within Policy SP4 which sets out that proposals for development within the DEPZ are likely to be refused.

- 2.40 Burghfield Common is recognised by Table 1 of the LPR as a Rural Service Settlement meaning that it has a good range of services and opportunities. Paragraph 4.32 of the draft plan states *“the six rural service centres across the District provide a focal point for the surrounding villages and rural areas in terms of the provision of services and facilities. Although they do not have as wide a range of services as the urban areas, they are still sustainable locations”*. The draft LPR does not therefore support the vitality of the rural community of Burghfield Common since it fails to identify further opportunities for the village to grow and thrive. The LPR is contrary to the NPPF in that regard.
- 2.41 Policy SP12 seeks the provision of 8,721 to 9,146 net additional homes in West Berkshire for the period 1 April 2022 to 31 March 2039, where new homes will be located in accordance with Policy SD1: Spatial Strategy, Policy SP3: Settlement Hierarchy and Policy DM1: Development in the Countryside.
- 2.42 Again, this appears to conflict with the approach taken towards development under Policy SD4 where sites fall within the extended DEPZ. The remaining allocation of 32 dwellings would, however, contribute to the District’s housing supply in a modest, but important way.
- 2.43 Table 2 sets out the Housing Supply as at March 2022 and confirms there are 990 net units outstanding on HSADPD Sites. The remaining 32 dwellings on the site should be included within this figure.
- 2.44 Policy SP14 relates to sites allocated for residential development in the Eastern Area. An allocation of 100 dwellings on land adjacent to Pondhouse Farm (Policy RSA12) is identified for Burghfield Common. The Reserved Matters for this site were approved by the Council on 29 July 2022, despite Officer’s confirming the development *“would bring perhaps an additional 240 plus residents into the AWE inner protection zone as defined under policy CS8 in the WBCS of 2006 to 2026, since planning permission was granted prior to the new DEPZ being agreed, the Council cannot object to the development”*.
- 2.45 Notwithstanding the very clear and unreasonable inconsistency in the Council’s decision making between HSA15 and HSA16, Policy RSA12 is to be carried forward as an allocated site within the LPR despite Burghfield Common now being within the extended DEPZ. That site has apparently been accommodated as part of the Emergency Plan. This does clearly demonstrate

that the Emergency Plan can be made to be adaptable should the Council wish to make it in order to accommodate additional development. The Emergency Plan even states at paragraph 1.6 that *“West Berkshire District Council will ensure the plan is updated in accordance with:*

*c) following any organisational or progress changes*

*d) on at least a 3 yearly basis a full formal review will be undertaken”.*

- 2.46 Given the most recent Emergency Plan was in place from June 2022, Reserved Matters at the Pondhouse Farm site were granted in July 2022 and that the formal review date of the Emergency Plan is scheduled for 2022/2023, it is entirely feasible that our client’s site allocation for the remaining 32 dwellings can be accommodated within an updated version of the Emergency Plan.
- 2.47 As previously discussed, the Council have failed to provide clear justification over why having outline planning permission on an allocated site in the HSADPD 2017 (Policy HSA14) can be accommodated within an Emergency Plan, where the DEPZ was only extended post-2019 and reserved matters for that site was not then approved until July 2022, whilst provisions in the Emergency Plan for an adjacent allocated site, which had only been partially approved at the time the DEPZ was extended, cannot be made. This appears illogical and subject to personal views influencing proceedings rather than due process, and in terms of plan making is clearly unsound.
- 2.48 Our client’s site has since been removed from Policy SP14, despite being included in the Regulation 18 version of the draft Plan. Policy RSA16 has also been removed from the draft Plan. This results in the plan failing to be justified given the lack of any evidence provided to support the removal of the site.
- 2.49 Paragraph 6.33 identifies that *“if in the future the DEPZ is reviewed and the emergency planning arrangements are amended, then future reviews of the Local Plan will consider whether strategic allocations in this area would be suitable”*, suggesting that contrary to the Pre-application Advice received, there is no ‘moratorium’ on development, particularly as Policy SP3 still seeks to promote housing and economic development within Burghfield Common.
- 2.50 Referring back to the REPP19 Regulations, these clearly expect there to be changes over the life of an Emergency Plan, such that the Plan will need to be updated at least every three years.

There is therefore no sound reason why the Council's Emergency Plan cannot be updated to accommodate the remaining 32 dwellings on the allocated site, or that an arbitrary 'line', based on personal judgement alone, needed to be drawn to exclude half of an allocated site in an adopted Development Plan. That personal decision should not support the removal of this site from the LPR.

- 2.51 We therefore consider the Council has not properly reviewed or justified its approach towards development within the DEPZ of the AWE sites, particularly in relation to the provision of housing around AWE Burghfield and that there is confusion over the spatial strategy in relation to development within Burghfield Common.
- 2.52 We consider there are fundamental inconsistencies in the way in which other applications for development have been determined in the area, as an allocated site should hold the same weight as a site with planning permission having regard to the definition of deliverable in the Framework. In order to overcome our objections to this regulation 19 LPR, the Council should reinstate the allocation of the site in the Local Plan and update the Emergency Plan to accommodate it.

### 3.0 Conclusion

- 3.1 These representations have been prepared by Pro Vision on behalf of our client, T A Fisher & Sons, in response to West Berkshire Council's consultation on its Local Plan Review 2022-2039 (Regulation 19) (January 2023).
- 3.2 Our client has an agreement with the landowners of the site known as 'Land to the rear of The Hollies' in the District, which currently forms part of allocated site 'HSA16', in the adopted HSADPD (May 2017).
- 3.3 We note the allocation for the site is no longer included within the 'emerging draft' LPR, as the site falls within the extended Detailed Emergency Planning Zone (DEPZ) of AWE Burghfield, despite there being a remainder of 32 units still to be delivered.
- 3.4 Our client **does not** support the removal of this allocated site from the LPR.
- 3.5 These representations have therefore focused on responding to the unjustified removal of the allocated site from the LPR and the changes proposed to Policy SP4 in relation to AWE Aldermaston and AWE Burghfield as well as the development strategy and spatial hierarchy proposed by the LPR.
- 3.6 In particular, we consider the remaining number of dwellings should be carried forwards in the LPR as the development of the western part of the allocated site can be achieved and is deliverable now. We contend that the Emergency Plan can be updated to accommodate the delivery of 32 units without impacting adversely on the operation of AWE Burghfield, public safety or the functioning of the Emergency Plan. The LPR as currently drafted is unsound, as it is not justified, not consistent with the Framework and not positively prepared.
- 3.7 We trust these representations clearly set out our client's position at this stage and respectfully request that the above is given due consideration as part of the examination into the Local Plan Review 2022-2039 (Regulation 19) Consultation (January 2023). We would be happy to discuss these representations with the Council further or provide clarity over any matters of uncertainty, as necessary.

## Appendix A – Three Mile Cross Appeal Decision



## Appeal Decision

Inquiry held on 15-18, 22 and 24 November 2022

Site visit made on 17 November 2022

**by G Rollings BA(Hons) MAUD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 31<sup>st</sup> January 2023**

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**Appeal Ref: APP/X0360/W/22/3304042**

**Land west of Kingfisher Grove, Three Mile Cross, Reading, Berkshire, RG7 1LZ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission
  - The appeal is made by JPP Land Ltd against Wokingham Borough Council.
  - The application, Ref: 201002, is dated 23 April 2020.
  - The development proposed is an outline planning application for the proposed erection of 49 affordable dwellings, with new publicly accessible open space and access (access to be considered).
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### Decision

1. The appeal is allowed and planning permission is granted for outline planning application for the proposed erection of 49 affordable dwellings with new publicly accessible open space and access, at land west of Kingfisher Grove, Reading, RG7 1LZ in accordance with the terms of the application, Ref 201002, dated 23 April 2020, subject to the schedule of conditions in Annex A of this decision.

### Preliminary Matters

#### *Change of development description*

2. Prior to the Council's decision, the appellant requested a change to the description of development, altering the number of proposed affordable homes. The original description of development was: "Outline application for the proposed erection of 49 dwellings, including 22 units of affordable housing, with new publicly accessible open space and access from Grazeley Road." Prior to the Inquiry, the appellant consulted interested parties on the intended description, with three submissions received, which I have taken into account together with all other correspondence. The Council agreed to the change.
3. Having considered this issue at the Case Management Conference held on 6 October 2022, I advised in the note of the proceedings that the change to the description of development does not raise any new issues, that it would not prejudice any party, and that sufficient consultation on the change has been undertaken. As such, it is reflected in the description of development in this decision.

### *Other matters and appeal background*

4. The appeal is submitted in outline form will all matters except access reserved for more detailed consideration at a later time. Parameter plans were submitted which are incorporated in the conditions at Annex A.
5. The development plan for the area includes the Council's *Adopted Core Strategy Development Plan Document (2010)*<sup>1</sup> (the Core Strategy) and the *Adopted Managing Development Delivery Local Plan (2014)*<sup>2</sup> (MDD), together with the *Shinfield Parish Neighbourhood Plan (2017)*<sup>3</sup> (the Neighbourhood Plan). The Council's Local Plan review is at an early stage and is subject to further consultation and revision. I therefore accord it only minimal weight in my decision.
6. In its statement of case, the Council stated that had it decided the application, it would have been refused for several reasons. Several of these inform the main issues set out below. Others are addressed by the completed and signed Planning Agreement (s106 Agreement)<sup>4</sup>, which was submitted during the Inquiry. A highways-based reason for refusal was latterly the subject of discussions between the appellant and the Council, during which the parties achieved common ground, and was not subject to examination at the Inquiry.

### **Main Issues**

7. The main issues are:
  - Whether the proposed development can be safely accommodated with regard to the proximity of the Atomic Weapons Establishment (AWE) site at Burghfield;
  - The effect of the proposal on the landscape character and appearance of the area; and
  - Whether the proposed development would provide appropriate accessibility for future occupiers.

### **Reasons**

#### *AWE Burghfield site*

8. The appeal site is around 2.8 kilometres to the east/northeast of the AWE Burghfield site, which is subject to the *Radiation (Emergency Preparedness and Public Information) Regulations 2019* (REPPIR)<sup>5</sup>. An urgent protective area (UPA) with a radius of around 3.16km has been established around the AWE site, and the appeal site is within this. The UPA is wholly within a detailed emergency planning zone (DEPZ), The *AWE Off-site Emergency Plan (2022)*<sup>6</sup> (the REPPIR plan) has been established for the DEPZ by West Berkshire District Council (WBDC). Should an incident occur, Wokingham Borough Council would have a role in managing and executing any emergency response.

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<sup>1</sup> CD 5.1.

<sup>2</sup> CD 5.3.

<sup>3</sup> CD 5.5.

<sup>4</sup> ID 07.

<sup>5</sup> CD 11.20.

<sup>6</sup> CD 11.5.

9. MDD Policy TB04 states that development will only be permitted when the applicant demonstrates that the increase in the number of people living, working, shopping and/or visiting the proposal can be safely accommodated having regard to the needs of "blue light" services and the emergency off-site plan for the AWE site. It was agreed at the Inquiry that blue light services includes emergency services, such as ambulances, that would be required for the operation of the REPPIR plan in the event of an AWE site incident. *National Planning Policy Framework* (2021) (the Framework) paragraph 95 suggests, amongst other considerations, that operational sites for defence and security purposes should not be affected adversely by the impact of other development.
10. The AWE Burghfield site has a role in maintaining national security that includes manufacture and disposal services. Despite the small risk of any accident occurring, emergency planning must be in place. One of the risks is a serious event in which radioactive material could be released into the atmosphere and which would most likely take the form of a plume that would be carried along the atmosphere according to wind direction, eventually dispersing. The type of activity taking place at AWE Burghfield means that any release of material would not be sustained, and thus any event would likely happen over hours or a small number of days.
11. Were an incident to occur, the most likely composition of a plume would be plutonium particulates. The type of activity carried out at the AWE Burghfield site together with the distance of the appeal site from the former means that although there are additional risks of different material release or various possible types of exposure, the greatest risk would be from inhalation. For example, larger particulates would be likely to drop from the atmosphere after being carried and settle on the ground before the plume were to pass over a 2.8km radius from the site.
12. The Council and the appellant agree that such a risk, or the risk of an incident occurring, is very small. The appellant carried out an exercise that considered potential risk factors of previously calculated event frequencies and the AWE Burghfield on-site fault sequences that could trigger an event, concluding that such an event could occur on a 1 in 10,000-year basis. The consideration of additional factors such as meteorological and wind conditions and adherence to the REPPIR plan reduces the risk of a person on the appeal site being harmed by such an incident to a single event in many more thousands or millions of years.
13. The REPPIR plan recommends sheltering within buildings during an event as the primary method of protection to human health. The barrier of a building (with closed doors and windows) would afford the greatest and most immediate and accessible type of protection in the event of the type described above. The REPPIR plan also sets out measures for potential evacuation either during or after the event, but it is unlikely that this would be required for the appeal site should the shelter-in-place recommendation be followed. The same low risk factors mean that the requirement to shelter would be over a short period of no more than two days.
14. The consideration of risk was relevant to the Secretary of State's agreement to allow 115 dwellings at Boundary Hall<sup>7</sup> close to the AWE Aldermaston site, which performs similar work to that of AWE Burghfield and is also covered by the

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<sup>7</sup> CD 6.8.



REPPIR plan. The minimum distance between Boundary Hall and AWE Aldermaston was agreed to be 740 metres. He concluded in that case that the “extremely remote possibility” of an incident did not outweigh the other factors that led to him allowing the application.

15. The Council’s duties under the REPPIR plan include the protection of the public and the organisation of emergency services. Its concerns are predominantly based on the ability of the plan to be carried out should the appeal development occur. Although only 49 properties and around 117 people, this would add to the number already within the DEPZ and UPA. The surroundings of the AWE site are predominantly rural, but other parts of the area have also been developed, and these include Burghfield Common, a larger residential settlement than Three Mile Cross, and Green Park, a mixed-use business area. These are to the west/southwest and north/northeast, respectively, of the AWE site. Although low in risk, I acknowledge that an incident would have a high impact as set out in the Crest Nicholson judgement<sup>8</sup>.
16. The unidirectional nature of wind means that if a plume was to occur then it would disperse in a singular direction. This would be dependent on specific weather conditions and wind speeds, which are factors that inform the low risk of a plume passing over the appeal site. The REPPIR plan sectorises the DEPZ radially from the AWE site. The plan seeks to prioritise assistance within the sectors over which the plume would pass. Although I heard at the Inquiry that blue light and other relevant services would be working at capacity should an event occur, these are planned to address all areas within the DEPZ. The settlements elsewhere within the area that are larger than those in the appeal site sector (or a sector area comprising the sector and its neighbouring sectors) are in different directions. Given that the plan has the capacity to cover an incident in those sector areas, and that service resources would be predominantly focused on only one sector area, I consider that the addition of the proposed dwellings on the appeal site would not compromise the delivery of the plan.
17. Other implications for the safety of appeal site residents were presented to the Inquiry, including responses from WBDC and other agencies. In particular, the safety of home care workers entering the DEPZ during an incident was in issue, and it was mentioned that the potential for affordable housing to accommodate those with home care meant that this could occur. The Council would not send staff into the DEPZ in an emergency without being confident that staff would not be at risk.
18. Based on the appellant’s modelling, were an incident to occur, a person at the appeal site who was not sheltering might be exposed to a radiation dose of 1.5 milliSieverts (mSv). Advice from the Health and Safety Executive categorises the risk impact of such a dose to “minor”<sup>9</sup>. By comparison, WBDC’s public advice<sup>10</sup> provides example levels of 0.02 mSv from a single chest X-ray, 1 mSv as the average annual dose in the UK from naturally occurring radon in homes and 2 mSv as the average total annual dose in the UK from natural radiation sources, 8 mSv as the average annual dose from all sources of radiation in Cornwall, and 500 mSv as the threshold for nausea and reduction in white blood cells. 20 mSv is listed as the annual legal worker dose limit.

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<sup>8</sup> CD 7.4.

<sup>9</sup> CD 11.12 (appendix 2).

<sup>10</sup> CD 11.21.

19. The effective dose received by anyone within the zone within the conditions set out previously would therefore be low, and lessened if REPPIR advice is followed. Although fear of contamination may prevent workers from entering the DEPZ, this could be disproportionate to the actual risk. Even in the event of plume particles settling on the ground in the appeal site, the risk from a dose following an incident would be lower than those occurring from the alternative sources set out above.
20. Should the REPPIR shelter-in-place advice be followed by those in the DEPZ, road traffic levels are unlikely to be greater than normal and the ability of services to access the zone would not be adversely affected. The possibility of self-evacuation by those within the zone was also raised as a potential safety issue, but this is addressed within the REPPIR plan and discouraged through the dissemination of public information. Other safety barriers such as being elsewhere on the appeal site away from shelter, travelling into the DEPZ, or not having access to a telephone landline (in the event of a safety announcement) are partly covered within the REPPIR plan. Alternatively, they are situations in which sufficient time would be available between the incident occurring and the plume passing over the site for people to become aware of the situation and gain access to shelter or other safety.
21. I have been made aware of other appeal decisions in which siting within the DEPZ have been factors in their dismissal<sup>11</sup>. In each of these cases the evidence was considered by way of written representations. The Inspector in the Diana Close appeal adopted a precautionary approach in the absence of detailed evidence. In comparison, the evidence presented to me in this appeal has been examined and tested. Given its bespoke circumstances, I do not consider that it would result in the creation of a precedent for allowing other development in the DEPZ that in any case must be assessed on its own merit.
22. I therefore conclude that the proposal would not present a barrier to the ability of blue light services to safely carry out their duties, and nor would it affect the Council's ability to execute and manage its obligations under the REPPIR plan. Furthermore, people living in or using the appeal site could be safely accommodated. Together, these considerations form the thrust of MDD Policy TB04 and, as such, I find no conflict with this policy. Additionally, the development would not adversely affect the continued operation of the AWE site, and there would be no conflict with the NPPF.

#### *Landscape character and appearance*

23. The site is to the west of the existing built-up area of Three Mile Cross, and to the east of the A33. Its sole road access is at its northernmost point, from the junction of Grazeley Road and Kingfisher Grove. The land slopes downward generally from a ridge close to the eastern boundary, and apart from a shed and some vehicles close to the entrance, is vacant, having been used for agriculture. It currently has a grassland appearance dotted with trees, particularly along ditches close to the western edge and on the southern portion of the site.
24. At least the southern part of the site is historically associated with a former stately home and this also adjoins an area of open grassland (known as a suitable alternative natural greenspace, or SANG, area). A footpath (known as

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<sup>11</sup> CD 6.7, CD 6.20, CD 6.21.

a byway open to all traffic, or BOAT) runs along the length of the site's eastern boundary. Beyond this is the A33. I visited the site in late Autumn, when deciduous trees were not in leaf, and there was intervisibility between the site and the SANG and BOAT areas, although views were limited to glimpses. In both cases there were areas with no or very limited intervisibility due to vegetation, which would be exacerbated in the months when deciduous trees are in leaf. More distant views are gained beyond the A33 to the west, in which the uppermost part of the site is visible.

25. Of relevance to the consideration of landscape character are Core Strategy policies CP1, CP3 and CP11, which together seek sustainable development that maintains or enhances the high quality of the environment, has no detrimental impact on landscape features, and seeks to maintain development limits, amongst other considerations. MDD policies CC01, CC02, CC03 and TB21 are also relevant. These add the requirement to respect adopted development limits, green infrastructure and landscape character, amongst other considerations, with Neighbourhood Plan Policies 1 and 2 reflecting the boroughwide policies.
26. The Council has also referred to its *Wokingham Borough Landscape Character Assessment*<sup>12</sup> (2019) (the LCA), which characterises the borough into landscape zones sharing particular characteristics. The 'J3' categorisation into which the site falls identifies its undulating landscape of large fields, with changes to its character through settlement and urbanising influence of its proximity to Reading. Other relevant characteristics include remnant parkland and an intact hedgerow network. Issues for the area include pressure to develop the ridgelines and the encroachment of residential development changing the landscape character and increasing demand for associated infrastructure.
27. Although outside of the Council's defined development limit, the development would adjoin existing residential development within the limit. The proposed 49 homes would be concentrated in a group form running roughly parallel with the BOAT, with the remainder of the site as managed grassland to be used as open space.
28. The topography of the site as well as its surrounding vegetation limits unhindered views into the site. The site itself is in private ownership with restricted public access, and public views are therefore limited to the BOAT and the area around the Kingfisher Grove access, together with the SANG and areas beyond the A33 in which distant views are possible. Private views are possible from within the site itself and other surrounding land, such as the dwellings on Kingfisher Grove. New development would be visible to varying degrees in most of these views, but although direct views would be largely filtered by vegetation, viewers would be in no doubt that there were buildings on the site. This would be particularly noticeable in dynamic views in the context of a journey along the BOAT, in which (despite the existing heavy understorey of vegetation) they would appear closer and more distinct than existing development, and would periodically appear through vegetation gaps. I also that the verified views in the appellant's *Landscape and Visual Impact Assessment*<sup>13</sup> (LIVIA) demonstrate that visibility of the proposal would be reduced over time as screening vegetation matures.

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<sup>12</sup> CD 12.1A/B.

<sup>13</sup> CD 1.6.

29. Viewers on MereOak Lane would notice buildings on the lower portion of the existing visible green swath of the site. This viewpoint is identified within the LIVIA as a low-value receptor and views from here are generally experienced in the context of a journey. Although building heights would be limited by the parameter plan and the line of the ridge would not be broken, there would still be visible signs of development. This is a form of urbanising development discouraged by the LCA.
30. Overall, despite the largely screened nature of the site, there would be a shift in some views from a rural to a partly suburban character. This would result in minor harm the landscape character of the area.
31. However, there are measures within the proposal that seek to mitigate this harm. The area to be developed immediately adjoins existing development and enables retention of the green space in more than half of the site, allowing for open zones around its other edges in which structural planting would filter outside views. The development would also enable the green space around the proposed built-up zone to be maintained as a recreational parkland and biodiverse resource, together with the formal management of three identified veteran trees, of which at least one is at risk of failure without intervention.
32. Concern was expressed from various parties that the development would close the existing strategic gap between Three Mile Cross and Spencers Wood. I do not consider that this would be the case. The development would enable the retention of a substantial amount of green space between the settlements, including land both on the appeal site and the existing land outside. I saw that there was a significantly narrower gap between the settlements on Basingstoke Road where the provision of a relatively narrow strip of green space between built-up areas was sufficient separation to ensure retention of both settlements' identities. The lack of direct access between the site and Spencers Wood, together with there being no intervisibility of the proposed buildings to or from Spencers Wood, as well as the existing topography and the existing and proposed vegetation, would not exacerbate any physical or perceived coalescence of the settlements.
33. Despite the minor level of harm, there would nonetheless be harm to the landscape character of the area. This would conflict Core Strategy policies CP1, CP3 and CP11, MDD policies CC01, CC02, CC03 and TB21 and Neighbourhood Plan Policies 1 and 2, for the reasons set out above.

#### *Accessibility*

34. The Council's putative reason for refusal on this issue expresses a concern that as a development outside settlement limits, with perceived poor accessibility to local facilities and services, a lack of good public transport links and poor quality of the walking and cycling environment, it would not encourage a shift towards sustainable modes of transport. These themes are reflected in Core Strategy Policies CP1, CP2, CP3, CP6 and CP11, MDD Policies CC01 and CC02 and Policy 4 of the Shinfield Neighbourhood Plan.
35. Both the Council's and appellant's evidence referred to an 800-metre distance being an indicator of whether a neighbourhood is 'walkable', this being a comfortable ten-minute walking time for most people to be able to access a

range of services<sup>14</sup>. This is not an upper limit and I heard that there may be factors that influence people to consider a longer walking distance to be acceptable, such as the physical quality of the walking route. The supporting text to Core Strategy Policy CP6 states that the borough has one of the highest car ownership rates of any English local authority, and thus, in accordance with this policy, local conditions should offer choices through the provision of sustainable forms of transport.

36. The closest facilities and services to the site are concentrated on Basingstoke Road in Three Mile Cross. These include convenience stores, leisure facilities, schools and a post office counter within a range of 800m to two kilometres (a 25-minute walk)<sup>15</sup>. Other facilities including a wider range of employment are further afield. The *Manual for Streets* (MfS) recognises that walking trips under 2km offer the greatest potential to replace short car trips and whilst the walking time to all these facilities would be longer than the comfortable 10-minute walking time, I acknowledge the possibility that people could be encouraged to walk greater distances if the range of services was appropriately enticing, as set out in a previous appeal decision<sup>16</sup>.
37. The main walking route between the site and the concentration of facilities and services on Basingstoke Road is along Grazeley Road. I saw that although the route is legible along its full length, in many places the footpath is narrower than the MfS suggested accessible width of two metres and also is not overlooked for a short length close to Kingfisher Grove. As indicators of route quality, the absence of an appropriate width and passive surveillance from dwellings along sections of the route result in a substandard walking experience. The alternative available walking route using Tabby Drive is longer and as such, Grazeley Road is more likely to be used. Additionally, the Tabby Drive route uses part of Grazeley Road and does not wholly avoid substandard sections. Although improvements to junctions along Grazeley Road are planned, these would not alleviate the substandard sections.
38. Beyond the aforementioned closest services, walking routes to other destinations such as local schools are variable, including areas with no passive surveillance or lighting. Such conditions would discourage users from walking longer distances.
39. Cycling options would be improved with the proposed paving of the section of BOAT north of Grazeley Road. This would offer a route to the employment centres beyond Three Mile Cross. Although there is a good range of facilities and services within a 20-minute cycling distance from the site, are other few dedicated cycling facilities or lanes within the vicinity of Three Mile Cross, thereby affecting the attractiveness of cycling as a realistic travel mode choice.
40. A bus service operates to Reading along Basingstoke Road on a good frequency, with services into the evening. However, the absence of a Sunday service would reduce the attractiveness of the proposed housing for those who would rely on public transport, as would the absence of convenient links to alternative destinations, such as the borough centre at Wokingham. Access to the bus stops would be along the Grazeley Road route which, given my

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<sup>14</sup> As set out in *Manual for Streets* section 4.4 (CD 12.3) and the *National Design Guide* (CD 12.21).

<sup>15</sup> Distances are calculated from the approximate centre of the proposed residential component of the appeal site and are as set out in the parties' proofs of evidence.

<sup>16</sup> CD 6.15.

considerations set out above, would affect the attractiveness of public transport as a transport mode choice.

41. In conclusion on this main issue, despite some positive components, accessibility to and from the site when considered as a whole, would be poor. As such, future occupiers of the proposed development would not benefit from appropriate accessibility and there would be conflict with Core Strategy Policies CP1, CP2, CP3, CP6 and CP11, MDD Policies CC01 and CC02 and Policy 4 of the Shinfield Neighbourhood Plan, for the reasons set out above.

## **Other Matters**

### *Housing supply*

42. It is agreed between the appellant and the Council that the latter is not able to demonstrate that it has a deliverable five-year housing land supply. There is disagreement on the scale of the shortfall, with the appellant and Council claiming a supply of 4.66 and 4.83 years, respectively. I heard evidence at the Inquiry as to the varying methods resulting in the different outcomes but consider the difference to be so small as to be of minimal relevance. In any case, the housing land supply shortfall is minor. Although other factors raised in the evidence include local affordability and the previous supply/delivery of homes against the housing need, I have no need to refer to these in detail.
43. The calculation variances result in annual housing need figures, with a 5% buffer applied, of about 806 (Council's figure) or 835 (appellant's figure) dwellings. The development would provide approximately 6% of the Council's annual supply of homes, which I consider to be a sizeable proportion. Although the Housing Delivery Test indicates that the Council has delivered more homes than its targets in recent years, there is nonetheless a shortfall in the future five-year supply.

### *Affordable housing*

44. The development would wholly comprise affordable dwellings, with the tenure split agreed by the Council. The relevant Strategic Housing Market Assessment<sup>17</sup> (SHMA) estimates the borough's per annum affordable housing need as 441 dwellings with the Council's more recent Local Housing Needs Assessment<sup>18</sup> (LHNA) stating a requirement for 407 affordable dwellings per annum.
45. The recent delivery of affordable housing, of around 1,700 homes over the past five years, has been stronger in some years but delivery in most has fallen short of the per annum requirement. The Council considers that the likely delivery of dwellings over the next five years (estimated to be at least 1,249 homes) would meet the housing requirement for those on the local Housing Needs Register with the most acute need and that this would include meeting around 87% of the local need within Shinfield. The fact that the site's proximity to employment sources could result in a high local need but this is tempered by the Council's assertion that the types of jobs to be created would not be those that would appeal to those residing in affordable housing. Nonetheless there are links between the site and the wider employment catchment area incorporating Reading.

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<sup>17</sup> CD 10.2.

<sup>18</sup> CD 10.3.

46. No targeted local affordable housing needs surveys have been undertaken in Shinfield, although local housing register demand is strong. I am reticent to rely on this source as an indication of local affordable housing need, given the potential for 'double counting' in demand for Shinfield and neighbouring borough areas. Nonetheless the SHMA and LHNA indicate strong demand for affordable housing within the borough, and despite the expected forthcoming local delivery of dwellings, unmet demand will remain in Shinfield and the wider borough area.

*Rural exception site*

47. Core Strategy Policy CP9 refers to the provision of affordable housing on rural exception sites. These are sites outside development limits, and the policy enables the provision of affordable housing adjoining the limits in specific instances, where a need is demonstrated for residents, workers or other people with family connections within the Parish Council's area. A rural exception site is defined in the Framework as a small site used for affordable housing in a site that would not normally be used for housing, which seeks to address the needs of the local community.

48. The Framework does not define what constitutes a small site. At 5.82 hectares with a development area of 1.63ha providing 49 dwellings, there is disagreement between the appellant and the Council that this is a small site. Without a definition, this becomes a matter of planning judgement. In comparison with the Council's Local Housing need for 2020/21 of 789 homes, 49 homes represents about 6% of the Council's annual need, which as I noted above would represent sizeable proportion to the borough's housing supply and therefore not small in this sense. Elsewhere in the Core Strategy (at appendix 3) small sites are defined as those less than 1ha with up to 9 dwellings. Although this is not a direct comparison to the absence of a definition with regard to rural exception sites, the Council's intention in describing small sites in regard to housing delivery is clear. Taking all these matters into consideration, I do not consider the appeal site to be a rural exception site.

*Biodiversity*

49. Core Strategy Policy CP8 requires development which alone or in combination is likely to have a significant effect on the Thames Basin Heaths Special Protection Area (the SPA) to demonstrate that adequate measures to avoid and mitigate any potential impacts are delivered. Thresholds for mitigation requirements are set out in the accompanying text. As a development of fewer than 50 dwellings and one between five and seven kilometres of the SPA, mitigation is not required.

50. Implementation of the appeal scheme would result in biodiversity net gain of 114% for habitats, 11% for hedgerows and 35% for ditches. Further benefits would be gained from additional planting and habitat management over the longer term. Phase 1 and Phase 2 surveys have been undertaken to protected species, with evidence of dormice in the hedgerow boundaries. The site was also found to be of value to foraging and commuting bats, with trees on the site of potential value to roosting. Paragraph 180 of the Framework encourages avoidance of significant harm to biodiversity. Together with the implementation of the features that would result in biodiversity net gain and the creation of new invertebrate habitats, as well as the suitable management of the site, I am satisfied that the development would avoid significant harm.

### *Highways*

51. Whilst the Council initially presented a putative reason for refusal relating to access to the site and its potential effects on highway safety, discussions between the appellant and Council prior to the Inquiry resolved matters of difference. A theme within the objections from interested parties was the potential effects of traffic congestion on the local road network resulting from the additional vehicle trips generated by the development. The junction of Grazeley Road and Basingstoke Road was identified as a particularly congested spot. Forthcoming improvements to the junction have already been resourced and from the evidence provided it appears that this junction will provide for increased traffic levels resulting from the various developments in and around Three Mile Cross.

### *S106 Agreement*

52. The heads of terms of the s106 Agreement were agreed between the main parties prior to the Inquiry. Given that an obligation may constitute a reason for granting planning permission only if it meets the tests set out in Regulation 122 of the *Community Infrastructure Regulations 2010* and paragraph 57 of the Framework, it falls to me to reach a finding on its acceptability.
53. Provision for affordable housing comprising 70% social rented and 30% shared ownership tenures is incorporated, with a nomination agreement for prospective residents. This is an appropriate method for ensuring fair placement according to local need. The proposal complies with Core Strategy Policy CP5 in that it contributes to mixed and balanced developments within the borough, and I am satisfied that it would meet a need for such accommodation.
54. The development/employment skills contribution would take the form of either a plan or a monetary contribution. I recognise that the Council's preference is for a plan but acknowledge that the agreement offers suitable choice in the event of a housing provider managing the scheme in the future. Based on benchmarked values, the contribution or plan would target the Council's identified shortfall of skills training in the area local to the application site and is therefore necessary.
55. The proposed transport-related contributions of a 'My Journey' travel plan payment and a contribution for upgrading the surface of Woodcock Lane would promote sustainable travel choices and improve local access. I am satisfied that these are required to make the development acceptable.
56. Open space on the site would be made available for use by residents, and although the agreement contains various closure clauses I am content that these would only be used as necessary and for reasonable purposes. Management of the space is necessary, particularly in relation to the veteran trees and to comply with Core Strategy Policy CP2 and MDD Policy TB08 with regard to meeting the needs of residents and providing appropriate spaces for recreation.
57. Monitoring fees are specified within the agreement and I am satisfied that due to the nature of the development, particularly with regard to the level of affordable housing and open space proposed, their inclusion makes the development acceptable in planning terms.



58. The various sums within the obligation are necessary and justified and I am satisfied that the Council could rely on the document to secure the contributions. Moreover, I am content that the obligations meet the requirements of the statutory and acceptability tests.

## **Planning balance**

### *Policy and Framework considerations*

59. Framework paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development. Paragraph 11d suggests that where the policies which are the most important for determining an application are out-of-date, permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. There is no five-year housing land supply in Wokingham and therefore paragraph 11d is applicable to this appeal, and the policies that are the most important for determining this appeal are deemed to be out of date. I have no discretion within this purpose to consider whether specific policies are out of date. However, I must consider the weight to be given to policies including whether they are out of date in the context of the issues in this appeal.

60. Previous appeal decisions that have been brought to my attention<sup>19</sup> have noted that in specific cases, although some of the Council's policies were considered to be out of date, the overall 'basket' of policies considered most important for determining the appeal was not out of date. In these cases, the Council was able to demonstrate that it had a suitable housing land supply at that time. This is not the case in this instance, where both the Council and the appellant agree that the 'tilted balance' is engaged. A further example<sup>20</sup> found the basket to be out of date in that specific instance, when the Council could not demonstrate a five-year housing land supply.

61. Core Strategy Policies CP1, CP2 and CP3 set the overall approach to sustainable and inclusive development in the borough and are broadly consistent with the Framework. Similarly, Policy CP6 which promotes sustainable travel choices and does not conflict with the Framework, These policies do conflict with the appeal proposal in terms of landscape and accessibility. My weighting on these issues is set out in the next section.

62. Policy CP5 sets the requirements for affordable housing provision by development scale and location but is not consistent with the Framework in that it seeks affordable housing on developments from five or more dwellings in urban areas, whereas paragraph 64 of the Framework states that provision should be sought only on such development of ten or more dwellings. However, there is no conflict with the appeal proposal and I have afforded only minimal weight to this consideration.

63. Core Strategy Policy CP7 requires conservation of biodiversity, veteran trees or features of the landscape that are important for flora and fauna, and MDD Policy TB21 requires proposals to address the requirements of the Council's Landscape Character Assessment, amongst other considerations. There are no conflicts with the Framework or the appeal scheme and thus no weight is allocated.

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<sup>19</sup> Including CDs 6.7 and 6.15.

<sup>20</sup> CD 6.1.

64. Core Strategy Policy CP17 provides housing figures based on the South East Plan which is no longer in force. Accordingly, Core Strategy policies CP9 and CP11, MDD Policy CC02, and Neighbourhood Plan Policy 1, which apply development limits throughout the borough, are out of date because these are based on out-of-date housing numbers, to which I give significant weight. A further out-of-date policy is MDD Policy TB04 which deals with development around the AWE Burghfield Site, due to the use of superseded measurements for the DEPZ radius, but as the general principles still apply only minimal weight is apportioned to this conflict.
65. MDD Policy CC01 which sets a presumption in favour of sustainable development is broadly comparable with the similar Framework presumption and does not conflict. Likewise, MDD Policies CC03 sets the Council's approach to developing and managing green areas and assets and does not conflict with the Framework, and MDD Policy TB08 which sets out the Council's approach to recreational facility provision is also generally in line with the Framework, despite the superseded reference to a previous version. The former policies conflict with the appeal scheme in the areas of landscape and accessibility, with weighting set out below.
66. Summarising the above, the Framework's tilted balance is applied as the Council cannot demonstrate a five-year housing land supply. The issues in which there are conflicts between out of date policies are AWE Burghfield, with the conflict attracting minimal weight, affordable housing provision in which the conflict attracts minimal weight, and conflict with the policies for the supply of housing more generally attracting significant weight.

*Applying the balance*

67. With regard to the main issues, the proposal demonstrates poor accessibility and this weighs heavily against the proposal, attracting significant weight. Landscape harm would be minor, but still conflicts with policy, and therefore this attracts moderate weight. I have found that there would be no harm with regard to the proximity of the AWE Burghfield site, which is a neutral factor in the balance.
68. Housing and affordable housing provision aside, other benefits of the scheme would include provision of new open space, net biodiversity gain, ongoing management of at-risk veteran trees, and local transport improvements. These would benefit those outside the site, and I give these considerations moderate weight. Other section 106 provisions are needed to make the development acceptable only and attract minimal weight, although there would be a wider benefit in regard to the improvement of Woodcock Lane and employment skills provisions, which attracts moderate weight.
69. The provision of new homes comprising 6% of the borough's annual supply attracts moderate weight. The provision of affordable housing that would assist the Council in meeting its shortfall in provision is significant, as is the presumption in favour of sustainable development triggered by the application of Framework paragraph 11.
70. The development plan policies that are the most important for the supply of housing are out of date, but those with which I have found conflict in this decision are not out of date and are generally consistent with the Framework.

The development would result in landscape harm and have poor accessibility. I find that the proposal conflicts with the development plan as a whole.

71. However, the weighting of the above factors is in favour of the scheme proceeding. I find that the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The development proposal benefits from the Framework's presumption in favour of sustainable development.
72. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Notwithstanding the conflict with the development plan, I have found that the development would deliver significant and demonstrative benefits. These are material considerations that lead me to the decision that planning permission should be granted, and the appeal should succeed.

### **Conditions**

73. I have assessed the list of conditions proposed by the parties against the tests set out in the Planning Practice Guidance (PPG)<sup>21</sup>. These were discussed at the Inquiry and subsequently refined, and are included at Annex A. I have made minor changes for clarity. In accordance with section 100ZA(5) of the Act, the Appellant has agreed to those conditions which would be pre-commencement conditions.
74. Conditions 1 through 5 are applied for the absence of doubt, with conditions 3 and 5 also applied to ensure that the development proceeds in accordance with the outline plans. Conditions 6, 7, 8 and 18 are applied in the interests of satisfactory access and highway safety. Conditions 9, 10 and 17 are to preserve the living conditions of surrounding occupiers and minimise the effects of construction. Condition 11 is to ensure sustainable drainage is incorporated within the development, and 12 is applied to investigate and if necessary preserve the archaeological heritage of the appeal site. Conditions 13 and 14 are included to ensure the protection, conservation and management of landscape features. Conditions 15 and 16 are to preserve and improve the biodiversity of the appeal site, and conditions 19 and 20 are included to ensure the landscape character and appearance of the site is preserved.

### **Conclusion**

75. For the reasons given above I conclude that the appeal should be allowed.

*G Rollings*

INSPECTOR

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<sup>21</sup> PPG reference ID: 21a-003-20190723; revision date: 23 07 2019.

## **ANNEX A: SCHEDULE OF CONDITIONS**

- 1) Approval of the details of the siting, design and external appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The number of dwellings hereby permitted shall not exceed 49.
- 4) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 5) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan in A2 (D2871\_430 Rev A); Parameter Plan (D2871\_423\_Rev B); Site Access Arrangement (ITB15490-GA-002 Rev E).
- 6) No building shall be occupied until the accesses (pedestrian and vehicle) have been constructed in accordance with details to plan no. ITB15490-GA-002 Rev E.
- 7) Prior to the commencement of development, full details of the construction of the access, including levels, widths, construction materials, depths of construction, surface water drainage, boundary treatment, landscaping and lighting shall be submitted to and approved in writing by the local planning authority. Each dwelling shall not be occupied until the vehicle access to serve that dwelling has been constructed in accordance with the approved details to road base level and the final wearing course will be provided within 3 months of occupation, unless otherwise agreed in writing by the local planning authority.
- 8) No occupation of the development shall take place until:
  - (a) the approval by the local planning authority of a scheme that provides for the visibility splays shown on plan no. ITB15490-GA-002 Rev E (to include also the removal of any obstruction above a height of 0.6 metres) and the maintenance of the same over the lifetime of the development; and,
  - (b) the full implementation of the aforementioned approved scheme.
- 9) No development shall take place, until a Construction Method Statement, including a CEMP (Construction Ecological Management Plan), has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - (a) construction of suitable works access;
  - (b) the parking of vehicles of site operatives and visitors;
  - (c) loading and unloading of plant and materials;
  - (d) storage of plant and materials used in constructing the development;
  - (e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - (f) wheel washing facilities;
  - (g) measures to control the emission of dust and dirt during construction;

- (h) a scheme for recycling/disposing of waste resulting from demolition and construction works;
  - (i) hours of construction;
  - (j) hours of delivery; and
  - (k) mitigation and avoidance measures for ecology and biodiversity.
- 10) No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and at no time on Sundays or Bank or National Holidays.
- 11) Prior to the commencement of development details for disposing of surface water by means of a sustainable drainage system (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the aforementioned approved details (in so far as they apply to that dwelling) have been implemented.
- 12) No development shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the planning authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.
- 13) No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the local planning authority, this shall include details of existing trees and hedges to be retained in the submitted Arboricultural Impact Assessment, in line with BS5837:2012, and shall include details of;
- (a) any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the sub-phase;
  - (b) any proposed alterations to ground levels within the Root Protection Area or Crown Spread (whichever is the greater) of any retained tree, including trees on land adjacent to the site;
  - (c) the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.
  - (d) the erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the local planning authority.
  - (e) Prior to occupation of the first dwelling, a Veteran Tree Management Plan shall be agreed in writing with the local planning authority. This Plan shall include:

- Specialist Survey Method assessment of the trees;
- Individual tree management programme geared towards maximising longevity;
- Provision and maintenance of knee-rail style fencing beyond crown driplines, enclosing access-deterrent planting; and
- Regular review by a competent person of veteran trees' condition, with follow-up management works being implemented as recommended.

The first three elements of the Plan shall be implemented also prior to first occupancy.

- 14) No trees, shrubs or hedges within the site which are shown as being retained on the plans approved under condition 13 shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written consent to any variation.
- 15) Prior to the commencement of development, details of how the development will achieve a biodiversity net gain of 10 % for habitats shall be submitted to and approved in writing by the Local Planning Authority. The details thereby agreed shall be fully implemented in accordance with an agreed timetable.
- 16) Prior to the commencement of the development a Landscape Environmental Management Plan (LEMP), in accordance with the Update Biodiversity Report by Aspect Ecology dated October 2022, including long term design objectives, management responsibilities, timescales, and maintenance schedules for all landscape areas, other than privately owned domestic gardens, which delivers and demonstrates a habitat and hedgerow biodiversity net gain shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved LEMP.
- 17) The development hereby approved shall not be occupied until the noise mitigation measures as set out in the Noise assessment report, project number 13390 dated 08/04/2020 submitted with the application, are implemented. The noise mitigation measures shall be retained and maintained thereafter.
- 18) The development hereby approved shall not be occupied until the pedestrian crossing improvements shown in principle on Drawing ITB15490-GA-017 have been completed to the written satisfaction of the Local Planning Authority.
- 19) No dwelling shall be more than 2 storeys in height, and no dwelling shall be higher than 61.5mAOD.
- 20) Prior to first occupation of the development hereby approved, details of any gate, fence or other means of enclosure within or around the public open space as shown on the Parameter Plan (D2871\_423\_Rev B), shall be submitted to and approved in writing by the Local Planning Authority.

*End of schedule.*

## **ANNEX 2: CORE DOCUMENTS REFERENCED IN THIS DECISION**

CD 1.6	<i>Appellant's Landscape and Visual Impact Assessment</i> , April 2020.
CD 5.1	<i>Adopted Core Strategy Development Plan Document</i> (2010).
CD 5.3	<i>Adopted Managing Development Delivery Local Plan</i> (2014).
CD 5.5	Made <i>Shinfield Parish Neighbourhood Plan</i> (2017).
CD 6.1	Appeal decision, ref: APP/X0360/W/19/3275086, 18 February 2022.
CD 6.7	Appeal decision, ref: APP/X0360/W/19/3240232, 1 February 2021.
CD 6.8	SoS decision, ref: APP/H1705/V/10/2124548, 16 June 2011.
CD 6.15	Appeal decision, ref: APP/X0360/W/19/3235572, 25 August 2020.
CD 6.20	Appeal decision, ref: APP/X0360/W/21/3271917, 3 September 2021.
CD 6.21	Appeal decision, ref: APP/X0360/W/21/3269974, 31 August 2021.
CD 7.4	High Court judgment, <i>Crest Nicholson v West Berkshire Council</i> [2021] EWHC 289 (Admin).
CD 10.2	<i>Berkshire (including South Bucks) Strategic Housing Market Assessment</i> (February 2016).
CD 10.3	<i>Wokingham Borough Local Housing Needs Assessment 2019</i> (January 2020).
CD 11.5	<i>AWE Off-site Emergency Plan</i> , Joint Emergency Planning Unit, August 2022.
CD 11.12	<i>The Radiation (Emergency Preparedness and Public Information) Regulations 2019</i> , HSE/ONR.
CD 11.20	<i>The Radiation (Emergency Preparedness and Public Information) Regulations 2019</i> , SI 2019 No. 703.
CD 11.21	<i>REPPIR – What you should do if there is a radiation emergency at the AWE Aldermaston or Burghfield sites</i> , West Berkshire Council, 2020.
CD 12.1A/B	<i>Wokingham Borough Landscape Character Assessment</i> , LUC 2019.
CD 12.3	<i>Manual for Streets</i> , DoT/DCLG, 2007.
CD 12.21	<i>National Design Guide</i> , MHCLG, 2021.

## **ANNEX 3: DOCUMENTS SUBMITTED AT THE INQUIRY**

ID 01	Appellant's opening submissions.
ID 02	Council's opening submissions.
ID 03	Shinfield Parish Council written statement.
ID 04	Site visit route map.
ID 05	Wokingham Draft Local Plan.
ID 06	Wokingham Employment Skills Plan Guidance for Developers.
ID 07	Section 106 Agreement Certified Copy.
ID 08	Agreed (final) schedule of conditions.
ID 09	<i>Hopkins Homes Ltd, Richborough Estates Partnership LLP v Cheshire East BC</i> , SSCLG [2017] UKSC 37.
ID 10	<i>Hallam Land Management Ltd c v Eastleigh BC</i> , SSCLG [2017] EWHC 2865 (Admin).
ID 11	<i>Old Hunstanton Parish Council v Hastoe Housing Association Ltd</i> , Kings Lynn & West Norfolk BC, SSCLG [2015] EWHC 1958 (Admin).
ID 12	Council's closing submissions.
ID 13	Appellant's closing submissions.

## **ANNEX 4: APPEARANCES**

### FOR THE APPELLANT

Andrew Tabachnik  
of King's Counsel  
and Katherine Barnes  
of Counsel

Instructed by the appellant

*They called*

Michael C Thorne  
*BSc PhD FInstP FSRP CRadP*  
Tim Wall *BA MSc MCIHT CMILT*  
Andrew Smith  
*BSc(Hons) MSc CMLI*  
Julian Forbes-Laird  
*BA(Hons) Dip.GR.Stud MICFor*  
*MRICS MEWI Dip.Arb.(RFS)*  
Douglas Bond *BA(Hons) MRTPI*

Mike Thorne and Associates Ltd  
Partner, i-Transport LLP  
Joint Managing Director, fabrik  
Senior Director, Forbes-Laird  
Arboricultural Consultancy Ltd  
Partner, Woolf Bond Planning LLP

### FOR THE LOCAL PLANNING AUTHORITY (WBC)

Matt Lewin  
of Counsel

Instructed by Lyndsay Jennings  
of WBC

*He called*

Harry Williamson  
*BSc(Hons) Cert(CBCI)*  
Gordon Adam  
*BA DipEcon MA CGIHT MILT*  
Chris Hannington  
*BSc MPhil CMLI MRTPI*  
Catherine Brimble  
*BA(Hons) DipLA CMLI*  
Ian Church  
*BA(Hons) MTRP MRTPI*  
Mark Croucher *BA(Hons) MSc*

Emergency Planning Manager, WBC  
Principal Development Control Engineer,  
WBC  
Team Manager, WBC  
Senior Landscape Officer, WBC  
Team Manager (Senior Specialist), WBC  
Principal Planning Officer Team Leader,  
WBC

### INTERESTED PERSONS

Darrell Lias

Vice Chair (operations),  
Shinfield Parish Council



Appendix KM3 – Officers report and ONR Comments in respect of application  
16/01685/OUTMAJ

# Agenda Item 4.(1)

Item No.	Application No. and Parish	13 Week Date	Proposal, Location, Applicant
(1)	16/01685/OUTMAJ Burghfield	19 September 2016 <sup>1</sup>	Outline planning application for 28 dwellings. Matters to be considered: Access. Matters reserved: Appearance, Landscaping, Layout and Scale.  Land Adjacent To Primrose Croft, Reading Road, Burghfield Common, Reading, Berkshire  Westscope Primrose Ltd

<sup>1</sup> Extension of time agreed with applicant

The application can be viewed on the Council's website at the following link:  
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=16/01685/OUTMAJ>

**Recommendation Summary:** To delegate to the Head of Development and Planning to **GRANT OUTLINE PLANNING PERMISSION** subject to conditions and the completion of a s106 legal agreement;

**Or**, if the s106 legal agreement is not completed, to delegate to the Head of Development and Planning to **REFUSE OUTLINE PLANNING PERMISSION**.

**Ward Members:** Councillor Ian Morrin  
Councillor Carol Jackson-Doerge

**Reason for Committee Determination:** Level of objection

**Committee Site Visit:** 19<sup>th</sup> September 2018

## Contact Officer Details

**Name:** Bob Dray  
**Job Title:** Team Leader (Development Control)  
**Tel No:** 01635 519111  
**Email:** bob.dray@westberks.gov.uk

## 1. INTRODUCTION

- 1.1 This application seeks outline planning permission for the erection of 28 dwellings on land adjacent to Primrose Croft, Reading Road, Burghfield Common. When originally submitted in outline it included full details of access and layout, with only matters of appearance, scale and landscaping reserved for later approval.
- 1.2 The application site comprises an area of open grassland accessed off Reading Road on the eastern side of Burghfield Common. The Hollies Nursing Home adjoins the site, itself fronting onto Reading Road. To the rear is Pondhouse Copse, which includes ancient woodland within its core, away from the edge of the site. To the south-west is a further area of grassland behind the houses which front onto Reading Road. To the north and east is open countryside with sporadic houses, and a public footpath runs from Reading Road, through Pondhouse Copse, to Clayhill Road.
- 1.3 The application site is approximately half of a larger housing site allocation for approximately 60 dwellings. There is a policy requirement that a single application be submitted for the whole allocation in order to ensure a comprehensive and cohesive development. However, this application only seeks permission for "Phase 1". The remainder of the site "Phase 2" is under separate ownership and is not included within the application site.
- 1.4 The absence of a single application to cover the whole housing allocation has resulted on prolonged negotiations, with planning officers seeking to ensure that the approach taken by the applicants does not prejudice the Phase 2 development, or the allocation as a whole. Throughout the course of the application the Phase 2 landowners have also maintained an objection to the application on this basis.
- 1.5 The applicant is Westscape Primrose Ltd, but in the latter stages of this application a housebuilder, Crest Nicholson, became the applicant's developer partner, and has taken on a central role within negotiations. The applicant remains the same.
- 1.6 Following the recent round of negotiations, the applicant has amended the application such that details of layout are now also reserved for consideration at reserved matters stage, leaving Access as the only reserved matter to be considered in full at this outline stage.
- 1.7 Up until this point a number of revised layout plans have been submitted for consideration, but now this information is treated as illustrative. The applicant has submitted a Parameter Plan which identifies the access point from Reading Road, the access point into Phase 2 land, the extent of the developable area, a landscape buffer, a buffer to Pondhouse Copse, and an indicative alignment of the road through Phase 1 together with service margins. If outline planning permission is granted, it is recommended that a condition is applied to stipulate that the detailed design submitted at reserved matters stage accords with this Parameter Plan.
- 1.8 The Parameter Plan accords with previously submitted detailed layout drawings, which can now be treated as illustrative. They give an impression of how the site *could* be development within the proposed parameters, but the detail contained within the illustrative drawings is not necessarily fixed.

- 1.9 The current plans for which approval is sought as part of this application are:
- Site Location Plan (1048(SP)01 Rev B)
  - Development Parameter Plan (2610-A-1200-C)
  - Possible Site Access and Traffic Calming Measures (33749/001/001)
- 1.10 The following plans are now provided for illustrative purposes only:
- Site Layout (2610-A-1005-S)
  - Illustrative Site Wide Masterplan (2610-C-1006-B) – including Phase 2
  - Refuse Collection Strategy (2610-C-1020-B)
  - Dwelling Distribution (2610-C-1021-B)
  - Storey Heights, Garden Areas and Dimensions (2610-C-1022-B)
  - Parking (2610-C-1023-B)
  - Character Areas (2610-C-10250-B)
  - Road Areas Proposed for Highways Adoption (2610-C-1026-B)
  - Preliminary Level Strategy for Indicative Scheme (174960-009 Rev P2) – in relation to Phase 2.
  - Indicative Foul and Surface Water Drainage Strategy (174960-001 Rev A)
  - Indicative External Levels Strategy (174960-003 Rev A)
- 1.11 A number of the above drawings show indicative layouts and road structures on the Phase 2 land, but it should be noted that this area is outside the control of the applicants. The application is also accompanied by a suite of supporting documentation, which is available on the public file.
- 1.12 The Government's Planning Casework Unit has advised that the Secretary of State (SoS) for Housing, Communities and Local Government has received a request from an undisclosed party to recover the application for his own determination. As such, the committee's resolution shall be referred to the MHCLG prior to a decision being issued, so that the SoS may decide whether to use his powers.

## 2. PLANNING HISTORY

	<b>Application</b>	<b>Proposal</b>	<b>Decision</b>
1)	78/08543/ADD	Site for 1 detached house	Refused 28/06/1978 Appeal dismissed
2)	88/28090/ADD	Erection of 18 4 bedroom detached houses with double garage	Refused 25/02/1987
3)	88/32271/ADD	Reinstatement and formation of access and hard surface track	Approved 07/09/1988
4)	90/37826/ADD	Erection of 5 detached houses with garages	Refused 12/09/1990 Appeal dismissed
5)	92/41994/ADD	Erection of two detached houses with garages (scheme a)	Refused 11/01/1993 Appeal dismissed
6)	92/41995/ADD	Erection of two detached houses with garages (scheme b)	Refused 11/01/1993
7)	10/02978/SCREEN	Screening opinion for the erection of 28 dwellings with associated works	EIA not required 10/12/2010

8)	10/02981/OUTMAJ	Outline planning application for 28 dwellings with associated access, parking and amenity. Means of access and layout to be considered with scale, appearance and landscaping reserved.	Refused 10/12/2010 Appeal dismissed 21/10/2011
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### 3. PROCEDURAL MATTERS

- 3.1 The application has been publicised in accordance with the legal requirements of the Town and Country Planning (Development Management Procedure) Order 2015, and the Council's Statement of Community Involvement. This has involved the display of site notices, notification letters sent to 55 local recipients, and a notice being displayed in the Reading Chronicle.
- 3.2 The application has been revised since submission. In accordance with the advice in the Planning Practice Guidance further public re-consultation has taken place for those submissions which substantially altered the proposals.
- 3.3 The proposed development would create new residential floor space. It will therefore be liable to CIL payments, which are administered in parallel to the application process. However, as the application is made in outline, the CIL liability will be determined at the reserved matters stage when the floor space is known.

### 4. CONSULTATION

#### 4.1 Statutory and Non-Statutory Consultations

Burghfield Parish Council:	16/07/2016: Object (full correspondence included with plans)  26/02/2018: Burghfield Parish Council would like to ensure their comments previously submitted for application 16/01685/OUTMAJ will be considered again upon further review of the application.
Natural England:	No objections regarding statutorily protected sites and landscapes. Standing advice on various matters including protected species and priority habitats.
Thames Water:	No objections subject to conditions and informatives.
WBC Planning Policy Officer:	Principle of development is acceptable, but application for one part of the site does not meet all of the requirements of Policies HSA16 and GS1. Originally objected on this basis, but support officer recommendation.
WBC Highways Authority:	No objections subject to conditions and planning obligation.
WBC Lead Local Flood Authority:	No objections.

WBC Tree Officer:	No objections subject to conditions.
WBC Ecology:	Detailed requests regarding reptiles, bats, and Pondhouse Copse (proposed Local Wildlife Site).
WBC Environmental Health:	Conditional permission.
WBC Housing Officer:	No objections subject to planning obligation. Detailed requirements for affordable housing provided.
WBC Archaeological Officer:	No objections.
WBC Waste Management Officer:	No objections subject to conditions.
WBC Grounds Maintenance Manager:	No response.
WBC Rights of Way Officer:	Request developer contribution for improvements to Burghfield Bridleway 9.
WBC Emergency Planning:	No adverse comments.
Office for Nuclear Regulation:	Do not advice against.
Thames Valley Police (Design Officer):	No response.
Royal Berkshire Fire and Rescue Service:	Emergency water supplies required.
Berks, Bucks and Oxon Wildlife Trust:	No response.
West Berkshire Spokes:	No response.
Ramblers Association:	No response.

## 4.2 Public Representations

4.2.1 Following public consultation, 28 individual contributors have made representations, a number of whom have made multiple representations at different times during the consideration of this application. Of these contributors, 20 have expressly objected to the proposal, and three have expressed support.

4.2.2 During the consideration of the application, a number of objections were received on behalf of the Phase 2 landowners. These objections were primarily on the grounds that an application was submitted solely for Phase 1 in isolation of Phase 2. These objections raised concern with the absence of a comprehensive cohesive approach, the extent to which independent development of Phase 1 could prejudice the onward development of Phase 2, and particularly with respect to the proposed

access point. Following the latest revision to the application these objections have been withdrawn and Phase 2 landowners have written letters in support of the Development Parameters Plan.

4.2.3 All representations are available for inspection on the public file, but the comments received can be broadly summarised as follows:

#### Summary of support

- Good quality design
- Welcome provision of cycle storage
- Need for housing

#### Summary of objection

- Already residential development taking place (or subject to planning) in the area
- Local population has increased recently without adequate supporting infrastructure
- Very similar development previously dismissed at appeal
- Adverse implications for Phase 2 development (from parties in addition to the Phase 2 landowners)
- Phase 2 land is not suitable for development
- Development outside the settlement boundary\*
- HSA DPD has not been adopted\*
- Community does not support the proposals
- Unsustainable location
- Increased pressure on local infrastructure (schools, roads, healthcare, council services, sewerage system)
- The Reading Road sewer has overflowed and backed up several times
- Presence of AWE site in local area
- Traffic generation and impact on local highway network
- Traffic safety (Reading Road bend, speed levels, narrow footways)
- No direct pedestrian access from the site to the village
- Insufficient parking levels
- Increased on-street parking
- Inappropriate scale and layout
- Development is out of character with local area
- Adverse impacts on neighbouring amenity and living conditions
- Adverse impact on the amenity of The Hollies Nursing Home
- Disturbance to residents of The Hollies during construction
- Inadequate separation distance between development and The Hollies
- Flood risk
- Exacerbate existing problems with surface water drainage
- Loss of green space
- Adverse impacts on adjacent woodland and ancient woodland
- Insufficient buffer to ancient woodland
- Presence of protected species and other wildlife in woodland and surrounding area
- Adverse impacts on local biodiversity and net loss in biodiversity
- Inadequate ecological assessment
- Recent loss of trees and TPO

- Adverse impacts on adjacent public bridleway
- Adverse visual impacts
- Adverse impacts on landscape character
- Presence of septic tank pipework and existing ditch
- Noise (construction and additional traffic noise)

4.2.3 It is noted that a number of objections (marked \*) pre-date the adoption of the HSA DPD.

## **5. PLANNING POLICY**

5.1 The following policies from the statutory development plan are relevant to the proposal:

5.2 West Berkshire Core Strategy 2006-2026 (WBCS):  
Policies: ADPP1, ADPP6, CS1, CS4, CS5, CS6, CS8, CS13, CS14, CS15, CS16, CS17, CS18, CS19

5.3 Housing Site Allocations Development Plan Document (HSA DPD):  
Policies: GS1, HSA16, C1, P1

5.4 West Berkshire District Local Plan 1991-2006 Saved Policies 2007 (WBDLP):  
Policies: OVS.5, OVS.6, RL.1, RL.2, RL.3

5.5 The following policies and guidance are relevant material considerations:

- National Planning Policy Framework (July 2018) (NPPF)
- Planning Practice Guidance (PPG)
- Planning for Growth Written Ministerial Statement (23/03/2011)
- West Berkshire Quality Design SPD (2006)
- Planning Obligations SPD (2015)
- Burghfield Parish Design Statement (August 2011)

## **6. APPRAISAL**

### **6.1 Principle of Development**

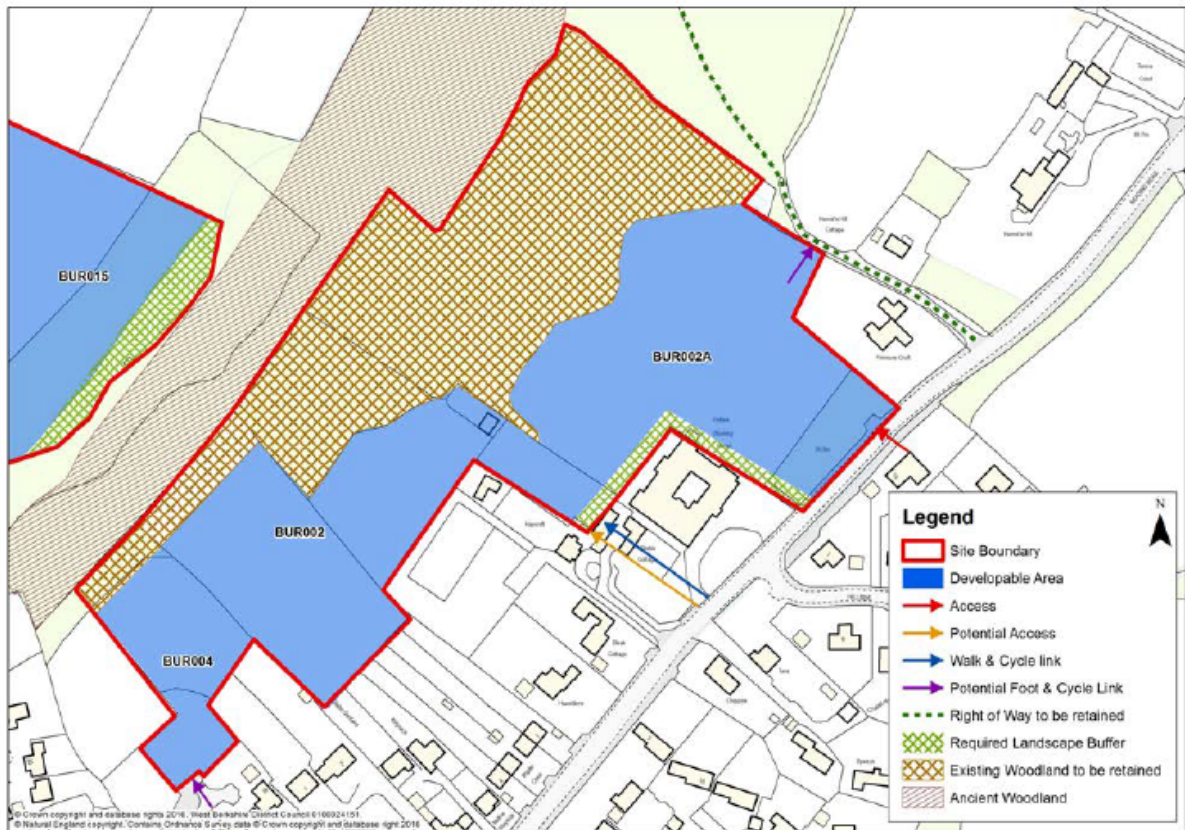
6.1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The statutory development plan provides an up-to-date framework for determining applications for housing development in West Berkshire and so attracts substantial weight in the decision making process. The housing supply policies which are relevant to this application are: Policies ADPP1, ADPP6 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policies GS1, HSA16 and C1 of the Housing Site Allocations DPD 2006-2026 (HSA DPD).

6.1.2 Policies ADPP1 and ADPP6 provides the Spatial Strategy for the district. Overall, these policies seeks to direct development to the most sustainable locations within the district. Policy ADPP1 includes a District Settlement Hierarchy, which identifies Burghfield Common as a Rural Service Centre, a second tier settlement with a range of services and reasonable public transport provision. Policy ADPP6 (East



Kennet Valley) states that some growth is planned for this area, and that the two identified rural service centres of Burghfield Common and Mortimer will be the focus of development in this area. Development may take the form of small extensions to these villages.

- 6.1.3 According to Policy CS1, new homes will be located in accordance with the settlement hierarchy outlined in the Spatial Strategy and Area Delivery Plan Policies. New homes will be primarily development on (amongst others) land allocated for residential development in subsequent development plan documents.
- 6.1.4 Consistent with the above strategic policies, Policy HSA16 has now allocated land to the rear of The Hollies Nursery Home (Reading Road), and opposite 44 Lamden Way for the provision of approximately 60 dwellings with a mix of dwelling types and sizes. The settlement boundaries have also been reviewed, and the HSA DPD has expanded the Burghfield Common settlement boundary to include this land. According to Policy C1, there is a presumption in favour of development and redevelopment within the (now expanded) settlement boundary of Burghfield Common.
- 6.1.5 The plan associated to Policy HSA16 (below) shows the developable area of the allocation, and other policy requirements. The application site is the north-eastern parcel of land behind The Hollies and adjacent to Primrose Croft. The brown hatching is Pondhouse Copse, which is to be retained, and the green hatching is a required landscape buffer. The remainder of the allocation continues south-west behind the dwellings along Reading Road, up to Lamden Way.
- 6.1.6 The proposed development complies with the above policies in terms of the location of new housing development, and in this respect the principle of development is acceptable. There are detailed policy requirements which also have a fundamental bearing on the acceptability of the proposed development, which are explored below. The most pertinent matter is that the application site does not cover the whole allocation, rather it proposed approximately half the allocated development, with the remainder to come forward separately. This application has been known as “Phase 1”, and the remainder of the allocation has been known as “Phase 2”.



Policy HSA16 Plan

## 6.2 Comprehensive Development

6.2.1 Both Policies GS1 and HSA16 require that a comprehensive approach is taken to the development of allocated sites, both in general and specific to this site. They provide a policy requirement that a single planning application should be submitted for the whole allocation.

6.2.2 Policy GS1 (General Site Policy) states:

*“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 space 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.”*

6.2.3 Policy HSA16 (Land to the rear of The Hollies...) states:

*“These sites are being considered together as one site and have a developable area of approximately 2.7 hectares. The sites **should be masterplanned comprehensively** in accordance with the following parameters:...”*

6.2.4 In addition to the policy requirement, there are also a number of substantive technical reasons for this requirement. These could include matters such as:

- Inappropriate layout and densities balanced between the sites
- Numbers in wider allocation not being achieved.

- Lack of comprehensive planning for matters such as drainage, ecological mitigation, and public open space.
- Impacts on viability, due to infrastructure demands not being shared across sites (e.g. highway works).
- Site wide requirements (e.g. travels plans).
- Section 106 pooling restrictions.

6.2.5 Despite the above policy requirements and technical reasons for a single comprehensive application, this application has been submitted solely on behalf of the Phase 1 owners. The Phase 2 land is under separate ownership and has not been included within the application site.

6.2.6 Accordingly, the Council must consider the merits of the application as submitted. The policy requirement for a single application is the starting point, but there may be a number of material considerations that are relevant in determining whether a single application is absolutely necessary to grant permission on a specific case. Appeal decision precedent has identified two key scenarios for which comprehensive development may be necessary:

- Whether there is a reasonable likelihood of a desirable overall development occurring, of which the site is an integral part, and therefore it is concluded that the land should not be developed on its own.
- Whether if the development of a site is acceptable on its own, but where neighbouring land is expected to be developed, the particular layout to be adopted is prejudicial to onward development.

6.2.7 In this instance, plainly it is desirable for the overall development of approximately 60 dwellings to occur because these dwellings contribute to the Council's plan-led approach to boosting the supply of housing within the district. However, this is a relatively small-scale housing site, and it is not a strategic scale allocation; therefore there is no strategic infrastructure that relies on a single application. Given the relatively small scale of this specific development, and the desire to achieve housing completion on the site at the earliest opportunity, two applications for the whole application may be acceptable in principle provided that one phase does not prejudice the other. The length of time taken to assess this application has been primarily caused by the piecemeal approach taken to progressing the development, and the necessary negotiations that have taken place as a result to ensure that Phase 1 does not prejudice Phase 2.

6.2.8 For much of the time this application has been pending consideration, the Phase 2 landowners have maintained an objection to this application. Their correspondence is available on the public file, but in essence their concerns were similar to Officers' in that the proposed development of Phase 1 may prejudice the development of Phase 2. Citing the constraints of their land, the Phase 2 landowners have been primarily concerned with the point at which this application proposes the access road from Phase 1 enters Phase 2, as this is in one of the most level (and thus developable) parts of the site. Concern was also raised with respect to general absence of a comprehensive approach taken by the application.

6.2.9 The application has been subject to a number of amended plans to address concerns raised by officers. The latest submission from the applicant requested that layout be deferred for later consideration as a reserved matter, and in place of the detailed layout drawings the proposed Parameter Plan has now been submitted

for consideration at the outline stage. This Parameter Plan accords with the latest detailed layout plans which were pending consideration, but importantly means that layout would not be fixed beyond the parameters specified on this plan.

6.2.10 In light of recent negotiations and consultation between the parties, the Phase 2 landowners have now written to formally withdraw all objections made by them and on their behalf, and to confirm that they fully support the development as shown on the Parameter Plan. Given their interest in developing Phase 2, this is a strong indication that the current proposals do not prejudice the onward development of the allocated site.

6.2.11 The table below provides a summary appraisal of the key issues which have been considered in determining whether this application for just Phase 1 is acceptable, or whether it prejudices the development of Phase 2.

<b>Issue</b>	<b>Comprehensive Development Implications</b>
1) Access	The whole development is accessed through Phase 1 onto Reading Road. A private agreement has been reached between the landowners to provide step-in-rights to ensure that Phase 2 can be accessed through Phase 1. Whilst this agreement is welcomed, it is also a public interested to ensure that measures are put in place to ensure that Phase 2 can be accessed if any problems arise in the development of Phase 1. As such, it is considered necessary to secure a planning obligation which enables the Local Planning Authority to stipulate that the access road through Phase 1 is made available if so directed. As such, subject to a suitable planning obligations in a s106 legal agreement, this matter can be resolved under this application.
2) Layout	Following negotiations and the withdrawal of the Phase 2 landowners' objections to the Phase 2 access location, there are no grounds to conclude that the proposed development would directly prejudice the quantum of development that can be achieved on Phase 2.
3) Quantum and density	The application proposed just less than half the total approximately number of dwellings for which the wider site is allocated. It is noted that the Phase 1 land is more readily suited to development due to its level ground levels and regular shape. It follows that the quantum and density of development should be maximised on the Phase 1 land. However, having regard to the indicative layouts considered during this application, it is considered that the site is suitable for 28 dwellings, and that a greater number would likely lead to the overdevelopment of the site. The capacity of Phase 2 land for development will be assessed in detail when an application is duly received.
4) Affordable Housing	The same level of affordable housing would be provided if the site was delivered through a single application or two applications (taking into account any rounding of numbers). As such, this application would not prejudice the overall provision of affordable housing in the allocation.

5)	Travel Plans	According to Policy GS1, a travel plan will only be required for 80 dwellings or more within this area (parking zone 3). As such, this requirement would not be prejudiced. Travel Information Packs can be secured by condition for each application.
6)	Drainage	Whilst the submitted drainage strategy for the illustrative Phase 1 site layout would achieve its primary purpose of managing the quantity of water, doubts have been raised as to the extent to which it could achieve the secondary objectives of a drainage strategy. There is a reasonable question as to whether, were the whole allocation to be designed comprehensively, whether an improved drainage strategy could be developed. However, it is considered that there is insufficient information available to substantiate a refusal on this basis.
7)	Ecology	There are not considered to be any ecological matters which would be adversely affected by the absence of a single application for the allocation.
8)	Open Space	It is conceivable that a single application covering the whole allocation could include an improved proposal for open space. However, given that layout is now reserved and in light of the relatively small scale of development, it is considered that a refusal cannot be substantiated on this basis.
9)	Viability	No viability issues have been raised by either Phase 1 or 2 parties. The applicant has confirmed that the provision of footway improvements under Phase 1 do not undermine the viability of the development.
10)	S106 Pooling	No necessary planning obligations has been identified that would engage pooling restrictions.

6.2.12 It is now considered that the most critical considerations detailed above are adequately dealt with, including access, layout, quantum, density, affordable housing, travel plans, ecology, viability and S106 pooling. In light of the shortcomings raised with drainage and open space later in report, it is conceivable that further improvements could have been realised with a comprehensive scheme covering the whole allocated site. However, particularly with layout reserved, it is concluded that a refusal cannot be substantiated on this basis.

6.2.13 The timely delivery of housing on this site in the short term must attract some weight, particularly as the development contributes to the Council's five year housing land supply. Given that the most critical considerations are resolved, it is now considered on balance that the proposal will enable a sufficiently comprehensive and cohesive development to take place. Given the relatively small scale of this allocation, strategic infrastructure considerations do not arise. Most importantly, it appears that the development of Phase 2 will not be prejudiced by granting outline planning permission.

6.2.14 As such, it is concluded that the proposed development fails to comply with the aforementioned parts of Policies GS1 and HSA16. However, having given careful consideration to the above matters it is considered that the development of the application site is acceptable on its own, and the application as amended will not prejudice onward development of Phase 2. Accordingly, this limited conflict with the aforementioned policies is acceptable in the specific instance.

### 6.3 Housing Type and Mix

6.3.1 According to Policy HSA16, a mix of dwelling types and sizes shall be provided on this allocated housing site. Core Strategy Policy CS4 states that residential development will be expected to contribute to the delivery of an appropriate mix of dwelling types and sizes to meet the housing needs of all sectors of the community, including those with specialist requirements. The mix on an individual site should have regard to:

- The character of the surrounding area.
- The accessibility of the location and availability of existing and proposed local services, facilities and infrastructure.
- The evidence of housing need and demand from Housing Market Assessments and other relevant evidence sources.

6.3.2 The layout of the development is now reserved for later consideration, and so the mix of housing types is subject to change. However, to comply with Policy CS6, the proposal must provide 17 private dwellings and 11 affordable dwellings. The latest detailed scheme, which is now for illustrative purposes only, comprised the following mix:

	<b>Size/Type</b>	<b>Number of Bedrooms</b>	<b>Number of Units</b>	<b>Tenure</b>
1)	House	2	2	Private
2)	House	3	2	
3)	House	4	9	
4)	House	5	4	
5)	Flat	1	3	Affordable
6)	Flat	2	2	
7)	House	2	3	
8)	House	3	3	

6.3.3 The 2016 Berkshire SHMA indicates a need for all housing types within the housing market area, but the most pronounced need is two and three bedroom dwellings. Set against the SHMA the illustrative housing mix includes a greater proportion of larger 4/5 bed dwelling sizes.

6.3.4 The surrounding area comprises predominantly detached or semi-detached houses in individual plots. This indicates that larger size dwellings would be in keeping with local character, although the grain of development may allow some flexibility should a greater proportion of smaller units be proposed at reserved matters stage.

6.3.5 Balancing the evidence of housing need with the existing character of the area, the proposed illustrative housing mix is considered to accord with the aforementioned policies (subject to other resultant considerations examined elsewhere – e.g. affordable housing distribution and design), although it may be

preferable/necessary at reserved matters stage to seek a greater proportion of smaller units should relevant considerations indicate this would be appropriate.

- 6.3.6 Regard has also been had to the evidence of housing need on the Self Build Register. No self/custom build housing is proposed as part of this development. Given the specific circumstances of this application, and particularly the timing of the application submission, and the lengthy negotiation to date, it is considered the absence of self/custom-build housing on this site does not warrant the refusal of this application.
- 6.3.7 According to Policy CS4, development will make efficient use of land with greater intensity of development at places with good public transport accessibility. Lower density developments below 30 dwellings per hectare will be appropriate in certain areas of the District. Some parts of the urban areas and some villages are particularly sensitive to the impact of intensification and redevelopment because of the prevailing character of the area, the sensitive nature of the surrounding countryside or built form, and/or the relative remoteness from public transport. The location of the site in close proximity to existing dwellings and rural public footpaths increases the sensitivity of the site to excessive densities.
- 6.3.8 The proposed density of development is 20 dwellings per hectare. Taking into account the character of the area and various design considerations, it is considered that this density is appropriate, and that a greater density would likely result in demonstrable harm to local character and undermine the design quality of the development. The proposed density is therefore considered to comply with Policy CS4, subject to other resultant considerations examined elsewhere (e.g. character and appearance).

## **6.4 Infrastructure and Services**

- 6.4.1 According to Core Strategy Policy CS5, the Council will work with infrastructure providers and stakeholders to identify requirements for infrastructure provision and services for new development and will seek to co-ordinate infrastructure delivery, whilst protecting local amenities and environmental quality.
- 6.4.2 Except for the site access arrangements, no specific infrastructure requirements are set out in Policy HSA16. However, the development will be liable to payments under the Council's Community Infrastructure Levy (CIL), which contributes to the funding of local infrastructure (e.g. schools, highways, healthcare).
- 6.4.3 Given the number of houses proposed, any increases in local school capacity would be incremental and so mitigation may be funded through CIL. Only extensions to schools made necessary by a specific development will fall within the scope of S106.
- 6.4.4 Similarly, the development would have a strategically incremental impact on local healthcare facilities. According to the Planning Obligations SPD, only extensions and/or new doctor surgeries required directly as a result of a development will fall within the scope of S106, whereas, increasing capacity at local surgeries falls within the scope of CIL.

- 6.4.5 Thames Water are the statutory undertaker that would be responsible for providing the development with foul drainage and a water supply. Following consultation they have advised that they do not have any objections to the application, subject to conditions and informatives.
- 6.4.6 Thames Water expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water has reviewed the Foul and Surface Water Drainage statement' dated January 2018 and advise that with regards to sewerage infrastructure, they would not have any objection to the application, provided that the details of site drainage works are adhered to. This includes the key details regarding the maximum pump rate for the onsite pumping station being 1.5 litres per second and surface water not discharging to the public sewer.
- 6.4.7 Royal Berkshire Fire and Rescue Service have advised that the site does not currently have sufficient emergency water supplies, and seeks a requirement for private fire hydrants and emergency water supplies. This is normally achieved by way of a condition, but RBFRS also seek a developer contribution to fund such supplies. In practice, this requirement is often discharged by Thames Water supplying the site with mains water, and RBFRS are consulted on this separate statutory process. A planning requirement therefore acts as a fallback position in the unlikely event that this is not captured by other means. Taking into account these points and the scale of development, a developer contribution is not considered necessary or proportionate. Instead a planning condition should suffice.
- 6.4.8 Third party representations have been received relating to the foul sewer proposals, and the proposed connection to the public system. These comments are acknowledged, but the Council must rely on the advice of the statutory undertaker on such matters. Moreover, the planning system should not seek to duplicate other statutory controls and responsibilities for other public bodies. Given the scale of development and the consultation response from Thames Water, it is considered that no strategic issues are raised which have a significant bearing on this planning application.
- 6.4.9 No other strategic infrastructure requirements have been identified for the proposed development. For the above reasons, it is considered that the proposed development is capable of complying with Policy CS5.

## **6.5 Affordable Housing**

- 6.5.1 According to paragraph 62 of the NPPF, where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and normally expect it to be met on-site.
- 6.5.2 According to Core Strategy Policy CS6, in order to address the need for affordable housing in West Berkshire a proportion of affordable homes will be sought from residential development. Consistent with the NPPF, the Council's priority and



starting expectation will be for affordable housing to be provided on-site. Subject to the economics of provision, 40% affordable housing is expected on this greenfield site. A tenure split of 70:30, social rented to intermediate affordable housing is stipulated by Policy CS6 in light of evidence on local need.

- 6.5.3 In accordance with Policy CS6, on-site provision of 11 units of affordable housing are required. This should comprise 8 social rented dwellings, and 3 intermediate dwellings. The Housing consultation response dated 12<sup>th</sup> July 2016 provides detailed requirements for affordable housing. Affordable housing must be secured through a planning obligation.
- 6.5.4 A policy-compliant level of affordable housing was proposed as part of the illustrative site layout. As such, it is considered that the proposal is capable of complying with Policy CS6 and the Planning Obligations SPD subject to the completion of an acceptable s106 legal agreement.

## **6.6 AWE Off-Site Emergency Plan**

- 6.6.1 The application site is located within the AWE Burghfield middle consultation zone, and the AWE Aldermaston outer consultation zone. Core Strategy Policy CS8 requires consultation with the Office of Nuclear Regulation (ONR) for 20 or more dwellings in the middle zone.
- 6.6.2 The Council's Emergency Planning Team has made no adverse comments, and the ONR does not advise against the application. As such, it is considered that the proposed development would not adversely affect the AWE Off-Site Emergency Plan, and so the application complies with Policy CS8.

## **6.7 Highways Matters**

- 6.7.1 According to Core Strategy Policy CS13, development that generates a transport impact will be required to (amongst others): reduce the need to travel; improve and promote opportunities for healthy and safe travel; and demonstrate good access to key services and facilities.
- 6.7.2 Policy HSA16 allocates the site for approximately 60 dwellings, and therefore the traffic impacts of the proposed development on the local highway network have already been judged to be acceptable through the plan-making process. Highway Officers have not raised any concerns regarding the traffic generating capacity of the development during the application.
- 6.7.3 Policy HSA16 states that the site will be accessed from Reading Road, with a potential secondary access from Stable Cottage. The proposed development shows full vehicular access being taken from Reading Road in accordance with the Policy. Highways Officers are satisfied with the proposed access in this location, but have identified that the width of carriageway and proposed pedestrian refuge island is insufficient. However, there is sufficient space within the site to address this matter without a material impact on the indicative layout; as such a revised access plan can be secured by condition. Stable Cottage (to the south-west of The Hollies) is located outside the extent of this application site, and is therefore a

matter to be considered as part of the Phase 2 development; nothing within this application would prejudice any access being taken from Stable Cottage.

- 6.7.4 Policy HSA16 states that the scheme will comprise a layout that will explore options to provide footpath and cycle links to existing and proposed residential development to increase permeability to other parts of Burghfield Common. Pedestrian and cycle links to the south-west will need to be matters to be considered as part of the Phase 2 development, but nothing within this application would prejudice these future considerations.
- 6.7.5 The plan accompanying Policy HSA16 shows a potential foot and cycle link to the public bridleway adjacent to the north-western boundary of the site (to the rear of Primrose Croft). The potential for a connection to the public bridleway in this location has been explored by officers with the applicant, but it has been determined that this cannot be achieved due to intervening third party ownership between the application site and the bridleway. Any connection in this location would also be impractical to achieve given the presence of a ditch, the potential impact on boundary landscaping, and the likely affect this would have on an acceptable layout. The alternative route to connect to this bridleway is only a very short detour around Primrose Croft, so the absence of a connection is not considered to warrant the refusal of this application.
- 6.7.6 There is no footway in front of the application site on the north-western side of Reading Road, and there is only a narrow footway on the south-eastern side. As such, the Highways Authority consider it necessary for the development to provide widened and improved footways along the south-eastern side of Reading Road, from opposite the application site to the junction with Mans Hill. Currently there is a grass verge, vegetation and a ditch alongside the existing substandard footway, which can be reduced to allow for improved footways. Any adverse visual impact arising from these works is considered to be outweighed by the public benefit of providing a safe pedestrian route.
- 6.7.7 Uncontrolled crossing facilities (drop kerbs and tactile paving) are also necessary as part of the scheme of improved footways, and can be secured alongside. A new footway along the north-western side of Reading Road would be preferable to the proposed situation which would involve residents crossing Reading Road. However, this not achievable due to land ownership and the extent of the public highway.
- 6.7.8 The above measures are considered necessary to ensure safe and suitable access to the site can be achieved for all users, in order to comply with paragraph 108 of the NPPF. These measures comprise enabling works for the proposed development and therefore fall under the scope of s106 in accordance with the Council's CIL Regulation 123 List. The applicant proposes a s106 contribution of £50,000 towards these works. The Highways Authority advises that this is anticipated to be a sufficient contribution to cover the costs of the required highway works. As such, this issue is resolved subject to the completion of a satisfactory s106 agreement.
- 6.7.9 A number of technical negotiations have taken place on the proposed layout (now indicative). Overall, at this outline stage, and with layout reserved for later

consideration, it is considered reasonably likely that sufficient parking and an acceptable layout can be achieved within the constraints of the site.

6.7.10 Overall, it is considered – subject to conditions, s106 and detailed design – that the development is capable of complying with Policy CS13 and HSA16 in respect of the aforementioned highways matters.

## **6.8 Character and Appearance**

6.8.1 According to Core Strategy Policy CS14, new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. 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. Development shall contribute positively to local distinctiveness and sense of place. Development proposals will be expected to (amongst others) make efficient use of land whilst respecting density, character, landscape and biodiversity of the surrounding area.

6.8.2 According to Part 1 of the Quality Design SPD, new development should begin with an understanding of the area's existing character and context and its design should evolve from West Berkshire's rich landscape and built heritage. Development should seek to complement and enhance existing areas, using architectural distinctiveness (through construction materials and techniques) and high quality urban design, to reinforce local identity and to create a sense of place.

6.8.3 The application is supported by a Landscape and Visual Impact Assessment (LVIA), as required by Policy HSA16, which recommends parameters for the development which are consistent with those set by Policy HSA16. As required by Policy HSA16, the proposed design and layout limits the developable area to the west of the site to exclude the areas of existing woodland. In doing so, the proposals would maintain a buffer in excess of 15 metres to the area of ancient woodland within Pondhouse Copse to the west of the site (the immediately adjacent woodland in not ancient woodland).

6.8.4 The surrounding area is predominantly residential in character (including the adjacent nursing home), but there is some commercial development along Reading Road. Burghfield Common is a long, narrow settlement, built up largely around Reading Road, Hollybush Lane, and Clayhill Road. The eastern end of the settlement comprises mostly late 20<sup>th</sup> Century suburban housing, but the nearby row of dwellings along the northern side of Reading Road include Victorian/Edwardian Villas.

6.8.5 The proposed development would form a new discreet residential estate on the edge of the existing settlement. In broad terms it would respect the prevailing street structure and hierarchy. Whilst the proposed development would be denser than other areas in Burghfield Common, including the houses along Reading Road, the NPPF and Policy CS4 encourage the efficient use of land to a much greater degree than was historically the case. Having regard to the illustrative information accompanying this application it is considered that the proposed development would achieve an appropriate balance between respecting existing densities and character with the need to make efficient use of land.

- 6.8.6 With layout, scale and appearance reserved, the detailed impacts on the local character and appearance of the area largely fall for consideration at reserved matters stage. During the consideration of this application, whilst considering (now illustrative) detailed layout plans, concern has been raised regarding the distribution of affordable housing within the development. The proposed units were located together in one area of the development, and this resulted in a noticeable change in character compared to the balance of the development; this area was markedly denser than the remainder of the development. This illustrative information is no longer fixed, and it is considered that given the fairly low proposed density there is sufficient flexibility and scope to address this concern at reserved matters stage.
- 6.8.7 Overall, it is considered that there is sufficient opportunity for a detailed design to be formulated within the proposed parameters that reflects the semi-rural edge of Burghfield Common through appropriate layout, scale, form and landscaping, in accordance with Policy HSA16. It is considered that the proposed development is capable of respecting the character and appearance of the area, subject to detailed design, in accordance with the aforementioned policies.

## **6.9 Functional Design**

- 6.9.1 According to Core Strategy Policy CS14, good design relates not only to the appearance of a development, but the way in which it functions. According to paragraph 127 of the NPPF, planning decisions should ensure that developments (amongst others):
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;
  - create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 6.9.2 Part 1 of the Quality Design SPD provides key urban design principles to ensure that a development functions well in line with the development plan and consistent with the NPPF. Part 2 provides urban design principles specific to residential development.
- 6.9.3 The (now illustrative) layout provided with the application has been assessed. The main route indicated through the site is considered to adhere to established urban design principles in that there is a clear distinction between public and private spaces, public spaces benefit from good levels of natural surveillance, and the layout maximises the permeability of the site allowing for optimum connections to surrounding land uses.

- 6.9.4 However, concern has been raised with respect to the location and design of the proposed drainage pond and public open space. In the supporting information and illustrative layout it is shown positioned in the northern corner of the site behind the houses. This position reduces the natural surveillance of this area, which can undermine the quality and safety of the area. In addition, the proposed drainage measures would dominate the public open space within which they sit, thereby reducing their utility.
- 6.9.5 It is recognised that the local topography and shape of the application site will limit the location where such site-wide drainage measures can be located, but this does not alter the fact that the proposed illustrative layout would prevent the development achieving a high standard of design. The layout is now reserved for later consideration, so it may be possible to relocate the public open space and the detailed design stage, or at least make cosmetic improvements that would go some way to address this concern.
- 6.9.6 Overall, it has not been demonstrated that the proposed development will achieve a high standard of design in terms of the location and design of the proposed drainage measure and open space. However, given that there will be opportunities to seek improvements at reserved matters stage, it is considered on balance that these shortcomings are insufficient to warrant the refusal of the application.

## **6.10 Neighbouring amenity**

- 6.10.1 According to paragraph 127 of the NPPF, planning decisions should ensure that developments create places with a high standard of amenity for existing and future occupiers. According to Core Strategy Policy CS14, new development must make a positive contribution to the quality of life in West Berkshire. As such, the impacts on neighbouring living conditions in terms of any loss of light, loss of privacy, loss of outlook, any overbearing impacts, or any significant noise and disturbance, are material considerations. The Council's adopted Quality Design SPD and House Extensions SPG provide guidance on such matters that may be applicable to all development proposals.
- 6.10.2 With the development of its surroundings to the south and west, there will be a change in outlook for Primrose Croft, and to a lesser extent Hermit's Hill Cottage. However, having regard to the indicative layouts provided during the consideration of this application, it is considered that a layout can be achieved that would sufficiently safeguard the living conditions of these properties. This will be a key consideration at reserved matters stage.
- 6.10.3 Similarly, the north-western and north-eastern outlook of The Hollies Nursing Home will be significantly changed from the current open outlook onto the undeveloped field. Policy HSA16 requires the proposal to provide an appropriate landscape buffer on the part of the site that is adjacent to The Hollies to minimise any impact on the residents. A landscape buffer is proposed on the Parameters Plan, the detailed design of which will be a matter for consideration at reserved matters stage. Subject to the provision of this buffer, and having regard to the indicative layouts provided during the consideration of this application, it is considered that a layout can be achieved that would sufficiently safeguard the living conditions at The Hollies.

6.10.4 Owing to the respectively separation distances, and the intervening structures and landscaping, the impact of the proposed Phase 1 development is not considered to raise any further concerns for other neighbouring land and buildings.

## **6.11 Sustainable construction**

6.11.1 According to Core Strategy Policy CS15, new residential development will meet a minimum standard of Code for Sustainable Homes Level 6. However, the Written Ministerial Statement of 25<sup>th</sup> March 2015 withdraws the Code for Sustainable Homes. According to the Planning Practice Guidance, local planning authorities have the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access and water, and an optional nationally described space standard. Local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans. There is no current policy with the statutory development plan that is consistent with this guidance.

6.11.2 Core Strategy Policy CS15 also requires major development to achieve minimum reductions in carbon dioxide emissions from the use of renewable energy or low/zero carbon energy generation on site or in the locality. For residential development the policy requirement is zero carbon. Following the withdrawal of the Code for Sustainable Homes, the baseline for this assessment no longer exists for the residential element of the development, and as such compliance is not possible for practical reasons.

## **6.12 Flood risk and sustainable drainage**

6.12.1 The NPPF encourages a sequential risk-based approach to determine the suitability of land for development in flood risk areas. It advises local planning authorities to demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed. In areas at risk of river flooding, NPPF advises that preference be given to new development in Flood Zone 1. If there are no reasonably available sites in Flood Zone 1 the flood vulnerability of the development can be considered in locating development in Flood Zone 2 and then Flood Zone 3. Within each flood zone new development should be directed to sites at the lowest probability of flooding from all sources.

6.12.2 According to Core Strategy Policy CS16, the sequential approach in accordance with the NPPF will be strictly applied across the District. Development within areas of flood risk from any source of flooding, including Critical Drainage Areas and areas with a history of groundwater or surface water flooding, will only be accepted if it is demonstrated that it is appropriate at that location, and that there are no suitable and available alternative sites at a lower flood risk.

6.12.3 The application site lies outside of EA Flood Zones 2 and 3. The site is therefore deemed to fall within Flood Zone 1, where the annual probability of flooding from rivers or sea is less than 1 in 1000 in any given year (<0.1%). The NPPF advises

that all land uses are appropriate in Flood Zone 1. The sequential test is therefore passed, and the exception test does not need to be applied.

- 6.12.4 Notwithstanding that the development passes the sequential test, Policy HSA16 states that the scheme will be informed by a Flood Risk Assessment to take into account surface water flooding and advise on any appropriate mitigation measures. Policy CS16 also states that on all development sites, surface water will be managed in a sustainable manner through the implementation of sustainable drainage methods (SuDS).
- 6.12.5 The Lead Local Flood Authority (LLFA) has provided consultation responses to the application. They seek a full sustainable drainage strategy for the application site that will deal with surface water run-off in accordance with the general principles of the SuDS Manual C753. Drainage measures should not just relate to the drainage and management of water *quantity*, but also seek to improve water quality, public amenity, and biodiversity. This is consistent with Core Strategy Policy CS16.
- 6.12.6 Whilst the LLFA were satisfied that the proposals may deal with controlling flood risk within the recognised parameters of a 1 in 100 year storm + climate change (i.e. dealing with the water quantity), the original submissions were considered insufficient in light of the above additional requirements for a sustainable drainage system. It was proposed to use tanked permeable paving and created storage linked to traditional engineered drainage to transport water to a pumping facility to remove water from the site via an existing Thames Water surface water sewer and ultimately into an existing open watercourse.
- 6.12.7 The LLFA raised concerns with the use of a pumped system. This was on the grounds of a pumped system being incompatible with the principles of a SuDS system, the associated ongoing maintenance requirements, and the consequences in the case of failure. These concerns were exacerbated in the absence of a comprehensive system covering the whole housing site allocation. The LLFA advised that the Council would not entertain the adoption of such a system should it be permitted, and it would be for the developer to set up a private management system, or preferably, have an agreement with Thames Water to adopt such a system.
- 6.12.8 The LLFA considered there was nothing proposed to provide an improvement in terms of amenity for residents or the wider area, or to create new and replacement habitat within the development. Available space was identified by the LLFA within the landscaping areas to explore such measures, or even within the general streetscape or private gardens.
- 6.12.9 Whilst the LLFA's comments fall short of an outright objection to the application, they nonetheless raised serious concerns about the quality of the proposed drainage measures in light of the policy requirements.
- 6.12.10 Subsequently additional drainage information was submitted for consideration. The LLFA has advised that these latest proposals are an improvement over the original in that the pumped off-site discharge has been removed. However the current SuDS design does not provide much in the way of amenity and habitat, the only such feature being the storage pond at the end of the SuDS treatment train.

- 6.12.11 In addition, the LLFA advises that there will likely be problems associated with the pond. Firstly no indication has been given regarding the future maintenance of the pond (e.g. in terms of adoption or a maintenance company). Secondly there appears to be little room to enable machinery to access it should it need to be re-dug in the future as a result of silting up. Thirdly it is located in a corner of the site tucked away behind the housing and out of view of most people. Unless there is a conscious effort to keep it maintained, there is a concern that it would quickly become overgrown. It would therefore be much better to re-locate it into a more prominent position where it could be enjoyed as a visual amenity besides a functional part of the SuDS system.
- 6.12.12 As noted in the Ardent Drainage Statement, an Ordinary Watercourse Consent would be required outside of the Planning Process for the Land Drainage Authority to consider the issue of off-site discharge to the existing watercourse.
- 6.12.13 Overall, the LLFA do not commend the proposed sustainable drainage, but they confirm that in their view it will function adequately and therefore they do not object. However, they reaffirm their view that the detailed scheme should address maintenance, seek to include further “green SuDS” measures.
- 6.12.14 The applicant has now decided to defer consideration of layout to reserved matters, and so the detailed design of the sustainable drainage measures now also falls for later consideration. As it has been demonstrated that the site can accommodate 28 dwellings and provide a drainage scheme that is capable of achieving the primary purpose of managing surface water, it is considered that the refusal of outline planning permission on this basis cannot be justified.
- 6.12.15 Nonetheless, at reserved matters stage close scrutiny will be given to the detailed sustainable drainage scheme with respect to the wider consideration outlined above. It is concluded, on balance, that the development is capable of complying with Policy CS16, subject to detailed design at reserved matters stage.

## **6.13 Biodiversity**

- 6.13.1 According to Core Strategy Policy CS17, biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. Habitats designated or proposed for designation as important for biodiversity or geodiversity at an international or national level or which support protected, rare or endangered species, will be protected and enhanced. The degree of protection given will be appropriate to the status of the site or species in terms of its international or national importance.
- 6.13.2 According to Policy HSA16, an extended phase 1 habitat survey will be required together with further detailed surveys arising from that as necessary. Appropriate avoidance and mitigation measures will need to be implemented, to ensure any protected species are not adversely affected.
- 6.13.3 There are no international, European, or nationally protected sites within the vicinity of the application site. However, Pondhouse Copse is a proposed Local Wildlife Site, which contains ancient woodland and priority woodland habitats. The



application is supported by a range of ecological survey information comprising an Ecological Scoping Survey Report (Greenlink, April 2015) and a Reptile Survey (Matthew Smith, 2015). This information also indicate the local presence of protected species.

- 6.13.4 According to Policy CS17, development which may harm, either directly or indirectly, locally designated sites (Local Wildlife), or habitats or species of principal importance for the purpose of conserving biodiversity, or the integrity or continuity of landscape features of major importance for wild flora and fauna will only be permitted if there are no reasonable alternatives and there are clear demonstrable social or economic benefits of regional or national importance that outweigh the need to safeguard the site or species and that adequate compensation and mitigation measures are provided when damage to biodiversity/geodiversity interests are unavoidable.
- 6.13.5 Following concerns raised in the latter stages of this application with the age and therefore validity of the supporting ecological surveys and reports, a letter has been received from the applicant's professional ecologist confirming that they visited the site on 5<sup>th</sup> August 2018 and undertook an updated habitat assessment. The letter reported the following:

*"Whilst the grassland within the Site would still be classified as semi-improved grassland, it has become more rank, becoming dominated by a few competitive grass species such as cock's-foot *Dactylis glomerata*, perennial rye grass *Lolium perenne* and false oat grass *Arrhenatherum elatius*. This is no doubt a result of the cessation of management within the Site. The continued transformation of the grassland into a more rank sward may well lead to the reduction in the value of the Site for reptiles, if it has not done so already. The extend of scrub encroachment between the grassland and the adjoining woodland to the west has also increased, although this is relatively minimal. Overall, however, the Site remains generally unchanged since the previous surveys and the assessment provided within the previous reports should be considered still valid."*

- 6.13.6 It is therefore considered that the supporting ecological information can be relied upon.
- 6.13.7 According to the supporting information, a number of protected species may potentially be affected by the development, including reptiles and bats. Mitigation measures are proposed accordingly, which can be secured by condition.

#### Bats

- 6.13.8 Bats are using the land adjacent to the site for foraging and commuting. The majority of bat activity was recorded along the north-eastern hedgerow and along the edge of Pondhouse Copse on the north-western boundary. These field boundaries provide good foraging habitat with mature trees and adjacent scrub. A lower level of bat activity was recorded on the rest of the site including noctule bats seen foraging and commuting above the field.
- 6.13.9 It is therefore recommended that the north-eastern hedgerow, including mature oak trees, is retained as part of the development to retain the commuting corridor

leading to Pondhouse Copse. It is considered that the development would have a negligible impact on Pondhouse Copse. Nonetheless, with the introduction of residential development into the field it is necessary to secure a lighting strategy which ensures lighting is directed away from the areas sensitive to bats. The landscaping scheme can be designed to be sensitive to bats, and the new dwellings can incorporate “built-in” bat roosting features. These matters can be secured by conditions or at reserved matters stage.

6.13.10 Bats are subject to the species protection provision of the Habitats Directive, as implemented by the Conservation (Natural Habitats etc.) Regulations 2010. This contains three ‘derogation tests’ which must be applied by the Local Planning Authority at the planning application stage and by Natural England when deciding whether to grant a licence to a person carrying out an activity which would harm a European Protected Species. The three tests that must be met in order to successfully obtain a Natural England EPSM licence are as follows:

1. The consented operation must be for ‘preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment’;
2. There must be ‘no satisfactory alternative’; and
3. The action authorised ‘will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range’.

6.13.11 The following comprises an assessment of these derogation tests in relation to the bat species on the site:

1. Consenting the operations that would have potential impacts on bats would enable the development of the site, which is considered to constitute an imperative reason of overriding public interest. The NPPF seeks to boost significantly the supply of housing. The application site has been allocated to meet the housing supply needs of the district.
2. In terms of satisfactory alternatives, a “do nothing approach” would not facilitate the development of the site; changes to the layout would have little bearing on the overall extent of development on the site.
3. The potential impacts on bat species is noted in this report above. To maintain the favourable conservation status of the bat roosts at the site mitigation measures are proposed above that limit the impacts including provision of long-term roosts, and a sensitive lighting scheme. Together these mitigation measures are considered sufficient to satisfy the third test.

### Reptiles

6.13.12 The Council’s Ecologist was originally concerned that the mitigation proposals for reptiles were insufficient. Mitigation is now proposed around the SuDS attenuation basin, which would resolve this concern. Given that the layout is now subject to change at reserved matters stage, it is considered necessary to require the prior approval of a Reptile Mitigation Strategy prior to the commencement of development by way of condition.

### Habitats

6.13.13 The Ecological Report supports the tree protection measures in order to conserve existing habitats. The report also recommends adherence to a Habitat Management Plan to ensure that appropriate mitigation measures and management regimes are in place for the site and adjacent woodland post-development. These matters can be secured by condition.

#### Badgers

6.13.14 Concern has also been raised regarding badgers in the local vicinity. Precise location details have been provided, but are restricted from public access to protect the species. However, reported sightings are consistent with the supporting information provided with this application, and so it is considered that the recommendations of the supporting ecological information are robust. The Ecological Report recommends mitigation measures for badgers on a precautionary basis, since there is no perceived risk of direct impacts. These measures can be secured by condition. Ensuring a sensitive landscaping and/or road scheme will be a consideration at reserved matters stage.

#### Breeding Birds

6.13.15 The Ecological Report indicates that there is a seasonal risk of impacts to breeding birds. As such, a condition is recommended which restricts demolition and site/vegetation clearance during the bird breeding season, unless directly supervised by a qualified ecologist.

#### Great Crested Newts

6.13.16 There is no perceived risk of impacts to great crested newt, and so mitigation measures are not provided. However, if at any time during the proposed works it becomes apparent that great crested newts are present and at risk of impacts, all work with the potential to affect the species will need to temporarily stop whilst advice is obtained from a Natural England licensed ecologist about how to proceed without risk of an offence being committed. An informative is recommended accordingly.

#### Proposed Pondhouse Copse Local Wildlife Site

6.13.17 Concern was raised by the Council's Ecologist that the indicative layout shows either hard-standing or private gardens hard up along the boundary of the woodland. If not carefully designed and managed this site layout may result in adverse impacts to the woodland through a range of effects, such as direct construction impacts (from any built elements against the woodland), unofficial access into the woodland from adjacent gardens, unofficial clearance of parts of the woodland overhanging private gardens, dumping of garden waste into the woodland, and invasive non-native plants spreading from gardens into the woodland. Alternative approaches to the layout of the site have been explored with the applicant, but it is considered unlikely that the final layout will be significantly different from that indicated in this application. Whilst this relationship is not ideal, it is considered that the potential impacts on this proposed Local Wildlife Site can be minimised to an acceptable level by a planning obligation to prevent encroachment.

6.13.18 According to paragraph 170 of the NPPF, planning decision should contribute to and enhance the natural and local environment by (amongst others) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Similarly, Policy CS17 states that in order to conserve and enhance the environmental capacity of the district, all new development should maximise opportunities to achieve net gains in biodiversity. Whether or not this specific scheme can achieve net gains in biodiversity will depend on the detailed design. It is therefore appropriate to defer full consideration of this matter until reserved matters stage. This can be secured by condition.

6.13.19 Overall, it is concluded that the proposed development is capable of complying with Policy CS17 in terms of conserving and enhancing local biodiversity.

## 6.14 Trees and Woodland

6.14.1 In 2014 a tree preservation order (TPO), reference 201/21/0835, was served on the application site and surrounding land (see plan below) in response to some tree felling on land which now forms part of the Phase 2 land. The TPO was served as an area order as an emergency. The changes in the 2012 update TPO legislation requires the TPO to be amended to either groups, woodlands or individuals before it is confirmed. At the current time this TPO has now lapsed without being confirmed. The Council's Tree Officers are monitoring the proposed development on this allocated housing site.



6.14.2 The Tree Officer has advised that the trees to the front of the site, where access is proposed to Reading Road, were not worthy of a TPO, and thus no objections were raised to the proposed access.

6.14.3 Pondhouse Copse is an area of woodland adjoining the rear of the site. The core of this wooded copse is "ancient woodland" (an area that has been wooded continuously since at least 1600AD).

- 6.14.4 According to paragraph 175 of the NPPF, 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 reasons (e.g. infrastructure projects where the public benefit would clearly outweigh the loss of deterioration of habitat) and a suitable compensation strategy exists. Ancient woodland is also afforded similar protection under Core Strategy Policies CS17 and CS18.
- 6.14.5 Policy HSA16 states that the design and layout of this allocated housing site will provide a buffer of 15 metres to the areas of ancient woodland to the west of the site and provide appropriate buffers to the rest of the woodland.
- 6.14.6 The application has been supported by an update tree report by MJC Tree service, the report includes a tree survey, tree constraints and tree protection plan, which has been undertaken in accordance with BS5837:2012. This information relates to the now indicative layout.
- 6.14.7 The tree survey has identified a number of trees at the site and adjacent to the site, which either require to be removed to facilitate the access, or are located in areas proposed for development. The main area of difference between this site layout and a previous layout, is the loss of trees and shrub along the eastern boundary with Reading road, the majority of the trees in this are C grade, with little or no amenity value.
- 6.14.8 The retention of a small buffer stripe will allow for some replacement planting and screening of the site, the species choice will be important to ensure a balance meet between screening and the overbearing, the use of smaller ornamental trees with understory hedges and shrub planting should be considered.
- 6.14.9 The retention of the major trees at the site and the woodland edge trees is of major importance, the tree protection plan has clearly identified these trees for retention with suitable protection throughout the development. Ideally, the preferred site layout would propose a road along the woodland edge to avoid the encroachment of gardens. This has been explored during the application and it has been demonstrated that there is insufficient depth to provide such a layout.
- 6.14.10 It has therefore been accepted that the site constraints will likely necessitate private gardens backing onto the woodland. This raises concerns with the potential for future encroachment. It is therefore considered necessary to include a narrow one metre buffer along the woodland edge, which will be subject to a planning obligation preventing future owner/occupants from creating rear accesses into the woodland, incorporating land within their curtilage, or carrying out any development within this buffer.
- 6.14.11 The tree protection plan has also identified some small area of possible conflict with trees, which will require arboricultural supervision and a suitable arboricultural method statement. These include the proposed construction of the attenuation basin and the proposed outfall to existing watercourse, which is close to trees 17 and 18. The applicant has provided some details on new landscaping at the site as indicative circles, but no formal details have been provide, but further details will need to be forthcoming as part of the landscaping reserved matters application.

6.14.12 The updated information has also include details on the tree constraints for the adjacent site and an indicative masterplan. At this time it is unclear on the proposed impact to trees as that impact has not been fully assessed. The adjacent site does contain a number of boundary trees and the site is very uneven. Therefore, the proposed layout needs to consider both the existing constraints and the relationship with incoming occupiers, which would in the Tree Officer's view may require a reduction in the number of unit proposed in Phase 2 to ensure the development is both in harmony with its surroundings and the further relationship with the incoming occupiers. The applicant for Phase 2 would need to undertake a very detailed tree assessment and include a daylight and sunlight survey to ensure the properties had adequate light and usable garden space.

6.14.13 Overall, the Tree Officer raises no objections to the application subject to conditions. It is considered that protected trees and ancient woodland will be adequately safeguarded from any potential adverse effects. Accordingly, it is concluded that the proposal is capable of complying with the aforementioned policies.

## **6.15 Green Infrastructure**

6.15.1 According to Core Strategy Policy CS18, the district's green infrastructure will be protected and enhanced. Development resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted.

6.15.2 In this instance, local green infrastructure includes Pondhouse Copse and the adjacent Burghfield Bridleway 9 to the north. As detailed elsewhere in this report, it is considered that subject to planning obligations the proposal includes adequate safeguards to protect the adjacent woodland.

6.15.3 The presence of the proposed development would have an indirect effect on the character of the public bridleway for the short length where it passes the application site. This end of the bridleway is already influenced by the presence of two houses and the close proximity of Reading Road. There is sufficient opportunity to retain existing boundary trees and vegetation, and where necessary supplement this with additional landscaping. Overall, it is considered that the public enjoyment of the bridleway will not be so adversely affected as to warrant the refusal of this application.

6.15.4 The Council's Rights of Way Officer requested a developer contribution of £12,500 for improvements to a 250 metre length of the bridleway to bring it up to a standard for walkers/cyclists to use as a safe route to schools (Garland Junior and Willink Secondary). However, following the introduction of CIL it is considered that such a request cannot be justified for this specific site. Improvements could, however, be sought from CIL receipts.

6.15.5 It is therefore considered that the proposed development is capable of complying with Policy CS18 in this respect.

## **6.16 Historic Environment**

- 6.16.1 The Council's Archaeological Officer has reviewed the application using the approach set down in the NPPF and has checked the proposed development against the information the Council currently holds regarding the heritage assets and historic land uses in this area. This evidence suggests that there will be no major impact on any features of archaeological significance. The Archaeological Officer is therefore satisfied that no archaeological assessment or programme of investigation and recording is necessary for the proposed development.
- 6.16.2 There are no conservation areas, listed buildings, or other designated heritage assets within close proximity of the application site that are likely to be affected by the proposals.
- 6.16.3 As such, the proposal complies with Core Strategy Policy CS19 in terms of conserving the historic environment.

## **6.17 Environmental Quality**

- 6.17.1 Environmental Health has not raised any concerns with contaminated land, and the proposal would not materially affect any Air Quality Management Area.
- 6.17.2 Given the close proximity of neighbouring residential properties, Environmental Health recommend restricting the hours of work during construction, and measures to control dust during construction. These matters can be secured by condition.

## **6.18 Public Open Space**

- 6.18.1 According to Core Strategy Policy CS18, new developments will make provision for high quality and multifunctional open spaces of an appropriate size and will also provide links to the existing green infrastructure network. Public open space is not a specific requirement of Policy 16; however, Policy GS1 makes clear that all allocated housing sites will be delivered in accordance with the development plan and adopted SPDs.
- 6.18.2 Policy RL.1 of the West Berkshire District Local Plan provides a policy requirement for public open space. Based on the proposed number of dwellings and the indicative housing mix, the requirement is between 0.25 and 0.35 hectares of public open space for this number of dwellings.
- 6.18.3 According to Part 1 of the Quality Design SPD, designers and developers should create a positive relationship between local open spaces and new development. Open space has the potential to perform a number of functions at various scales, including formal parks and gardens, green corridors, amenity green space, provision for children and teenagers and civic spaces. All open space has the potential to benefit wildlife and biodiversity. Small areas of open space provide an important local amenity and for opportunities for recreation and play. In addition to its recreation role, open space can act as focal points within the development and as green 'lungs' providing a break in the urban fabric. Some buildings within a development should front on to the spaces to provide security and surveillance. Boundary treatments along development edges will require careful consideration

and will need to reflect the prominence of the edge, activities within the spaces and the design approach of the particular character area.

6.18.4 As the layout of the proposed development is reserved for later consideration the precise area of public open space to be provided is not yet known. However, it is understood that the illustrative layouts submitted with this application are broadly consistent with the level expected by policy. However, as elaborated elsewhere, the quality of the proposed public open space provision in the latest illustrative layout is considered to be undermined by its location and the dominance of the drainage pond. Earlier iterations of the layout provided higher quality open space provision where the open space was a focal point of the development.

6.18.5 As such, there is a concern with the quality of public open space that is achievable on this development, but this is a matter that will need to be considered holistically at reserved matters stage alongside other relevant considerations such as the drainage strategy. Given the relatively small scale and location of this specific development, it is considered appropriate to reserve consideration of public open space until reserved matters.

6.18.6 It is, however, necessary to secure the provision, transfer and management arrangements by way of planning obligations at the outline stage.

## 6.19 S106 Heads of Terms

6.19.1 This report has identified a number of planning obligations that will be necessary to make the development acceptable in planning terms. It is considered that these obligations are also directly related to the development, and fairly and reasonably related in scale and kind to the development. None of planning obligations would breach any pooling restrictions. According the following s106 Heads of Terms comply with the statutory CIL tests and the NPPF.

Issue	Details
1) Affordable Housing	Obligations to secure: <ul style="list-style-type: none"> <li>• Total provision of 11 affordable housing units on-site;</li> <li>• Comprising 8 social rented units and 3 units of an intermediate form of affordable housing; and</li> <li>• The detailed requirements for affordable housing in the Planning Obligations SPD.</li> </ul>
2) Highway Works Contribution	£50,000 contribution towards: <ul style="list-style-type: none"> <li>• Widening the footway on the south side of Reading Road, between the site access and Mans Hill; and</li> <li>• 3no. uncontrolled pedestrian crossings (consisting of dropped kerb, tactile paving, and refuge island) on Reading Road between Mans Hill and Chervil Way.</li> </ul>
3) Access to Phase 2	Obligations to: <ul style="list-style-type: none"> <li>• Secure the timely provision of full vehicular and pedestrian access through the application site, from the approved access onto Reading Road to the Phase 2 land; and</li> <li>• Enable to Local Planning Authority to direct the Phase 1</li> </ul>



		developer to provide access within a reasonable timescale.
4)	Public Open Space and Drainage	<p>Obligations to secure:</p> <ul style="list-style-type: none"> <li>• The provision of public open space and drainage measures in accordance with details agreed at reserved matters stage and pursuant to conditions.</li> <li>• The long term governance and maintenance of the public open space and drainage measures (e.g. management company or transfer to the Council).</li> <li>• In the event that the public open space and/or drainage measures are transferred to the Council, the provision of a commuted sum for maintenance (calculated in accordance with the Planning Obligations SPD).</li> </ul>
5)	Pondhouse Copse Buffer	<p>Obligations to:</p> <ul style="list-style-type: none"> <li>• Provide and maintain the buffer to Pondhouse Copse.</li> <li>• Prevent the creation of accesses or any other forms of encroachment into the buffer.</li> </ul>

## 7. CONCLUSION

- 7.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The application site forms part of a wider housing site allocation for approximately 60 dwellings. These allocated dwellings therefore contribute towards the Council's housing land supply and its plan-led approach to significantly boosting housing in accordance with the NPPF. Substantial weight should therefore be given to the housing supply policies in the statutory development plan, which pull in favour of granting planning permission. The principle of housing on the site is therefore acceptable.
- 7.2 As detailed in this report, there have been concerns that this application relates to only approximately half of the overall housing site allocation. Lengthy negotiations have taken place to ensure that granting planning permission for Phase 1 of the allocation in isolation of a comprehensive application, will not undermine the allocation as a whole. It is now considered that the application in its current form does not undermine a comprehensive and cohesive approach. Some weight can be given to the desire to deliver housing on a substantial part of allocated land at the earliest opportunity, and on balance the benefits of doing so on this specific – relatively small-scale – site are considered to outweigh the identified risks of not granting planning permission under a single application.
- 7.3 It is therefore considered that outline planning permission is justified for the proposed development, and therefore the application is recommended for conditional approval.

## 8. FULL RECOMMENDATION

Subject to the completion of a S106 legal agreement within three months from the resolution date (or any longer period as agreed in writing in consultation with the Chairman/Vice Chairman of the Eastern Area Planning Committee and Ward Members) for the Heads of Terms listed in the table at Section 6.20 of this report, to delegate to the Head of Development and Planning to **GRANT PLANNING PERMISSION** subject to the conditions listed below (8.1).

**And**, to delegate to the Head of Development and Planning, prior to issuing the decision notice, the authority to make any minor changes to the wording of the conditions they deem appropriate which would not materially alter the resolution of the committee (for example, to ensure the conditions reflect the terms of the s106 legal agreement).

**Or**, if a S106 legal agreement within the above specified time, to delegate to the Head of Development and Planning to **REFUSE PLANNING PERMISSION** for the reason listed below (8.2).

### 8.2 PLANNING CONDITIONS

#### 1. **Reserved matters**

Details of the appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced.

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

#### 2. **Approval of reserved matters**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

#### 3. **Reserved matters time limit**

The development to which this permission relates shall be begun before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the approved matters to be approved, whichever is the later.

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

#### 4. **Approved plans**

The development hereby permitted shall be carried out in accordance with the Site Location Plan (1048(SP)01 Rev B).

Reason: For the avoidance of doubt and in the interests of proper planning.

**5. Parameter Plan**

The reserved matters submitted pursuant to condition 1 shall be in accordance with the Development Parameter Plan (2610-A-1200-C).

Reason: The parameters shown on this drawing are necessary to ensure the development achieves an acceptable standard of design, which complies with the National Planning Policy Framework, Policies ADPP1, ADPP6, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA16 of the Housing Site Allocations DPD 2006-2026, and the West Berkshire Quality Design SPD.

**6. Layout and design standards**

The detailed layout of the site shall comply with the Local Planning Authority's standards in respect of road and footpath design and vehicle parking and turning provision. The road and footpath design shall be to a standard that is adoptable as public highway. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.

Reason: In the interest of providing adoptable infrastructure, road safety and flow of traffic. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD (2006-2026), and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

**7. Access details**

Detailed plans of the site access and associated works (including pedestrian crossing and refuge island adjacent to access, signage and line markings) to Reading Road shall be submitted to the Local Planning Authority for written approval before or alongside the submission of the layout reserved matters. Thereafter, no dwelling shall be first occupied until the approved access and associated works have been completed in accordance with the approved details.

Reason: To ensure the new dwellings have safe and suitable access. A pre-condition is required because the access details provided with the application show insufficient widths for the Reading Road carriageway and pedestrian refuge island. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

**8. Visibility splays**

No development shall take place until details of vehicular visibility splays onto Reading Road have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the visibility splays have been provided in accordance with the approved details. The visibility splays shall, thereafter, be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level.

Reason: In the interests of road safety. A pre-condition is required because changes are required to the proposed access details, and therefore the associated visibility splays will also need prior approval. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy (2006-2026).

**9. Sustainable drainage**

A detailed drainage strategy for the development shall be submitted to the Local Planning Authority for written approval before or alongside the submission of the layout reserved matters. The strategy shall prioritise sustainable drainage measures, and be accompanied by sufficient background information to enable assessment. Thereafter, no dwelling shall be first occupied until the approved drainage measures have been completed in accordance with the approved details.

Reason: To ensure a detailed drainage strategy is provided for the development based on the final layout. A pre-condition is required because the drainage strategy will relate to the final layout which has been reserved for later consideration. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy 2006-2026, and the West Berkshire Quality Design SPD.

**10. Integrated water supply and drainage strategy**

No development shall take place until an integrated water supply and drainage strategy has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development will be undertaken in accordance with the approved strategy.

Reason: To ensure the provision of adequate and appropriate infrastructure for water supply and waste water, both on and off site. A pre-condition is required because this policy-requirement is not addressed within the current application, and will depend on the final layout of the development. This condition is applied in accordance with the National Planning Policy Framework, Policies CS5 and CS16 of the West Berkshire Core Strategy (2006-2026), and Policy GS1 of the Housing Site Allocations DPD 2006-2026. A pre-condition is necessary to make the development acceptable, as this information is not included within the application submission.

**11. Parking and turning**

No development shall take place until details of vehicle access, parking, and turning spaces for every dwelling have been submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling hereby permitted shall be occupied until the vehicle access, parking, and turning spaces associated to that dwelling have been surfaced, marked out and provided in accordance with the approved details. The access, parking, and turning spaces shall thereafter be kept available for parking (of private motor cars and/or light goods vehicles) at all times.

Reason: To ensure the development is provided with adequate parking facilities, in order to reduce the likelihood of roadside parking that would adversely affect road safety and the flow of traffic. A pre-condition is required because insufficient

information accompanies the outline application and parking provision may affect the overall layout of the development. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD (2006-2026), and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

## 12. **Construction method statement**

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:

- (a) Parking of vehicles of site operatives and visitors;
- (b) Loading and unloading of plant and materials;
- (c) Storage of plant and materials used in constructing the development;
- (d) Erection and maintenance of security hoarding including decorative displays and facilities for public viewing;
- (e) Temporary access arrangements to the site, and any temporary hard-standing;
- (f) Wheel washing facilities;
- (g) Measures to control the emission of dust and dirt during construction;
- (h) Measures to protect local biodiversity during construction.

Thereafter the demolition and construction works shall incorporate and be undertaken in accordance with the approved statement.

Reason: To safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. The approval of this information is required at this stage because insufficient information has been submitted with the application. A pre-condition is required because insufficient information accompanies the outline application and the CMS must be in place before demolition/construction operations commence. This condition is applied in accordance with the National Planning Policy Framework, Policies CS13 and CS14 of the West Berkshire Core Strategy (2006-2026), and Policies OVS.5, OVS.6 and TRANS.1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

## 13. **Spoil**

No development shall take place until details of how all spoil arising from the development will be used and/or disposed have been submitted to and approved in writing by the Local Planning Authority. These details shall:

- (a) Show where any spoil to remain on the site will be deposited;
- (b) Show the resultant ground levels for spoil deposited on the site (compared to existing ground levels);
- (c) Include measures to remove all spoil from the site (that is not to be deposited);
- (d) Include timescales for the depositing/removal of spoil.

All spoil arising from the development shall be used and/or disposed of in accordance with the approved details.

Reason: To ensure appropriate disposal of spoil from the development and to ensure that ground levels are not raised in order to protect the character and amenity of the area. A pre-condition is required because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the NPPF, Policies ADPP5, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Quality Design SPD (June 2006).

**14. Tree protection (prior approval)**

No development shall take place until a tree protection scheme has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The details shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS5837:2012. Notice of commencement of development shall be given to the Local Planning Authority at least 2 working days before any development takes place. The scheme shall be retained and maintained for the full duration of building/engineering operations, or until such time as agreed in writing with the Local Planning Authority. No activities or storage of materials whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. The tree protection must be provided before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework, Policy CS18 of the West Berkshire Core Strategy (2006-2026), and the West Berkshire Quality Design SPD.

**15. Tree protection – construction precautions (prior approval)**

No development shall take place until details of the proposed access, hard surfacing, drainage and services providing for the protection of the root zones of trees to be retained has been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. Note: this condition relates specifically to works that will take place in close proximity to retained trees, and so does not duplicate other tree protection conditions; however, the required details may be approved as a single package. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is recommended in accordance with the National Planning Policy Framework, Policies CS17 and CS18 of the West Berkshire Core Strategy (2006-2026).

**16. Arboricultural method statement (prior approval)**

No development shall take place until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include details of the implementation, supervision and monitoring of

all temporary tree protection and any special construction works within any defined tree protection area.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. Note: this condition relates specifically to works that will take place in close proximity to retained trees, and so does not duplicate other tree protection conditions; however, the required details may be approved as a single package. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is recommended in accordance with the National Planning Policy Framework, Policies CS17 and CS18 of the West Berkshire Core Strategy (2006-2026).

#### 17. **Arboricultural supervision**

No development (including site clearance and any other preparatory works) shall take place until an arboricultural watching brief has been secured for the development, in accordance with a written scheme of site monitoring, which has been submitted to and approved in writing by the Local Planning Authority. Site monitoring shall thereafter take place in accordance with the approved details.

Reason: To ensure the protection of the existing trees to be retained during building/engineering operations. The watching brief must be secured before development takes place to ensure that the trees are protected throughout the construction phase. A pre-condition is required because the tree protection measures may vary depending on the final layout. This condition is applied in accordance with the National Planning Policy Framework, Policy CS18 of the West Berkshire Core Strategy (2006-2026), VDS/PDS, and Quality Design SPD.

#### 18. **Habitat Management Plan**

No development shall take place until a Habitat Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall ensure that appropriate mitigation measures and management regimes are in place for the site and adjacent woodland post-development. No dwelling shall be first occupied until the approved plan has been implemented, and thereafter adhered to for the lifetime of the plan.

Reason: To ensure that appropriate mitigation measures and management regimes are in place for the site and adjacent woodland post-development, in accordance with the recommendations of the submitted ecological report. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the NPPF and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

#### 19. **Lighting Strategy**

No development shall take place until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- (a) Identify those areas on the site that are particularly sensitive for bats;
- (b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory;

- (c) Include and isolux diagram of the proposed lighting;
- (d) Ensure all lighting levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

## 20. **Reptile mitigation**

No development shall take place until a reptile mitigation strategy, written by a suitably qualified ecologist, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the strategy shall be fully implemented in accordance with the approved details.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site, including the protection of species and habitats, and in order to avoid contravention of the Wildlife and Countryside Act 1981. A pre-condition is required because insufficient information accompanies the application. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

## 21. **Construction holes (prior approval)**

During the construction phase, no excavations shall be left uncovered overnight unless exit ramps (e.g. scaffold boards or similar) are provided.

No works that include the creation of trenches or culverts, or the presence of pipes, shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts have been submitted to and approved in writing by the Local Planning Authority. The measures may include: (a) the creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations, or by using planks placed into them at the end of each working day; and (b) open pipework greater than 150mm outside diameter being blanked off at the end of each working day. Thereafter, building operations shall not be undertaken without implementing the approved measures.

Reason: To ensure the protection of badgers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

## 22. **Restrictions during bird breeding season**

No demolition, or site/vegetation clearance shall take place during the bird breeding season (March to August inclusive) unless carried out under the supervision of an experienced ecologist, who will check the habitat to be affected for the



presence/absence of any birds' nests. If any active nests are found then works with the potential to impact on the nest must temporarily stop, and an appropriate buffer zone shall be established, until the young birds have fledged and the nest is no longer in use.

Reason: To prevent harm to nesting birds from demolition and vegetation clearance. This condition is applied in accordance with the statutory provisions relating to nesting birds, the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

**23. Hours of work (construction/demolition)**

No demolition or construction works shall take place outside the following hours:

7:30am to 6:00pm Mondays to Fridays;

8:30am to 1:00pm Saturdays;

No work shall be carried out at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS14 of the West Berkshire Core Strategy (2006-2026).

**24. Biodiversity enhancements**

The development shall not be first occupied until details of biodiversity enhancements have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The enhancements shall include (but not be limited to) the provision of built-in bat roosting features within new dwellings. Thereafter, the biodiversity enhancement measures shall be maintained in their approved condition for the lifetime of the development.

Reason: To achieve net gains in biodiversity, and to mitigate the impact on bat species. A pre-condition is required because insufficient details accompany the application. This condition is applied in accordance with the NPPF and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

**25. Travel information packs (prior approval)**

No dwelling shall be first occupied until a scheme for the provision of travel information packs for new residents has been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide a scheme that seeks to deliver sustainable transport objectives, such as encouraging the use of local public transport and other non-car modes of transport. The provision of travel information packs to new residents is a scheme that is proportionate to the size of the development. This condition is applied in accordance with the NPPF, Policy CS13 of the West Berkshire Core Strategy (2006-2026), and Policies GS1 and P1 of the Housing Site Allocations DPD (2006-2026).

**26. Cycle storage (prior approval)**

No dwelling shall be first occupied until cycle storage facilities have been provided for that dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To encourage the use of cycles in order to reduce reliance on private motor vehicles. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026), Policy P1 of the Housing Site Allocations DPD (2006-2026), and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

**27. Refuse storage (prior approval)**

No dwelling shall be first occupied until refuse storage facilities have been provided for that dwelling in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

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

**28. Emergency water supplies**

No dwelling shall be first occupied until either:

- (a) Private fire hydrant(s), or other suitable emergency water supplies, have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority (in consultation with Royal Berkshire Fire and Rescue Service); or
- (b) Royal Berkshire Fire and Rescue Service confirm that such provision is not required (for example, because the main water supply for the development is sufficient) and confirmation of the same has been given in writing by the Local Planning Authority pursuant to this condition.

Reason: At present there are no available public mains in this area to provide suitable water supply in order to effectively fight a fire. Suitable private fire hydrant(s), or other suitable emergency water supplies, are therefore required to meeting Royal Berkshire Fire and Rescue Service requirements, in the interests of public safety. The approval of this information is required before development commences because insufficient information accompanies the outline application and it will affect the servicing of the development. This condition is applied in accordance with the National Planning Policy Framework.

**INFORMATIVES**

**1. S106 Legal Agreement**

This decision notice should be read in conjunction with the s106 legal agreement dated [to be added once completed]. You are advised to familiarise yourself with the planning obligations contained within the agreement before initiating any development. You may wish to seek legal advice.

**2. Compliance with conditions**

Your attention is drawn to the conditions of this permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990 (as amended). All Conditions must be complied with. If you wish to seek to amend a condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.

3. **Pre-conditions**

This decision notice contains pre-conditions that impose requirements which must be met prior to commencement of the development. Failure to observe these requirements could result in the Council taking enforcement action, or may invalidate the planning permission and render the whole of the development unlawful.

4. **Compliance with approved drawings**

Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Local Planning Authority, before work commences, if you are thinking of introducing any variations to the approved development. Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.

5. **Proactive actions of the LPA**

The Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application. In particular, the LPA:

- a) Provided the applicant with a case officer as a single point of contact.
- b) Alerted the applicant to issues that were raised during the consideration of the application.
- c) Accepted amended plans to address issues arising during the consideration of the application.
- d) Agreed an extension of time before determining the application to enable negotiations with the applicant.
- e) Entered into protracted considerations/negotiations in order to find a solution to problems with the proposed development, rather than refusing planning permission without negotiation.

6. **Building Regulations**

Separate approval for the works hereby granted permission/consent may be required by the Building Act 1984 and the Building Regulations 2000 (as amended), and the grant of planning permission does not imply that such approval will be given. You are advised to consult with Building Control Solutions (the Local Authority Building Control service for West Berkshire provided in partnership by Wokingham Borough Council) before works commence. Call: 0118 974 6239, email: [building.control@wokingham.gov.uk](mailto:building.control@wokingham.gov.uk), or visit: [www.wokingham.gov.uk/building-control](http://www.wokingham.gov.uk/building-control)

7. **Surface Water Drainage**

It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is

recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

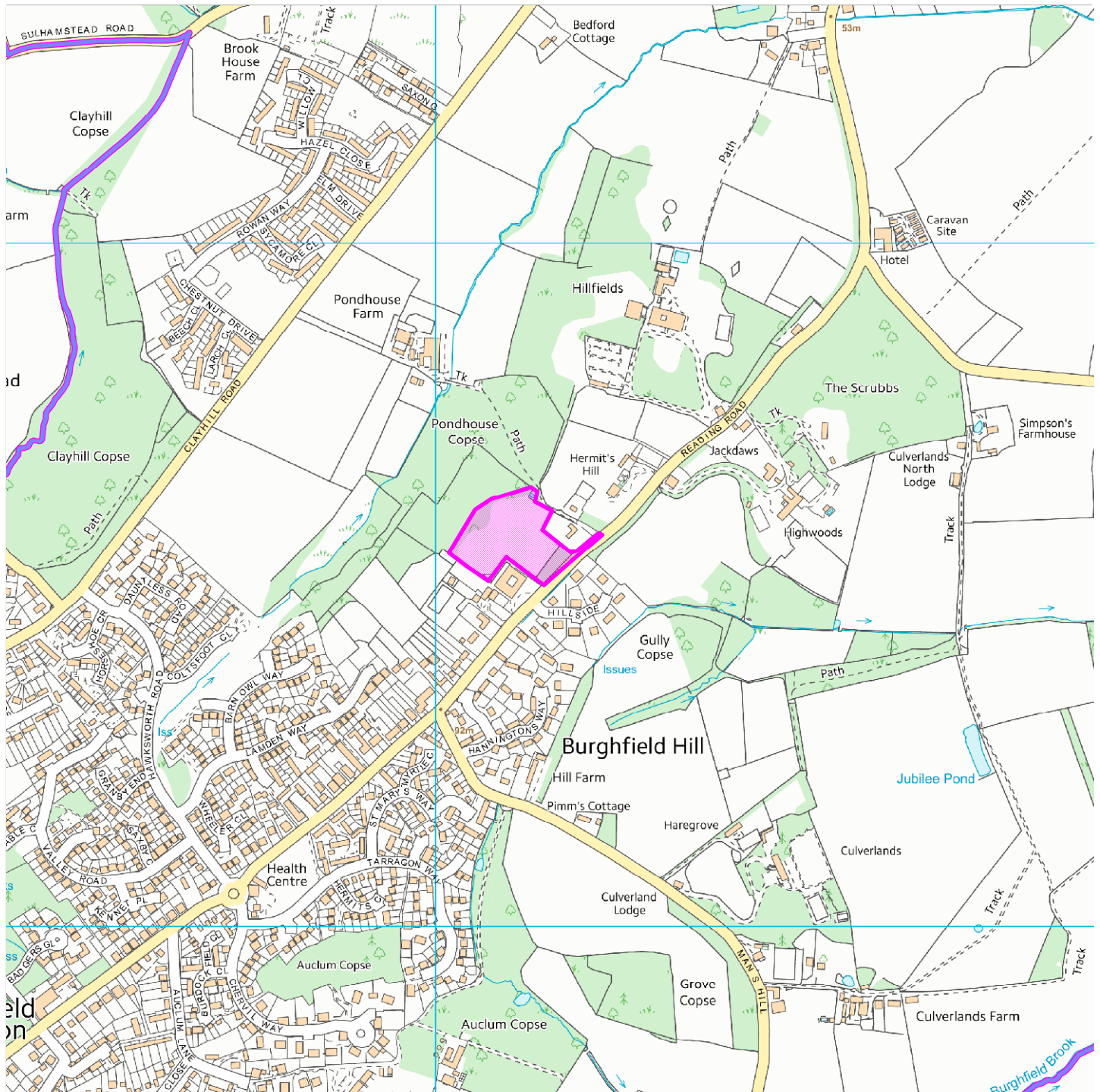
8. **Water Industry (Scheme for the Adoption of private sewers) Regulations 2011**  
Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes Thames Water recommend you email them a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) to determine if a building over / near to agreement is required.
9. **Groundwater Risk Management Permit**  
A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).
10. **Water Utilities**  
Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
11. **Construction noise**  
The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to West Berkshire Environmental Health. For more information: email [ehadvice@westberks.gov.uk](mailto:ehadvice@westberks.gov.uk), call 01635 519192, or visit <http://info.westberks.gov.uk/environmentalhealth>.
12. **Great Crested Newts**  
Since there is no perceived risk of impacts to great crested newt, mitigation measures are not provided. However, if at any time during the proposed works it becomes apparent that great crested newts are present and at risk of impacts, all work with the potential to affect the species will need to temporarily stop whilst advice is obtained from a Natural England licensed ecologist about how to proceed without risk of an offence being committed.

## **8.2 REFUSAL REASONS**

### **1. S106 Planning Obligation**

The application fails to provide a Section 106 Planning Obligation to deliver necessary infrastructure and mitigation measures, including:

- (a) Affordable housing, without which the proposal would be contrary to the NPPF, Policy CS6 of the West Berkshire Core Strategy 2006-2026, and the Planning Obligations SPD.
- (b) Public open space and sustainable drainage measures (provision and governance), without which the proposal would be contrary to the NPPF, Policies CS16 and CS18 of the West Berkshire Core Strategy 2006-2026, Policies RL.1, RL.2 and RL.3 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and the Planning Obligations SPD.
- (c) Highway enabling works, including footway improvements and uncontrolled crossings, without which the proposal would be contrary to the NPPF, Policy CS13 of the West Berkshire Core Strategy 2006-2026, Policy HSA16 of the Housing Site Allocations DPD 2006-2026, and the Planning Obligations SPD.
- (d) Provisions to ensure that access is provided through the “Phase 1” application site to “Phase 2” (the remainder of the housing site allocation), without which the proposal would be contrary to the NPPF, Policies ADPP1, ADPP6, CS1, CS13 and CS14, Policies GS1 and HSA16 of the Housing Site Allocations DPD 2006-2026, West Berkshire Quality Design SPD, and the Planning Obligations SPD.
- (e) Provision of a buffer to Pondhouse Copse to prevent encroachment of the development into the proposed Local Wildlife Site, and thereby to prevent the associated adverse effects, without which the proposal would be contrary to the NPPF, Policies CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policies GS1 and HSA16 of the Housing Site Allocations DPD 2006-2026, and the Planning Obligations SPD.



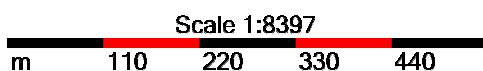
Map Centre Coordinates :

Scale : 1:8396

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<b>Organisation</b>	West Berkshire Council
<b>Department</b>	
<b>Comments</b>	Not Set
<b>Date</b>	13 September 2018
<b>SLA Number</b>	0100024151



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**From:** Steve.Newman@onr.gov.uk  
**Sent:** 27/04/2017 09:18:17  
**To:** Planapps  
**Cc:** ONR-Land.Use-Planning@onr.gov.uk  
**Subject:** FW: Consultation on Planning Application 16/01685/OUTMAJ Land Adjacent To Primrose Croft Reading Road Burghfield Common Reading Berkshire  
**Attachments:** ufm5.rtf

FAO Bob Dray

Dear Bob,

I have consulted with the emergency planners within West Berkshire Council, which is responsible for the preparation of the Aldermaston and the Burghfield off-site emergency plans required by the Radiation Emergency Preparedness and Public Information Regulations (REPPiR) 2001. They have provided adequate assurance that the proposed development can be accommodated within their off-site emergency planning arrangements.

The proposed development does not present a significant external hazard to the safety of the nuclear site.

Therefore, ONR does not advise against this development.

Kind regards

Steve



**Steve Newman** LLM, BSc (Hons)  
**Para-Technical Officer – Emergency Preparedness & Response**

**T:** 0203 028 0391 | **E:** [steve.newman@onr.gov.uk](mailto:steve.newman@onr.gov.uk)  
**4N.2, Desk 58 – Redgrave Court, Merton Road, Bootle, L20 7HS**

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**From:** Planapps@westberks.gov.uk [mailto:Planapps@westberks.gov.uk]  
**Sent:** 12 April 2017 16:15  
**To:** ONR Land Use Planning  
**Subject:** Consultation on Planning Application 16/01685/OUTMAJ Land Adjacent To Primrose Croft Reading Road Burghfield Common Reading Berkshire

Please see attached

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\*\*\*\*\*



12th April 2017

Office For Nuclear Regulation  
Land Use Planning  
4N.G. Redgrave Court  
Merton Road  
Bootle  
L20 7HS

**Development and Planning Service**

West Berkshire District Council  
Council Offices  
Market Street Newbury  
Berkshire RG14 5LD

**Our Ref:** 16/01685/OUTMAJ

**Your Ref:**

**Tel::** 01635 519239

**Fax:** 01635 519408

**email:** planapps@westberks.gov.uk

Dear Sir/Madam

**Application Number: 16/01685/OUTMAJ**

**PROPOSAL: Outline planning application for 28 dwellings, matters to be considered access and layout. Appearance, scale and landscaping reserved.**

**SITE: Land Adjacent To Primrose Croft, Reading Road, Burghfield Common, Reading**

**Grid Reference: 466167 167552**

This is to advise you that an application has been submitted to this Authority for determination. The documents may be viewed at the following URL:<http://planning.westberks.gov.uk/rpp/index.asp?caseref=16/01685/OUTMAJ>

If you have any comments to make relating to the proposed development, please ensure that these are submitted by **3rd May 2017**, failing the receipt of which I shall presume that you do not wish to comment.

Due to the volume of letters received on applications it will not be possible to enter into correspondence with third parties on individual applications. Notwithstanding, any comments you make will be considered and form part of any report on the application.

Your comments will be available for public inspection and in the event of an Appeal being lodged a copy will be sent to the appellant and the Department for Communities and Local Government, unless your letter is clearly marked "Confidential".

If you wish to discuss the application, please do not hesitate to contact the Customer Call Centre on the above telephone number, quoting our reference. Alternatively you can check the progress of this application online by using our web site [www.westberks.gov.uk](http://www.westberks.gov.uk) .

Yours faithfully

**Bob Dray**

Case Officer

Appendix KM4 – APP/Z0116/W/22/3308537 – Land at Broomhill/Brislington Meadows



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## Appeal Decision

Inquiry held on 31 January and 1 to 3, 7, 9 to 10 and 28 February and 1 to 3 and 9 March 2023

Site visit made on 10 March 2023

by O S Woodward BA(Hons.) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17/04/2023

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Appeal Ref: APP/Z0116/W/22/3308537

Land at Broomhill/Brislington Meadows, Broomhill Road, Bristol BS4 4UD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
  - The appeal is made by Homes England against Bristol City Council.
  - The application Ref 22/01878/P, is dated 12 April 2022.
  - The development proposed is up to 260 new residential dwellings (Class C3 use) together with pedestrian, cycle and vehicular access, cycle and car parking, public open space and associated infrastructure.
- 

### DECISION

1. The appeal is allowed, and planning permission is granted for the development of up to 260 new residential dwellings (Class C3 use) together with pedestrian, cycle and vehicular access, cycle and car parking, public open space and associated infrastructure at Land at Broomhill/Brislington Meadows, Broomhill Road, Bristol BS4 4UD, in accordance with the terms of the application Ref 22/01878/P, dated 12 April 2022, subject to the conditions set out in the attached schedule.

### APPLICATIONS FOR COSTS

2. An application for costs was made by Bristol City Council against Homes England. This application will be the subject of a separate Decision.
3. An application for costs was made by Homes England against Bristol City Council. This application will be the subject of a separate Decision.

### PRELIMINARY MATTERS

4. The appeal is for outline planning permission with all matters reserved except for access. The appeal is made against the failure to determine the application within the statutory period. Since the appeal was made, the Council took the application to Planning Committee and agreed putative reasons for refusal, if the Committee had been able to make a decision<sup>1</sup>.

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<sup>1</sup> As set out in the Amendment Sheet to the 7 December 2022 Report to Committee

5. The fifth reason for refusal is in relation to the effect on local infrastructure in the absence of a completed s106 Planning Obligation. A s106 Planning Obligation, dated 31 March 2023 (the s106) has been submitted and secures:
- 30% of the total number of homes to be for affordable housing, comprising 75% social rented and 25% shared ownership or First Homes provision, or a commuted sum *in lieu* if applicable;
  - an Employment and Skills Plan monitoring fee;
  - a contribution towards the provision of fire hydrants;
  - either a Residential Travel Plan fee towards the Council's costs in relation to the preparation and implementation of the Travel Plan or towards the auditing and monitoring of the Travel Plan if it is prepared by the developer;
  - a contribution towards the making and implementation of traffic orders for a new pedestrian crossing on School Road, new humps on School Road and Bonville Road, waiting restrictions on new adopted roads within the appeal site and existing surrounding roads, and a 20mph speed limit on new adopted roads within the appeal site;
  - a Local Labour and Training Plan fee;
  - a contribution towards the costs related to off-site replacement tree planting; and,
  - a contribution towards the provision of transport infrastructure, including two new bus shelters on School Road and Broomhill Road with real-time information displays and raised kerbs, and raised kerbs at existing bus stops on Whitmore Avenue, Broomhill Road and School Road.
6. **The Council's CIL** Compliance Statement sets out the detailed background and justification for each of the obligations. I am satisfied that the provisions of the submitted agreement would meet the tests set out in Regulation 122 of the CIL Regulations 2010 (as amended) and the tests at Paragraph 57 of the National Planning Policy Framework (the Framework), and I have taken them into account. I return to matters of weight and detail of the s106 throughout my Decision as appropriate.
7. However, this is apart from the contribution towards fire hydrants. The provision of fire hydrants within 100m of a building is a requirement of building regulations<sup>2</sup>. There are areas of the proposed development that would be more than 100m from existing hydrants and therefore new hydrants would need to be provided. However, this is the responsibility of the Avon Fire & Rescue Service. According to their letter of November 2019, the Service were not being provided with funding for such provision. However, no more up-to-date information on funding and, importantly, no substantiated evidence of a funding gap has been provided. It has not, therefore, been demonstrated that the request for a contribution for the provision and maintenance of the hydrants is necessary to make the development acceptable in planning terms. This obligation of the s106 is therefore null and void<sup>3</sup>.
8. In addition, conditions could secure the management and maintenance of open space, a Travel Plan and an Employment and Skills Plan. The elements of the fifth reason for refusal which relate to local infrastructure are not, therefore, contested. However, the fifth reason for refusal also related to the

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<sup>2</sup> Specifically, Clause 14 of The Building Regulations 2010 Fire Safety Approved Document B Volume 1: Dwellings

<sup>3</sup> See Clause 2.4 of the s106

failure to make provision for ecological mitigation, including Biodiversity Net Gain (BNG) off-setting. This issue is not contested by the Council but is contested by The Bristol Tree Forum, Greater Brislington Together and the Save Brislington Meadows Group, who had Rule 6 status, as a combined group, at the Inquiry.

9. The Development Plan for the area includes the Site Allocations and Development Management Policies Local Plan July 2014 (the SADMP) and the Core Strategy June 2011 (the CS). There is an emerging Local Plan, the Bristol Local Plan Review – Draft Policies and Development Allocations November 2022 (the emerging LP), which was subject to Regulation 18 consultation in the period November 2022 to January 2023. The emerging LP, as currently drafted, proposes to remove the allocation for the majority of the appeal site for housing, to reflect the greater priority for biodiversity required in response to the declaration of the ecological emergency by the Council. The emerging LP is at an early stage in its production, will be the subject of further consultation, and is likely to be modified before it is adopted. I therefore place very limited weight on the emerging LP.
10. The Parameters Plans were revised in the lead-up to the Inquiry to correct minor discrepancies and to highlight two oak trees, T5 and T6, and their Root Protection Areas (RPAs). The Council and the Rule 6 Party agreed to the changes. A number of further submissions were received during and after the Inquiry, as set out in Annex B. These include submissions in relation to Biodiversity Metric 4.0, which was released by Natural England on 24 March 2023, after the Inquiry had closed. I therefore provide all the main parties with time to respond on this matter. I am satisfied that in all cases the material was directly relevant to, and necessary for, my Decision. All parties were given opportunities to comment as required and there would be no prejudice to any party from my consideration of these documents. The appeal is therefore determined on the basis of the revised and additional documents and drawings.

## MAIN ISSUES

11. The main issues are:
  - whether or not the appeal site is an appropriate location for development of this type, with regard to site allocation Policy BSA1201 of the SADMP and the Development Plan as a whole;
  - the effect of the proposed development on biodiversity, in particular with regard to the loss of habitat including grassland, trees and hedgerows, and with regard to the adequacy and deliverability of the proposed mitigation and compensation; and,
  - the effect of the proposed development on the character and appearance of the area, with particular regard to design, landscape, and the loss of trees and hedgerows.
12. The overall planning balance is also an important consideration, including **considerations of the 'tilted balance'** and Paragraph 11(d) of the Framework, and irreplaceable habitats and Paragraph 180(c) of the Framework.

## REASONS

13. The majority of the appeal site (c.93%) is within Site Allocation BSA1201 in the SADMP. The areas not within the allocation are those proposed for pedestrian and/or cycle links to Allison Road and School Road, the drainage connection to Victory Park, and an area of land leading up to Broomhill Road that would provide the primary vehicular access to the site and some residential development. The emerging Local Plan does not include the site allocation but, as set out above, I place very limited weight on the emerging LP. The adopted site allocation Policy BSA1201 of the SADMP is therefore the primary consideration for the appeal proposal.
14. Policy BSA1201 sets out a number of development considerations that any proposal should meet. The policy also explicitly sets out an estimate for the number of homes on the site at 300. Paragraph 15 of the Framework states that the planning system should be genuinely plan-led. For this to mean something, an applicant must be able to rely on specific site allocations in adopted Development Plans. It should not be necessary to trawl through the evidence base to attempt to decipher the meaning of a policy or to consider the wider spatial strategy implications. Approximately 300 homes is therefore the starting point for assessing the character and appearance of the proposal and the development considerations set out in Policy BSA1201. It is not carte blanche, though, and due weight must be given to the development considerations and any implications they have for site capacity. However, they must not be used to undermine the allocation.
15. The outline application the subject of this appeal would grant the planning permission. Any future reserved matters or condition discharge submissions would need to be considered in that context and within the parameters set out by the outline permission, in particular the description of development, the Parameters Plans and the Design Code, dated April 2022. I have therefore assessed the proposal on the basis that 260 homes and the full extent of development as allowed for by the Parameters Plans would come forward.
16. I acknowledge that the 260 homes proposed by the appellant is materially lower than the 300 estimate within the policy. However, there is no dispute regarding inefficient use of the land. It is not incumbent upon a scheme to maximise the number of proposed homes. However, that the appellant has not proposed 300 homes is a material consideration, particularly with regard to the application of the development considerations within Policy BSA1201.
17. My assessment of the main issues is undertaken in the above context.

### Site location and allocation

#### Retain or incorporate important trees and hedgerows

18. One of the disputed Policy BSA1201 development considerations is to retain or incorporate important trees and hedgerows within the development which will be identified by a tree survey. Whether or not an adequate tree survey was undertaken by the appellant at the application stage was discussed at the Inquiry. However, trees and hedgerows were discussed at length at the Inquiry, substantial evidence has been provided, and both the Council and the appellant fielded expert witnesses in relation to veteran trees and to trees and hedgerows more generally. I am therefore satisfied that I have sufficient

information to consider this factor robustly, although the adequacy of the tree survey does inform the character and appearance main issue.

19. The loss of some hedgerow and trees is inevitable because the hedgerows, including some trees, criss-cross the appeal site and there is also a band of woodland across the only area where vehicular access could be provided to the site. Even if a proposal were to only propose built form in the fields between the hedgerows, access points between the different development parcels would still be required, resulting in the loss of some hedgerow. The only reasonable application of this development consideration, therefore, is that only the trees and hedgerows that are relatively important within the context of the appeal site should be retained.
20. The policy requires the proposal to retain *or* incorporate important trees and **hedgerows (emphasis mine). It is clear that 'incorporate' must mean something different to 'retain' because of the 'or'. The second part of the sentence refers to identification by a tree survey which suggests that 'incorporate', for trees at least, means to positively incorporate existing trees into the design, rather than to provide new trees as part of the proposal. The policy is more ambiguous with regard to hedgerows but it is a reasonable reading that the same approach should be adopted for hedgerows. I have therefore adopted this approach and I do not place any material weight on the possibility that some of the proposed hedgerows and/or trees could become important over time.**

*Trees*

#### Veteran trees

21. It is common ground, and common sense, that any tree classified as a '**veteran tree**' would also be a relatively important tree for the purposes of Policy BSA1201. In this regard, there are two oak trees, T5 and T6, on the appeal site. It is common ground that T6 is either a veteran tree or at least should be treated as such because it is so close to being veteran. T5 is in dispute. However, it has been demonstrated that the proposal would not cause either oak tree to be lost or to deteriorate. This is because the proposed attenuation basin could be controlled by condition to not require excavations within the RPA of either tree. Any proposed footpaths within the RPAs could be designed so that they would not involve material changes to the ground level or intrusion into the ground. And, although it is possible that the proposed nearby attenuation measures could affect ground water hydrology around these trees, the detail of this could be controlled by condition and future reserved matters submissions.
22. However, there are a number of hawthorn trees which the Council allege are veteran but the appellant contends are not. These are trees VH1 to VH11<sup>4</sup> and I assess these below.

Definition

23. There are various definitions of veteran trees, for example in BS5837:2012<sup>5</sup>. However, this is a planning appeal and the relevant definition is that

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<sup>4</sup> References taken from the Proof of Evidence of Julian Forbes-Laird. Their locations are most clearly set out on FLAC dwg Ref 42-1061.01 within Appendix JFL 7

<sup>5</sup> Trees in relation to design, demolition and construction – Recommendations, published 2012

contained in the Framework. The Framework defines ancient or veteran trees as trees which, because of their age, size *and* condition, are of exceptional biodiversity, cultural or heritage value (emphasis mine). The age, size and condition characteristics must therefore be considered separately. The exceptional value of a tree is not a separate characteristic but it is the reason why a tree can be considered to be veteran. The exceptional value of a tree must therefore inform the thresholds to adopt when considering which trees to classify as veteran based on their age, size and condition characteristics.

24. Paragraph 180 of the Framework confirms that development that results in the loss or deterioration of veteran trees should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. This is a very high level of protection, higher than the protection given to National Parks<sup>6</sup> or grade II listed buildings<sup>7</sup>. It must therefore follow, as a principle of proportionality, that the methodology for determining a veteran tree for the purposes of planning must set a high bar for defining exceptional biodiversity, cultural or heritage value.
25. It is common ground, and I agree, that only the exceptional biodiversity criteria is relevant to any of the alleged veteran trees on the appeal site. Although age, size and condition are three separate characteristics, they do influence one another, in particular age and size. It is also germane that the reason veteran trees are provided with such a high level of protection in the Framework is because they are defined as irreplaceable habitats. Irreplaceable habitats are defined in the Framework as habitats that would be very difficult or would take a very significant time to restore. My assessment of the three characteristics is therefore informed by this context.

#### Size

26. The size of a tree is factual. Any given tree is the size that it is. There may be a multitude of factors that have influenced its size, such as soil conditions, climate, management and damage. However, for the purposes of this characteristic, those factors do not matter, and the size of the tree is all that needs to be ascertained.
27. It is common ground that the size of the stem(s) should be the primary metric because height and crown spread can be unrealistic measures after middle-age. In this regard, guidance is provided in BS5837: 2012, which states<sup>8</sup> that the stem(s) of trees should be measured at 1.5m above ground level or, if required to avoid abnormalities, to measure lower but as near to 1.5m as possible. Lonsdale<sup>9</sup> states that girth should be measured at breast height or the most regular girth point nearest to that level. The White Method<sup>10</sup> states that the measurement should be at 1.3m above ground or the narrowest part of the stem if there are abnormalities. The English Nature guidance<sup>11</sup> (the SSM) states that a tree should be measured at 1.3m above ground and to move lower to correct for abnormalities.

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<sup>6</sup> Paragraph 177

<sup>7</sup> Paragraph 200

<sup>8</sup> Annex C

<sup>9</sup> Page 34, Ancient and other veteran trees: further guidance on management, dated 2013, by David Lonsdale

<sup>10</sup> Paragraph 7, Estimating the Age of Large and Veteran Trees in Britain, dated November 1998, by John White

<sup>11</sup> Veteran Trees Initiative Specialist Survey Method, dated 1996



28. If there are multiple stems, then the BS5837:2012 and SSM guidance is to measure the individual stems only if the formation occurs below breast height and to otherwise simply measure the main trunk. BS5837:2012 states, in that situation, to measure each stem individually and sum the result. The SSM only requires measurement of the largest stem. I have adopted the BS method, which is the most accurate measurement to capture the true size of a tree because it involves measuring all the stems, not just the largest. There is therefore clear and consistent guidance from multiple sources to measure the size of trees at breast height, be that 1.3m or 1.5m, unless correcting for abnormalities. The appellant has adopted this methodology in measuring the size of the alleged veteran trees.
29. The Council has adopted a different methodology and has measured the trees near their base. This is because the Recognition of Ancient, Veteran & Notable Trees (RAVEN) method, as adopted by the Council, amalgamates both age and size into one assessment. Measuring near the base is a search for the oldest wood. This approach has the potential to over-estimate the true size of a tree because near the base can be where trees flare as they approach the ground. It is not possible to know if this was correctly allowed for because the precise measuring point for each tree was not recorded by the Council, nor could this be confirmed under cross-examination. Even if appropriate allowances have been made, the RAVEN methodology is in clear contradiction to the guidance from multiple, authoritative sources. It also does not reflect the Framework definition, which lists age and size as separate factors to be considered. Therefore, for the purposes of measuring the size of the trees, I adopt the measurements of the appellant.
30. For the purposes of this appeal, the size of the tree must be such that it is **large enough to have sufficient biomass to facilitate 'exceptional biodiversity value'**. The Framework definition does not state that a tree needs to be large relative to its species. However, this is a reasonable inference to make because this is a likely precursor to a tree having sufficient biomass. Guidance on this is relatively limited. However, the Lonsdale Fig 1.3 provides a useful indicator. The figure is not precise and it is only reasonable to use a range, which I place at between 1.8m and 1.95m girth, equating to 570mm to 620mm diameter. For robustness, I then adopt the bottom end of that range as the size threshold for a hawthorn tree, which is also the figure adopted by the RAVEN method. Using this threshold and the tree measurements by the appellant, none of the alleged veteran hawthorns would be classified as veteran based on the size criteria.

#### Age

31. The definition of a veteran tree in the Framework states that veteran trees must be old relative to other trees of the same species. This is an essential characteristic for any tree to be considered veteran and is independent of the condition and size criteria.
32. The White Method is the most comprehensive method provided to the Inquiry that can be used to estimate the age of trees. The method is to first measure the tree at breast height using the methodology as set out above for measuring size. It then adds further calculations to estimate age based on different growth rates in the formative, mature state and senescence phases of growth of a tree. However, the White Method does not specifically refer to

hawthorn trees. The Council has used black mulberry as an analogue species but this is not only a different species but the calculations in relation to it are based on trees growing in open conditions, rather than in hedgerows as is the case for the alleged veteran hawthorns.

33. The White Method therefore needs to be treated with caution but does provide a useful guide and starting point. Adjustments must then be made to account for management or damage, and to account for other contextual matters, such as ground conditions. In particular, VH2, VH3, VH6, VH9 and VH11 show signs of previous coppicing, pollarding or other management. This may imply that they are older than the White Method would suggest because their current size does not reflect what they could have reached had they not been managed. In addition, VH10 potentially has an original stem missing which, again, could suggest that its current size is not directly linked to its age.
34. Other contextual factors also need to be considered. For example, the trees might potentially be the same age as the hedgerows they sit within. The hedgerows could be as old as 1750 but it is not possible to be definitive on the date and they could be more modern (see below for more details on this). In addition, there is no guarantee that the hawthorns are the same age as the hedgerows because the hedgerows were managed for much of their existence and hawthorns can self-seed.
35. There is, therefore, an inherent subjectivity to calculating the age of the alleged veteran trees. The contextual considerations are not definitive with regard to making adjustments to the estimated ages based on the White Method. However, they do imply that some of the trees, at least, could be older than the estimate. This is as far as my conclusion on age can reach with the evidence before me. Nevertheless, despite the uncertainty, it is common ground between the parties that the trees are old enough to be considered as veteran. I am therefore happy to adopt this agreed position.
36. The Framework defines all ancient trees as veteran trees. Therefore, if a tree is ancient because of its age, it automatically qualifies as veteran, irrespective of its size and condition characteristics. Lonsdale sets the size threshold for an ancient hawthorn at about 2.5m in girth<sup>12</sup>, equating to about 800mm in diameter. None of the three trees alleged by the Council to be ancient<sup>13</sup> meet this criteria or are even particularly close. The contextual considerations and previous management would therefore be unlikely to lift any of the trees up to ancient status. In addition, the White Method does not state that measurement, for the purposes of age, should be at or near the base. Although Figure 2 indicates measuring below the crown spread for multi-stem trees it indicates undertaking this measurement as close as possible to breast height, not at or near **base. The Council's measurements cannot, therefore, be relied upon.** Consequently, it has not been satisfactorily demonstrated that any of the alleged veteran trees are ancient trees.

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<sup>12</sup> See Fig 1.4. Fig 1.3 is unclear and must therefore be read in conjunction with the explicit reference at Fig 1.4

<sup>13</sup> VH2, VH3 and VH10

Condition

37. The Natural England (NE) Standing Advice<sup>14</sup> is that a for a tree to be classified as a veteran it must have significant decay features, such as branch death and hollowing, **to contribute to 'exceptional biodiversity value'**. The Biodiversity Metric 3.1, published by NE, states that four out of five veteran characteristics<sup>15</sup>, must be present for a tree to be classified as a veteran tree. **The RAVEN method requires at least one 'primary feature', which are** extensive decay, extensive hollowing, crown senescence or retrenchment, to be present. Or, if none **are present, at least four 'secondary features'**. Lonsdale lists veteran characteristics<sup>16</sup> but does not identify how many of these attributes are necessary for a tree to qualify as a veteran.
38. The NE Standing Advice and Biodiversity Metric 3.1 are from England's statutory nature conservation body and are recent, being from 2022. The even more recent Biodiversity Metric 4.0 does not list condition characteristics for veteran trees. However, this is because NE no longer see the metric as the appropriate document to set out how to identify veteran trees<sup>17</sup>, rather than because there has been an explicit acknowledgment that the Metric 3.1 approach was wrong.
39. The trees must have **'exceptional biodiversity value'**. The threshold for condition must therefore be that multiple veteran characteristics are found. I consequently **adopt NE's guidance as set out in Metric 3.1**, which is more stringent regarding requiring multiple characteristics than RAVEN, and more precise and quantifiable than Lonsdale. On this basis, none of the hawthorn trees qualify as veteran with regard to their condition.
40. **Nevertheless, it is important to avoid 'false negatives' ie missing trees that** should be veterans just because they do not meet the NE criteria or because certain condition characteristics, such as fungal fruit bodies, are transitory and easy to miss. An element of professional judgment should therefore be used, if appropriately justified. In this regard, only four trees<sup>18</sup> even display three of the primary criteria, and four are required to qualify. Even using the RAVEN methodology, none of the trees have four secondary features. This illustrates that the condition of the trees is not particularly complex and does not reach **the high bar of 'exceptional biodiversity value'**.
41. I acknowledge that the RAVEN methodology has been tested at previous appeals<sup>19</sup>. However, both appeal decisions pre-date the release of the NE guidance, which is a material change in circumstance. In addition, in one decision there was agreement between the main parties regarding identification of veteran trees which calls into question the level of detail that **the RAVEN methodology was subjected to as part of the Inspector's** assessment<sup>20</sup>.

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<sup>14</sup> Ancient woodland, ancient trees and veteran trees: advice for making planning decisions, published 2022

<sup>15</sup> Which are rot sites, holes and water pockets, dead branches or stems, hollowing, and fruit bodies of fungi known to cause wood decay

<sup>16</sup> Pages 27 and 28

<sup>17</sup> See Paragraph 1.4.4 of the Summary of Changes The Biodiversity Metric Version 3.1 to 4.0, dated March 2023 and Paragraph 3.5.1 of The Biodiversity Metric 4.0 User Guide, dated March 2023

<sup>18</sup> VH7, VH8, VH10 and VH11

<sup>19</sup> Appeal Refs APP/B1605/W/20/3261154, dated 11 May 2021 and APP/B1605/W/19/3227293, dated 20 September 2019

<sup>20</sup> Paragraph 58, Appeal Ref APP/B1605/W/19/3227293

## Overall

42. All the alleged veteran hawthorn trees likely meet the age criteria. However, none meet the size or condition criteria. They do not, therefore, have sufficient biomass or variety and nature **of condition to be of 'exceptional biodiversity value', which is the only relevant criteria** for these trees. None of the alleged veteran hawthorn trees are, therefore, in fact veteran. However, they are important and notable trees of considerable age and with some **veteran characteristics. The appellant's own evidence states that they sit** approximately in the top 20% of hawthorns in terms of size.
43. They are therefore relatively important trees for the purposes of Policy BSA1201. Four of the eleven, VH1, VH4, VH5 and VH6, would be lost due to the proposal. Translocation of these trees could be attempted, within the appeal site, and could be controlled by condition. There is potential this would not be successful, though, so in the interests of robustness I have assumed that these trees would be lost as part of my assessment. In addition, trees VH2, VH3, VH7 and VH9 could potentially see deterioration from nearby development. However, any deterioration could be minimised through controlling the detail of the proposed landscaping, construction and design in future reserved matters and condition submissions.

## Other trees

44. The Arboricultural Impact Assessment, dated March 2022 (the AIA) found seven trees, two groups and one woodland of Category A quality. These are relatively important trees for the purposes of Policy BSA1201, partly because they are Category A status and partly because there are relatively few on the appeal site. None of these trees would be lost.
45. There is also a Tree Preservation Order (TPO) Nu 1404, which protects 16 trees, three groups and one woodland across the appeal site. Three individual TPO trees and part of the **TPO'd** woodland<sup>21</sup> that runs across the north-east corner of the site would be lost. However, TPOs relate to visual amenity<sup>22</sup> and any trees included within a TPO would not have been considered with regard to wider issues of importance, for the purposes of Policy BSA1201. The three individual trees to be lost are only Category B and I do not consider them to be relatively important trees for the purposes of Policy BSA1201. However, I do consider the woodland to be relatively important, despite being of a similar quality to the individual trees at Grade B, because of its size and prominence.

## *Hedgerows*

46. There are five hedgerows running across the appeal site and further hedgerows to the boundaries. The five internal hedgerows<sup>23</sup> have a common feature in that it is probable they were created as field enclosures in the 18<sup>th</sup> century. This is because Brislington Common and the area around Brislington were enclosed by Acts of Parliament during the 1780s and the Tithe map of c.1840 shows that the hedgerows were in place at that time. There is no substantive evidence that they were present before the field enclosures. Nevertheless, collectively and individually, hedgerows H1 to H5

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<sup>21</sup> T9, T15 and T18 in the AIA

<sup>22</sup> As set out in s198 of the Town and Country Planning Act 1990 (as amended)

<sup>23</sup> H1 to H5 as identified on drawing Ref G7507.43.001

have some cultural and historic value and importance because they are remnants of historic field patterns, which is rare in Bristol. They are also relatively important from a landscape perspective, contributing to the appeal **site's aesthetic value.**

47. Evidence of ploughing on the appeal site does not depict the characteristic twisting motion at the end of a plough line associated with ridge and furrow ploughing, and also the plough markings do not respect field boundaries. Lynchets<sup>24</sup> were not found in trench, walk over or desk-based research. There is not a series of terraces on the appeal site linked to the hedgerows, just a constant slope. Although there are some banks of land running along the hedgerows, an aerial view from 1938 does not show these banks, indicating that they are modern and as a result of erosion, rather than linking to lynchets. There is some ambiguity on this issue because of the complexity of measuring such evidence and the difficulty of visual assessment given the currently overgrown hedgerows. However, I have seen no substantiated evidence of lynchets or banks associated with hedgerows on the appeal site, apart from HH7 where it is common ground that it sits on a bank.
48. **The Hedgerows Regulations 1997 (The Hedgerows Regs) lists 'woodland species' at Schedule 2 and 'woody species' at Schedule 3. Hedgerows H1 to H5 all contain bluebell, which is one of the 'woodland species'. Hedgerows H3 and H4 have four and a half 'woody species', H5 has four 'woody species', H1 and H2 have three 'woody species' and H6 has none. By dint of containing bluebell, H1 to H5 are all defined as 'important' by The Hedgerows Regs. However, they only have one of the 'woodland species' and all of them have fewer than the five 'woody species' necessary to qualify as important under that criteria. The internal hedgerows to the appeal site are therefore relatively species poor.**
49. It is also important to consider the ecological corridors and linkages which the hedgerows create. The degree of connectivity of a hedgerow adds to its biodiversity value. There are gaps in the hedgerows and some of the linkages are fractured. However, hedgerow H1 links with H2, H3, H4 and HH7. Either H3 or H4 and H2 provide east-west connections via H1. H1 provides the key north-south connection, although H5 also provides this to an extent to the western half of the appeal site.
50. Overall, hedgerow H1 is in good condition, is well connected to H2, H3 and H4, and contains seven of the notable hawthorn trees. It is the most important internal hedgerow. H5 is in moderate condition but it is not as well linked to the other hedgerows because it does not link to H1 and does not contain any of the notable hawthorn. This is the least important internal hedgerow. It is difficult to distinguish between H2 to H4, despite H3 and H4 being in poor condition and H4 in moderate condition, because all of them are well linked, define field boundaries, contain at least one notable hawthorn, and are of similar ecological value. I therefore place the hedgerows in three categories, with H1 most important, H2 to H4 in the middle, and H5 the least important.
51. In general, the boundary hedges not as important because they have become overgrown and in some cases could potentially be considered as scrub rather than hedges. The exception to this is HH7. Although HH7 is potentially scrub

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<sup>24</sup> A field scar from ancient ploughing

rather than a hedgerow because it has outgrown the 5m width criteria, it **contains eight 'woody species' and would therefore be considered as species** rich if it is defined as a hedgerow, it is associated with a bank, it contains several trees including **Category A's**, and it provides connections to the internal hedgerows.

52. The reasonable worst case scenario is that 74% of the internal hedgerows would be lost. However, the Parameters Plans show that the indicative primary street would utilise existing gaps in the hedgerows where possible. The proposed development parcels would also allow retention of the majority of hedgerow H1 as a central north-south spine running through the development and significant parts of H3 as a dividing feature between two development parcels. The two most important boundary hedgerows, HH7 and HH2, would be retained. A material amount of the second tier of hedgerows, considered as whole, would also be retained. Broadly speaking, the most important hedgerows would see the most retention.

*Overall*

53. It is proposed to fell approximately 25% of the existing tree/woodland habitat on the appeal site. As established above, this would include four notable hawthorns and an area of woodland, both of which I consider to be relatively important for the purposes of Policy BSA1201. However, the woodland is to be lost to create the primary access to the appeal site and it is common ground that its loss is inevitable. No Category A and relatively few TPO trees would be lost. Fairly significant elements of hedgerow would be retained and broadly in accordance with the hierarchy of the relative importance of the hedgerows. It is proposed to retain and incorporate many trees even within the proposed development parcels. It is also proposed to retain the most important hedgerow, H1, and the six notable hawthorns within it as a feature element of the landscape. This would retain an echo of the past condition of the appeal site whilst respecting the design and layout of the proposed development.
54. The proposed level of loss of trees and hedgerows is necessary to deliver development on the appeal site in accordance with the site allocation. The most important trees and hedgerows would, in the main, be retained, and the proposed design has accounted for and minimised the loss of the more important specimens. The proposal therefore complies with Policy BSA1201 and by extension Policy SA1 of the SADMP. It consequently also complies with Policy BCS9 of the CS which requires the retention of green assets unless it is allowed for as part of an adopted Development Plan Document. The proposal complies with Policies DM15, DM17 and DM19 of the SADMP, which require that development appropriately manage existing and proposed trees within the landscape, integrate important existing trees, and avoid harm where possible.
55. Policy DM17 of the SADMP refers to the requirement for development not to result in the loss of aged trees. Aged trees are not defined by the SADMP. Nevertheless, it is reasonable to assume that some of the trees to be lost might be considered as aged trees even if they fall below veteran classification. The proposal, therefore, fails to comply with this policy. However, I place very limited weight on this conflict because the proposal accords with the site allocation policy, which has primacy.

56. I acknowledge that, had I found any, or all, of the alleged veteran hawthorn trees to be veteran or ancient trees, then this would have put a very different complexion on the acceptability of the proposal. It would have been highly likely that an alternative design would have been required to maintain compliance with this development consideration, and with regard to Paragraph 180(c) of the Framework. The alternative design would likely be for fewer homes, such as the 240 home alternative proposal put forward by the appellant. However, this is not the case and this is therefore a moot point.

#### Provide a green infrastructure link with Eastwood Farm Open Space

57. The Eastwood Farm Site of Nature Conservation Interest (SNCI) is located on the opposite side of Broomhill Road from the appeal site. This part of the appeal site is where the former police station and hard standing are located and provides very limited existing green infrastructure. However, there is also some scrub land and the proposal would inevitably lead to the loss of this and the more extensive existing woodland and other ecological features slightly further to the south.
58. A green infrastructure link is proposed through this area and up towards Broomhill Road. This would be secured, including the retention of existing trees and hedgerows as far as possible, by the Parameters Plans and the Design Code. It would be at least 12m wide, confirmed in the Design Code, in **excess of a target width of 10m put forward by the Council's Nature Conservation Officer** in their pre-application response.
59. The uncontested and remaining element of the Brislington Meadows SNCI is located immediately adjacent to the proposed development site to the south west. The proposed link would join up with this area and the other open space to the south. There would be an unbroken green link between the northern boundary of the appeal site, where it is nearest the Eastwood Farm SNCI, and the open land to the south. The proposal would not specifically provide an ecological link. However, this is not required by the policy and would be difficult, if not impossible, to achieve given that this part of the appeal site is relatively thin and must at least provide the primary vehicular access to the site. Nevertheless, the quality of the link, including its ecological credentials, could be controlled by reserved matters submissions reflecting the Design Code, and by conditions relating to lighting and landscaping.
60. The proposal would therefore provide a green infrastructure link as required by Policy BSA1201 of the SADMP and by extension Policy SA1. It would also comply with Policy BCS9 of the CS, which requires that opportunities should be taken to extend the coverage and connectivity of the existing strategic green infrastructure network.

#### Ecology

61. The relevant development considerations of Policy BSA1201 of the SADMP is that a proposal should be formed by an ecological survey of the site and should make provision for mitigation and compensation measures. An Ecology Impact Assessment, dated April 2022 (the EclIA) has been provided. It is detailed and comprehensive and it is common ground, and I agree, that this constitutes an acceptable ecology survey. However, the detail of the conclusions of the EclIA and its interpretation in the context of the policy are in dispute.

62. The Sustainability Appraisal<sup>25</sup> for the SADMP shows that the Council, when adopting Policy BSA1201, explicitly acknowledged that any development of the site for an estimated 300 homes would inevitably lead to some loss of existing biodiversity. This is self-evident for a site allocation for the comprehensive development of an existing site which is largely fields, hedgerows and trees. In addition, the wording of the development consideration acknowledges biodiversity harm is inevitable, otherwise it would not require mitigation and compensation. Paragraph 180a of the Framework contains important guidance on how to approach the inevitable harm, setting out a hierarchy that proposals should first seek to avoid harm, then mitigate and then, as a last resort, compensate.
63. A number of compensatory measures are proposed by the appellant. The full details are not yet known because of the outline nature of the application and, in places, disputes regarding methodology. However, it is likely that both on and off-site provision would be required. This is likely to include land within Victory Park and the grazing land between the appeal site and Victory Park. The Council owns the grazing land and could likely evict the current agricultural tenants. It also owns Victory Park.
64. However, there are competing demands on Victory Park which restricts its capacity for off-site mitigation eg the playing fields and general public access. Given this, and the ambiguities regarding the extent and nature of the compensatory measures, it is possible that further as yet unidentified land would be required for off-site compensation measures. However, there are further large tracts of open land nearby to the appeal site, particularly along the River Avon, and it is open to the appellant or other future developer to investigate off-setting measures on either Council-owned or private land. I therefore have confidence that the on and off-site measures proposed by the appellant would likely be deliverable.

#### Woodland

65. Some of the woodland and several individual or small groups of trees would be lost across the appeal site. This would include a woodland area of moderate ecological quality and four notable hawthorn trees of relatively high biodiversity value. Overall, approximately 162 trees would likely be lost as a result of the proposal, on a reasonable worst case scenario. There would therefore be some loss of woodland and trees of biodiversity value. However, the design of the proposal avoids excessive loss. The majority of the trees to the boundaries and a reasonable proportion of those within the site would be retained. The largest proposed losses are those trees within the woodland across the only location to provide vehicular access to the site, and those in the middle of the site, where development to achieve the site allocation is inevitable.
66. Replacement trees would also be provided, as calculated using the Bristol Tree Replacement Standards (the BTRS)<sup>26</sup>. These are calculated based on the existing size of the trees to be lost. The methodology to be used to inform the replacement tree calculation is disputed. In addition, the precise number cannot be known at the outline stage. It is likely that between 250 and

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<sup>25</sup> Paragraph 4.91.4.1 of The Sustainability Appraisal Main Report for the Publication Version (March 2013) of the SADMP

<sup>26</sup> Set out in the Planning Obligations SPD 2012



650 replacement trees would be required. This could be accommodated both on and off-site, depending on the detailed design and the number of replacement trees required. Both on or off-site measures could be controlled by condition(s) and reserved matters submissions. The proposal would therefore be acceptable in this respect.

#### Scrub

67. There are fairly substantial areas of scrub on the appeal site. In places, distinguishing between this and hedgerows is difficult. However, the EcIA found c.0.7 hectares (ha) of scrub in moderate condition and c.2 ha in poor condition, largely to the site boundaries and also partly the field boundaries within the site, both in places where the hedgerows have become overgrown. This land is relatively less ecologically valuable than the hedgerows or the higher category trees.
68. The loss of scrub is inevitable to enable development of the site and c1.6 ha is proposed to be lost. In addition, it is proposed to enhance c.1 ha of land, likely through retained mixed, bramble and blackthorn scrub and by planting new mixed scrub. Compensation would still be required and this would likely be through a combination of on and off-site habitat creation. Both on or off-site measures could be controlled by condition(s) and reserved matters submissions. The proposal would therefore be acceptable in this respect.

#### Hedgerows

69. As set out above, there would be some loss of hedgerows, including some **which are 'species rich' as defined by The Hedgerow Regs**. Broadly speaking, the most important hedgerows would see the most retention. However, I acknowledge that they are old and this provides an inherent ecological value. There would therefore be some ecological harm to hedgerows from the proposal but this is inevitable in the context of the site allocation.
70. Compensation for loss of hedgerow habitats would be required, which could be achieved on-site but might also involve off-site provision. The detail of this, including the imperative to maintain ecology corridors as much as possible and for the replacement hedgerows to be 'species rich', could be controlled by condition(s) and reserved matters submissions. The proposal would therefore be acceptable in this respect.

#### Grassland

71. The appeal site contains significant areas of grassland between the hedgerows. The EcIA found c.3 ha of neutral grassland in moderate condition, c.2.5 ha of modified grassland in moderate condition and a further c.0.5 ha in poor condition, and very small areas of ephemeral and tall herb grassland. These are species-poor areas although a small area of wetter grassland with higher biodiversity value exists within the south east of the appeal site. Large amounts of the grassland would be lost, which is an inevitable consequence of development of the appeal site.
72. It is proposed to create, and significantly increase the amount of, wet grassland of relatively high ecological value as part of the proposed Sustainable Urban Drainage Systems (SUDS). The SUDS would be primarily for drainage and would also be expected to provide recreation. These factors would make it more difficult to achieve high quality wet grassland. However,

there is no reason to believe that it could not be achieved, at least partially, at detailed design stage. Compensation for the proposed loss of grassland habitats is also proposed through a combined approach of habitat creation and enhancement both on-site and also off-site, likely on the grazing land. This is precisely what is required by Policy BSA1201. Both on or off-site measures could be controlled by condition(s) and reserved matters submissions. The proposal would therefore be acceptable in this respect.

## Birds

73. The EclA confirmed that there are several breeding and non-breeding birds on the appeal site. However, largely as a result of the majority of the site being grassland and therefore unsuitable for breeding bird habitat, only 21 species were found, which is below the threshold of 25 species required to lift the site **to being of 'local importance'**. It is therefore common ground, and I agree, that the site is of below local importance for breeding birds. The willow warbler was discussed at the Inquiry. This is an amber list species of **moderate concern but it is not of 'principal importance' as defined** under s.41 of the Natural Environment and Rural Communities Act 2006 (the NERC Act). It is also not in the Bristol Biodiversity Action Plan (the Bristol BAP). It is a relatively common species. The willow warbler does not, therefore, increase **the importance of the appeal site to being of 'local importance'**.
74. The proposed construction and development would inevitably result in some displacement and loss of habitat. The proposed removal of some of the hedgerows could possibly, although not inevitably, displace the willow warbler permanently. Mitigation would be required and could be secured by condition and through reserved matters submissions, for example through the introduction of a range of structure and forage availability for birds within the proposed landscaping, and the provision of bird boxes. The proposal would therefore be acceptable in this respect.

## Amphibians

75. There are no waterbodies on the appeal site that would support breeding amphibians. The other habitat offers limited features to support amphibians although slow worms were found in the EclA surveys within the grassland habitats. It is proposed to retain sufficient habitat for slow worms during construction and to provide suitable habitat within the proposed landscaping scheme to allow for recolonisation. If it is impossible to retain sufficient suitable habitat during construction then an off-site translocation scheme would be required. All of this could be controlled by condition and reserved matters submissions. The proposal would therefore be acceptable in this respect.

## Invertebrates

76. The EclA surveys found no statutory protected species on the appeal site but it did find nine species of conservation interest, although only the butterflies were of national or regional priority (as listed in the Bristol BAP). Two moth species were found, both of local interest. These were found in the hedgerows and grassland, which provide suitable habitat. One of these species is the **maple moth. This is 'endangered' but only of local interest.**

77. The proposed development would likely lead to a reduction in diversity and abundance of invertebrates as a result of habitat loss and, potentially, light pollution. This could include the maple moth, although a replacement maple tree could be secured by condition. In general, control of landscaping to create suitable habitat and detailed lighting design could be secured by condition and reserved matters submissions. In addition, the timing and method of vegetation removal and re-planting could be controlled by condition to minimise harmful effects and maximise beneficial effects.
78. The loss of some habitat is inevitable as part of development of the appeal site in accordance with the site allocation. The appeal site is only of moderate ecological value with regard to invertebrates. The proposal would therefore be acceptable in this respect.

#### Bats

79. There are no buildings or built structures within the appeal site that provide suitable roosting habitat for bats. However, 17 trees have been identified within the EclA as having bat roost suitability. The surveys did not reveal presence of bats or residual evidence of bats that would indicate current or recent roosting within the site, although bat activity for foraging and commuting was recorded, in particular along the west and south boundaries and along the internal hedgerows. The site is of local importance for foraging bats and up to city importance for commuting bats.
80. Only one tree with bat roost features is proposed to be felled. However, the proposed development would result in some isolation and severance in other areas of the site, for example through the loss of some of the hedgerows. Lighting could also disturb the bats. However, the details of the final landscaping scheme, as controlled by the Parameters Plans, could secure habitat linkages across the site thereby providing suitable alternative commuting routes and foraging habitat for bats. The detail of this and of lighting design mitigation and the provision of bat boxes could be controlled through condition(s) and reserved matters submissions. The proposal would therefore be acceptable in this respect.

#### Biodiversity Net Gain

81. The appellant has committed to providing a Biodiversity Net Gain (BNG) of 10%. The detail of the provisional calculation of BNG is disputed by the Rule 6 Party. If the baseline calculation changes then so also does the calculation of BNG and what is required to meet the 10% (self-imposed) requirement. The Rule 6 Party raised several detailed points<sup>27</sup> and there are three that could have a material effect on the baseline, as follows.
82. Firstly, if the appeal site is still within the Brislington Meadows SNCI it should carry with it a multiplier of 1.15 and a self-evident increase in the baseline calculation. Secondly, the baseline tree canopy cover measurement and **identification of certain trees as 'scrub' rather than as 'urban tree habitat'**<sup>28</sup> or **'individual trees – urban/rural tree'**<sup>29</sup>. The difference in replacement tree calculation, as set out above, is between c.250 and c.650 trees. Thirdly, the

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<sup>27</sup> For example, the strategic significance of the site, the categorisation and extent of some of the hedgerows, the existing canopy coverage of trees, and trading rules and baseline habitat units

<sup>28</sup> Metric 3.0 or 3.1

<sup>29</sup> Metric 4.0

baseline hedgerow units, which is largely linked to whether or not the hedgerows are associated with a bank or ditch. I deal with this point above and conclude that the hedgerows are not likely associated with a bank or ditch, apart from HH7. The final, detailed, BNG calculation would not, therefore, be likely to result in a materially different length of replacement hedgerow requirements to those calculated by the appellants.

83. In addition to the methodological considerations, because the proposal is at outline stage, it is not possible to finalise the BNG baseline. It is therefore only necessary for me to be satisfied that a reasonable worst case of measures are capable of being achieved. As set out at the start of this main issue, given the relative abundance of land nearby to the site which could accommodate off-site BNG measures, I am satisfied in this respect. It has therefore been demonstrated that the proposal could achieve BNG of 10%, subject to control at condition and reserved matters submission stages, and potentially through legal agreements for off-site land.

#### Habitat of Principle Importance

84. Habitats of Principal Importance (HPIs) are those included in the England Biodiversity List under s.41 of the NERC Act, as set out in the definition in the Framework. The NERC Act has a requirement for the conservation and enhancement of HPIs. It is common ground, and I agree, that none of the grasslands on the appeal site qualify as HPI. However, the hedgerows qualify because they are native boundary and linear features. The woodland that runs across the north east part of the appeal site is found to be a deciduous **woodland in the AIA. 'Lowland mixed deciduous woodlands' are HPIs** according to the England Biodiversity List. It is not clear if the woodland on the appeal site precisely meets this description. However, I am happy to treat it as such for robustness.
85. The proposal would therefore result in the loss of some HPIs. However, the proposal would minimise hedgerow loss and the loss to the woodland is necessary to provide the primary access to the site, as set out above. Compensation could be secured by condition and reserved matters submissions.

#### Irreplaceable habitats

86. No veteran trees would be lost or would deteriorate as a result of the proposed development. I acknowledge that the definition for irreplaceable habitats in the Framework is open-ended and that it could, in theory, include habitats on the appeal site other than veteran trees. However, this must be considered in the context of the very high level of protection afforded to irreplaceable habitats. No substantiated evidence has been provided that the hedgerows or other ecological value of the site is of such value that it would justify such a high level of protection. Paragraph 180(c) of the Framework is not, therefore, engaged by the proposal.

#### Overall

87. As I have set out in detail above, the proposal seeks initially to minimise ecological harm, within the context of the allocation policy for the majority of the appeal site. Suitable mitigatory and compensatory measures are also proposed. The proposal therefore follows the mitigation hierarchy as set out in

Paragraph 180(a) of the Framework. Overall, therefore, the proposal would have an acceptable effect on biodiversity. In addition, a BNG of 10% is **proposed, which goes beyond policy requirement for 'a' net gain.**

88. The proposal therefore complies with Policy BSA1201 and by extension Policy SA1 of the SADMP. It complies with Policy BCS9 of the CS which seeks the protection of sites of biological importance subject to appropriate mitigation. It complies with Policy DM19 of the SADMP in this respect, which requires proposals avoid harm to habitats as far as possible and to provide mitigation were necessary. The proposal also complies with Paragraph 174 of the Framework, which require proposals to minimise impacts on and to provide net gains for biodiversity. Paragraph 179 is referenced in the putative reason for refusal but is not relevant to the proposal because it is with regard to plan-making and not decision taking.

### Character and appearance

#### Existing

89. The appeal site is fairly large, at 9.6 ha, and is largely a meadow. It comprises open fields and grassland with hedgerows and trees. There is also a part of the site to the north east which is largely an existing building and hard standing, being a former police station and now lying vacant. There are overhead electricity cables and a pylon on the lower slopes towards the southern boundary. There is also an access limb to the northern part of the site. To the south west is an existing footpath next to the allotments. A further slither of land to the south is within the appeal site, which is currently a pedestrian access to Victory Park.
90. The site slopes fairly steeply, largely from north to south. The appeal site is relatively attractive. It is fairly open. The hedgerows relate to historic field patterns and add visual interest to the site. The smattering of trees, both within and outside the hedgerows, and also one large belt of trees to the north east corner. The trees add visual amenity to varying degrees and some are subject to a TPO. There are two Public Rights of Way (PRoW), one running east-west along the southern boundary, and the other north-south between Belroyal Avenue and Bonville Road. There are also a number of well-trodden informal paths criss-crossing across the site.
91. The site is in a largely urban setting and is bordered by existing residential housing to the north and west. This is suburban housing of nondescript appearance and character. The back gardens of many of the properties directly abut the appeal site, particularly to the north and north east corner. There is also an industrial estate to the east, on the opposite side of Bonville Road. This contains a mixture of commercial uses in a variety of industrial shed-style buildings. Broomhill Junior School and its playing fields and incidental surrounding open space lie adjacent to the appeal site to the north. To the west is School Road with residential properties on the opposite side. There is also an allotment, which lies on the same side of School Road as the appeal site, cutting into the appeal site land. To the south lies Victory Park and also some intervening grazing land.

#### *Valued landscape*

92. Paragraph 174 of the Framework states that proposals should protect and enhance 'valued landscapes'. The term is not defined in the Framework. However, the Landscape Institute's Technical Guidance Note 02/21<sup>30</sup> (the TGN) specifically seeks to create a definition and states that a 'valued landscape' is one which has qualities that elevate it above everyday landscapes<sup>31</sup>. It is common ground between the parties, and I agree, that for a factor to count as an indicator of landscape value above the everyday it needs to be of at least of 'local' value, and not only of 'community' value. The TGN further states that to be a 'valued landscape' it should demonstrate a number of the indicators of landscape value unless one indicator is of such importance that it, on its own, indicates a 'valued landscape'.
93. The hedgerows are of 'local' value because of their rarity in Bristol, they define historic field boundaries, and are distinctive in appearance because of their overgrown nature. However, hedgerows defining historic field boundaries are not a particularly unusual feature of the landscape in the wider area, outside of the built-up area of Bristol. The appeal site, considered as a whole, is relatively attractive, appears to be well used for recreation, and I certainly do not downplay its importance to the local community. However, beyond the hedgerows, the site does not display any characteristics that elevate it above 'community' importance and value. It does not have the appearance of a destination location for the wider area beyond the local community. The hedgerows are not of such importance that, on their own, they elevate the site to a 'valued landscape'.
94. In addition, it is relevant that Map 4 of the SADMP, which details valuable urban landscapes within Bristol, does not include the appeal site. More tellingly, the majority of the appeal site has been allocated for residential development in the SADMP. The appeal site cannot, therefore, logically have been considered as a 'valued landscape' by the Council at the time of adoption of the SADMP and there have been no material changes to the appearance of the landscape since adoption.
95. I therefore find that the appeal site is not a 'valued landscape' with regard to Paragraph 174 of the Framework.

#### The proposal

96. The access drawings show full details of the proposed main vehicular/pedestrian/cycle access, the pedestrian/cycle route through Broomhill Junior School to Allison Road, the emergency/pedestrian/cycle access to Bonville Road including the pedestrian crossing of the road, and the pedestrian/cycle link to School Road and the new zebra crossing. The Parameters Plans confirm the likely route of the primary internal street, the location and extent of the development parcels, the proposed areas of open space including SUDS, and storey heights which would be 4-storeys to the east falling away to 2.5 storeys to the west and only 2-storeys near the existing residential bordering the northern part of the site. They also detail a proposed landscaping strategy to confirm the retention of two oak trees, T5

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<sup>30</sup> Full title: Assessing landscape value outside national designations

<sup>31</sup> See Table 1 of the TGN

and T6, and the broad extent of retention of other existing trees and woodland.

97. The Design Code includes details on the proposed detailed design and includes certain fixed elements that would particularly need to be reflected in any future reserved matters submissions. These include a Regulating Plan which is a composite of the Parameters Plans and the Design Code and shows the location of key buildings, focal points and landscaping types amongst other features. Ecological corridors are also confirmed through a combination of the proposed open space and planting types to front gardens and boundary treatments. Topographical considerations are set out, such as creating open boundary treatments to ease the visual transition between the proposed SUDS and the nearest homes, sloping gardens, the requirement to minimise cut and fill and large retaining features, and the allowance for the possibility of split-level housing.

#### Assessment

98. **Even though not a 'valued landscape', the appeal site is relatively** attractive and contains features of merit, in particular some of the trees and the hedgerow and field pattern. However, the appeal site is also within an urban setting. It is largely surrounded by existing built form and roads, which provide the existing backdrop to the site. As set out in the Townscape and Visual Impact Assessment, dated April 2022, the visibility of the appeal site is confined to its immediate context because of surrounding properties, trees and hedges. However, this does include sensitive receptors from the recreation and pedestrian users of the appeal site. The most sensitive surrounding area is Victory Park to the south, which is only partially screened by intervening vegetation, and also has sensitive receptors from its users. However, even here, the existing surrounding built form is visible in the background.
99. It is an integral part of the assessment of character and appearance that the majority of the appeal site is allocated for residential development. This must, inevitably, involve the wholesale change in character of the site from largely open fields with hedgerows and trees, to largely developed and managed areas of open space. Given this context, the principle of development on the site is acceptable.
100. I acknowledge that until the exchange of Proofs of Evidence for the appeal, the appellant had not highlighted any of the alleged veteran hawthorns as being of any particular status. Many of them were not even listed as individual trees in the AIA. It is therefore likely that the appellant did not give and specific consideration to the alleged veteran hawthorn trees, which I have assessed to be notable trees even if not veteran, as part of the design evolution of the proposal. However, as set out above, only four of these trees would be lost, and I consider this to be an acceptable effect with regard to their character and appearance in the context of the site allocation.
101. Although the principle of development is established by the site allocation, it is still important that a proposal is of high quality design and appropriately **reflects the site's characteristics and constraints**. In this regard, large areas of open space would remain and be proposed, including some hedgerows and trees including one of the primary hedgerow and tree areas along H1. The area of the site nearest Victory Park and other open land to the south would

be the most open and the areas nearest existing built form would be where the proposed housing would be located. The tallest buildings would be located furthest away from the low-rise suburban residential buildings to the north and west of the appeal site. These are all appropriate design responses to the appeal site and its context.

102. Fairly significant earthworks and re-profiling of the site would likely to be necessary. Relatively large SUDS features are also proposed to the southern part of the site. There would, at least in part, be relatively significant level differences between these features and the surrounding residential development. These have the potential to result in unattractive design features and layout, such as retaining walls. However, they are a result of the steep slopes of the appeal site and the shallow bedrock to the north which therefore limits what can be achieved with regard to responding to the challenging topography. Landscaping could be used to at least partially screen some of the level differences. Careful consideration of the detailed layout and the use of features such as split-level housing, as is allowed for in the Design Code, could also be used to at least partially mitigate. This level of detail could be controlled by future reserved matters and condition discharge submissions.
103. The Council has raised concerns regarding some detailed aspects of the proposed layout, such as the demarcation between public and private spaces. However, there is nothing before me that indicates that this level of design detail could not be satisfactorily resolved at the reserved matters stages.

#### Overall

104. The appeal site is a relatively attractive, largely open area of meadowland including fairly substantial hedgerows and some trees of visual merit. Despite the urban context of its surroundings there would be some harm from the proposed development of the site for a substantial residential proposal. Therefore, there would be some conflict with Policy BCS21 of the CS and Policies DM26, DM27 and DM28 of the SADMP, which require high quality design including consideration of local character and distinctiveness. However, this is an inevitable consequence of developing in accordance with the site allocation policy. The scale of the proposal is in accordance with the site allocation. I therefore place limited weight on this consideration.
105. The key design related challenges of the site, in particular the topography, have been appropriately considered and could be appropriately mitigated as far as possible at the detailed design stage. Sensible decisions have been made with regard to building heights, placing the tallest proposed buildings in the least sensitive areas, and the location of the proposed open space being nearest to Victory Park. There is no reason to believe that a high quality design, including consideration of detailed design elements such as public/private land interfaces, could not come forward within the parameters set out in the outline proposal. The proposal would therefore be acceptable with regard to detailed design, subject to control by future reserved matters and condition submissions.

#### OTHER MATTERS

##### Site of Nature Conservation Interest



*On the appeal site*

106. The majority of the appeal site used to be part of the Brislington Meadows Site of Nature Conservation Interest (the SNCI). This part of the appeal site is allocated for development through Policy BSA1201 of the SADMP. However, Defra guidance<sup>32</sup> states that Local Sites Partnerships (the LSP) are responsible for de-designation of an SNCI and that this should only occur if their nature conservation deteriorates<sup>33</sup>. In the case of the appeal site, the LSP was involved with the site allocation process as part of adopting the SADMP<sup>34</sup>. This must have included consideration of the SNCI where it overlaps with Policy BSA1201. However, the LSP has not formally de-designated the SNCI. It is therefore unclear whether or not the majority of the appeal site is still, technically, subject to the SNCI designation.
107. If the majority of the appeal site were to be considered as an SNCI, the proposal would conflict with Policy DM19 of the SADMP, which states that development which would have a harmful effect on the nature conservation value of an SNCI will not be permitted. It would also conflict with Policy BSC9 of the CS which protects sites of biological importance in accordance with their hierarchy. However, this must be considered in the context of Policy BSA1201 and the Development Plan as a whole. Policy BSA1201 of the SADMP is the site specific allocation and therefore must take primacy. There are no further implications of the designation or not as an SNCI, save for Biodiversity Net Gain calculation (see above), because the underlying ecological value of the site does not change based on its designation.

*Near to the appeal site*

108. Irrespective of the above, the residual part of the SNCI remains to the south of the appeal site. The proposal would have limited direct effects on the SNCI through the proposed pedestrian/cycle access to School Road and the drainage works to the south. There would also be the potential for indirect effects, for example from drainage. Any effects could be limited through minimising working footprints and intrusions within the SNCI, and also by retaining scrub and tree habitats and the creation of wet and meadow grasslands along the boundary with the SNCI. This is what is proposed and could be controlled by condition and reserved matters submissions. Compensation and enhancement measures could also be proposed through grassland enhancement in the grazing land adjacent to Victory Park and other measures that could be controlled by updated assessments, which could be secured by condition.
109. The Eastwood Farm SNCI also lies to the north, on the opposite side of Broomhill Road. As established above, a green infrastructure corridor would be provided linking the appeal site to this SNCI as far as possible, although Broomhill Road would remain as a barrier between the two sites. The proposed corridor has ecological challenges but would provide a link of some ecological value. It would also improve the current situation because this part of the appeal site is currently largely hard standing with minimal ecological

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<sup>32</sup> Local Sites: Guidance on their Identification, Selection and Management document, dated 2006

<sup>33</sup> See paragraph 36 of the Defra guidance

<sup>34</sup> See 3.4.1 of the Allocations and Designations Process document for the Submission Version (July 2013) of the SADMP

value and linkages. Future condition and reserved matters submissions could maximise the ecological value of the proposed link to the SNCI.

110. The proposal would therefore have an acceptable effect on the ecological value of the nearby SNCIs and would comply with Policy DM19 of the SADMP and Policy BSC9 of the CS in this respect.

### Accessibility

111. The appeal site is nearby to the Broomhill Road local centre, which is relatively small but does include a Co-op and other shops and services. The larger Bath Road centre is also walkable, approximately 1 km to the south. This provides a fairly wide range of shops and services, including the Brislington Retail Park. It is proposed to create access to the Broomhill Road centre through a new pedestrian and cycle link from the appeal site to Fermaine Avenue. In addition, Broomhill Junior School is next to the site to the north and the nearest secondary school is c.1.3 km to the south, Oasis Brislington Academy, which is a fairly typical distance to travel to a secondary school. Brislington Trading Estate is nearby and provides employment opportunities. It can easily be accessed by foot and a direct connection would be provided by the proposed access along the eastern boundary of the site.
112. Public Right of Way (PRoW) Ref BCC/482/20 runs across east-west across the southern part of the appeal site. PRoW Ref BCC/487/10 runs diagonally across the site to the north east corner. It is proposed to retain and enhance the two PRoW, according with the Policy BSA1201 requirement that PRoW be retained and where appropriate improved. There are also a number of informal routes criss-crossing across the appeal site, most of which would be lost or diverted into the new areas of public open space. Various new links and routes would also be provided across the site, including a north-south pedestrian link that would run through the school and down through the site towards Victory Park. Overall, therefore, the PRoW would be enhanced by the proposal as would general accessibility and informal routes.
113. The wider area is well provisioned in terms of open space, with Victory Park to the south, Nightingale Valley Nature Reserve a short distance to the west and Eastwood Farm Local Nature Reserve a short distance to the north. Connections to the nature reserves would be improved through the provision of new crossings of School Road and Broomhill Road respectively.
114. The site is not near to a railway station. However, the Nu 1 bus service passes along Broomhill Road. This service operates every 15 minutes Monday to Saturday and every 20 minutes on Sundays. It links to Cribbs Causeway and the city centre. Even at night, it is a half hourly service. There are also five other bus routes either along Broomhill or School Roads, offering intermittent services to more local destinations.
115. Overall, the bus service provision is therefore quite good and the appeal site is located close by to a range of services and facilities. Cycle and pedestrian access would be improved. The proposal would therefore offer a genuine alternative to the car for journeys both to the city centre and more locally.

### Archaeology

116. The appellant has undertaken a series of archaeological evaluations, including a desk-based assessment, geophysical survey and trial trenching. Roman

remains have been found but are, at most, of regional significance. Brislington Roman Villa is 900m from the appeal site and any connection has long since been severed. It is common ground between the Council and the appellant, and I agree, that the suitable preservation and recording of these remains could be controlled by condition.

117. The Rule 6 Party has also provided evidence of a World War II bomb crater, medieval footpath and a stock pond, amongst other archaeological features. However, none of these are of anything more than low significance. I also only find low significance from their group value because the features are not connected to one another, either thematically or chronologically. As individual features, and as group value, I assess the archaeological significance of the appeal site to be low, with the exception of the Roman remains which have the potential to be of moderate/regional significance.
118. Policy DM31 of the SADM only expects preservation *in situ* where the archaeological assets are of equivalent importance to scheduled monuments, which is demonstrably not the case at the appeal site because a recent decision by Historic England decided not to schedule the site<sup>35</sup>. This also means that the provisions of Paragraph 200 of the Framework do not apply because, as set out at Footnote 68, this only relates to archaeology of equivalent significance to scheduled monuments. Paragraph 203 of the Framework and Policy DM31 of the SADM expect a proportionate recording and protection of archaeological heritage assets, which is what could be achieved by condition. The proposal is therefore acceptable in these respects.

## Transport

119. The Transport Assessment, dated April 2022 (the TA) concludes that the effect of the proposal, once fully occupied, on local traffic congestion would be acceptable and that there would be no junction capacity issues either at nearby off-site junctions or at the proposed site access junction. The TA includes data where traffic would likely have been lower than pre-Covid restrictions, in late-2021, but not during lockdowns. Equally, it includes historical data from pre-Covid which likely over-estimates the likely vehicle trips now that hybrid or working from home is more common. Overall, and particularly given that the Highways Authority do not object to the methodology of the TA, I am content that the TA represents a robust assessment.
120. It is proposed to better control deliveries and pavement parking along Broomhill Road through the provision of double yellow lines and/or bollards. It is also proposed to introduce traffic calming measures to Broomhill Road, likely through speed tables at junctions. The detail of this would be controlled by condition. Subject to this control, the proposal would likely increase highway safety in the surrounding area. Overall, the Highways Authority do not object to the proposal including all the proposed accesses, either on grounds of highways safety or the free-flow of traffic. The proposal would not, therefore have a severe impact on the road network, and would be acceptable in these respects, complying with Paragraph 111 of the Framework.

## Consultation

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<sup>35</sup> Historic England Reject at Initial Assessment Report, dated 23 February 2023, Ref 1484609

121. There are several letters of objection, including from the Royal Society for the Protection of Birds Bristol Local Group, Brislington Conservation and History Society, the Campaign to Protect Rural England, Councillors Hornchen and Rippington, and Kerry McCarthy MP. The objections raise various concerns in addition to those addressed above, in particular: the effect on highway safety and the free-flow of traffic from the increased traffic that would be caused by the future occupants, particularly around school time; specific concerns regarding construction, including that HGV deliveries should be given a 7.5 tonne limit restriction and that access should be from School Road; the appeal site is an important open site for local people, not just for its visual amenity value but also for its value to overall wellness and mental health; development should be on previously developed land first, not greenfield sites like the appeal site; unacceptable increases in air and noise pollution from the additional traffic the proposal would generate; the proposed works to Bonville Road could increase traffic congestion and harm trade to local businesses if it restricted car parking; surface water flooding on School Road would become worse; increases in pressures for on-street car parking on surrounding roads; unacceptable loss of sunlight and daylight to neighbouring properties caused by the proposed buildings; increased use of local infrastructure by future occupants of the scheme, which are already over-subscribed eg local surgery and schools; the water supply and pressure is already a problem in the area and the proposal would make it worse; and, the proposed vehicular entrance would create too much congestion and harm the living conditions of the existing occupants of the homes near to the proposed entrance.
122. I have taken all these factors into consideration. Most are not in dispute between the main parties. Most **were addressed in the Officer's Report**, with the Council concluding that there would be no material harm in these regards. No substantiated evidence has been submitted that leads me to any different view. Others are addressed in my reasoning above, can be addressed by conditions or are dealt with by the s106.
123. Specifically, the Highways Authority are satisfied that there would be no unacceptable effect on highway safety or the free-flow of traffic. I do not doubt the importance of the appeal site to many local people. However, it is also an allocated site for an estimated 300 homes and I have assessed the proposal in this context throughout my Decision. There is no evidence before me that the proposal would result in increases in air or noise pollution to the extent that it would unacceptably harm the living conditions or health of neighbouring residents. The detail of the proposed works to Bonville Road can be agreed by future submissions and considerations of factors such as car parking and the effect on businesses could be considered by the Council at that stage. The Local Lead Flood Authority are satisfied that the effect of the proposal on surface water flooding would be acceptable. The detail of the proposed on-site car parking would come forward at reserved matters stage along with general Travel Plan measures as could be secured by condition. This would ensure that the effect on on-street car parking to surrounding roads could be suitably controlled. The full detail of the proposed buildings would be agreed at reserved matters stages and would need to ensure that they would have an acceptable effect on the living conditions of neighbours with regard to loss of light. I have no reason to believe this could not be achieved given the distances between the proposed development parcels and existing residential properties and the relatively low proposed building

heights, which would be secured by the Parameters Plans. Water supply pressure is not a material planning consideration. Although the proposed access would create additional traffic at the proposed site entrance, the traffic levels would be relatively low and need to be considered in the context of the existing road, which is quite busy. There would not, therefore, likely be an unacceptable effect on the living conditions of occupants of the existing homes near the proposed entrance.

124. Three letters of support have also been submitted, all of which support the provision of new homes in Brislington. I assess the appropriate weighting to be given to the proposed housing below.

## PLANNING BALANCE

### Positive

#### *Housing*

125. A housing land supply range has been agreed of between 2.24 years and 2.45 years. This is based on a five year housing need of 20,335 homes, at 4,067 dwellings per annum (dpa), and a five year supply of either 10,579 homes (the Council) or 9,102 homes (the appellant). This equates to a shortfall of between 9,756 and 11,233 homes. The housing land supply is on a downward trend, having been at 3.7 years in 2021. **In addition, the Council's Housing Delivery Test results have been 87%, 72% and 74% over the past three years, also on an overall downward trend.**
126. Since 2006, housing delivery in the Council area has averaged 1,750 dpa, at a total of 26,258 homes. This is in excess of the minimum target in the CS of 26,400 homes for the period through to 2026. However, this target is old and should have been reviewed every five years, as set out at Policy BCS5 of the CS. The review has not taken place. The 4,067 dpa figure adopted to calculate housing need is based on the Standard Method, as required by Planning Practice Guidance<sup>36</sup>. However, this includes the 35% Urban Cities and Urban Uplift as well as the 20% buffer to reflect recent poor delivery. In other words, the actual need for the area is 2,510 dpa. Therefore, whilst I agree that 4,067 dpa is the correct figure to use to calculate housing land supply, the additional 1,557 dpa do not represent real need for real people and this must be factored into the consideration of weight to be applied to the proposed housing.
127. Nevertheless, **the Council's delivery, at an average of 1,750 dpa, falls significantly below even the true need figure and there are real world effects from this shortfall in supply.** House prices in Bristol are increasing more quickly than the rest of the Country and affordability rates are worse than for the Country as a whole. These factors sit in the middle of much wider socio-economic considerations. However, it is common sense that the delivery of more housing would help to alleviate these real world effects. I therefore place substantial positive weight on the proposed up to 260 homes.

#### *Affordable housing*

128. Affordable housing delivery in the Council area is approximately 325 dpa since 2006. The CS sets an affordable housing target of 6,650 gross completions. It

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<sup>36</sup> Paragraph: 001 Reference ID: 68-001-20190722

is unclear precisely over which period this is to be calculated against and also how it could reliably be converted into a net figure. The CS also states that the Strategic Housing Market Assessment of the time estimated a net annual requirement of 1,500 dpa. In either calculation, affordable housing delivery has been significantly below affordable housing need for a substantial period of time.

129. As with private housing, there are real world effects from the shortfall in supply. For example, there were over 4,000 applicants on the housing register in Bristol South in 2021, the latest data presented to me at the Inquiry. The proposed affordable housing provision would be 30% of the total units, secured through the s106. I therefore place substantial positive weight on the proposed up to 78 affordable homes.

#### *Ecology*

130. The proposal accords with the mitigation hierarchy, seeking initially to minimise ecological harm, then proposing suitable mitigatory and compensatory measures. A green infrastructure link is proposed through the appeal site up towards Broomhill Road SNCI. This would likely improve this ecological link because of the current hard standing and poor quality scrub land in this area. The proposal is also for a 10% BNG to be achieved. This exceeds the **policy requirement for 'a' net gain**, as set out at Paragraph 174 of the Framework. I therefore place significant positive weight on this factor.

#### *Economic*

131. There would be short term job creation from construction of the proposal and long term from increased spending in the area by future residents. The appeal site is in a relatively deprived part of Bristol which makes this factor particularly important. An Employment and Skills Plan could be secured by condition to help target the job creation at local people. I place significant positive weight on this factor.

#### *Accessibility and connectivity*

132. The appeal site is relatively accessible to services and facilities, as set out above. The proposal would increase the accessibility and connectivity through the proposed pedestrian and cycle links, new road crossings and the improvements to the PRow, which would particularly enhance access for the disabled. This would improve connectivity for both future occupants of the appeal scheme and existing residents in the area. I place significant positive weight on these factors.

#### *Open space and recreation*

133. Substantial new areas of managed open space are proposed. Play areas could be secured by condition. Links would be provided to Victory Park to the south and an enhanced link to Eastwood Park would be provided. The new areas of open space would include fairly extensive areas for SUDS which would likely only be partially useable for recreation, even if they would be of visual amenity value. However, these would still provide some recreation value and substantial areas of open space are proposed in addition to the SUDS areas. Full details of the proposed open space and recreation could be controlled by future reserved matters and condition discharge submissions. The open space

areas could be enjoyed both by future residents of the proposal and existing residents in the area. Overall, I place moderate positive weight on this factor.

*Highways*

134. There would be some worsening of the free-flow of traffic from the traffic generated by the future occupants of the proposed homes. However, this would be relatively limited and it is common ground, and I agree, that the proposal would have an acceptable effect on the free-flow of traffic and highway safety on surrounding roads. The Highways Authority do not object to the proposal on these grounds. It is also proposed to provide traffic calming and parking control measures along Broomhill Road, which would provide highway safety improvements not just for future occupants of the proposal but for other users of the highway. This would likely increase highway safety. I place limited positive weight on this factor

Neutral

*Character and appearance*

135. That the final design could be of high quality, as could be secured by future condition and reserved matters submissions, weighs neutrally in the planning balance, because high quality design is a policy requirement and the full details of the eventual detailed design are not before me at this stage.

*Local infrastructure*

136. The s106 secures appropriate payments towards local infrastructure, such as transport infrastructure. Subject to these payments, the proposal would mitigate the effects of the increased pressure on local infrastructure from the future occupants of the proposed homes. This therefore weighs neutrally in the planning balance.

*Archaeology*

137. As individual features, and as group value, the archaeological significance of the appeal site is low, with the exception of some Roman remains which have the potential to be of moderate/regional significance. Suitable preservation and recording could be secured for these features by condition. This therefore weighs neutrally in the planning balance.

*Technical*

138. It has been demonstrated that the proposal would accord with policies and standards with regard to energy efficiency, flood risk and drainage, refuse and recycling, designing out crime, air quality, noise pollution and land contamination, or that compliance could be secured by condition, through the s106 or at reserved matters stages. These technical factors therefore weigh neutrally in the planning balance.
139. It is common ground, and I agree, that the formal diversion and changes to the existing PRoW would need to be pursued under separate statutory processes. This would likely be forthcoming in the event of planning permission being granted. This factor therefore weighs neutrally in the planning balance.

Negative

*Character and appearance*

140. There would be some harm to the character and appearance of the site and the area because of the proposal to comprehensively develop an existing, open, pleasant site largely comprising fields, hedgerows and trees. However, I place limited negative weight on this harm because it must be seen in the context of the site allocation.

*Trees and hedgerows*

141. It is proposed to fell approximately 25% of the existing tree/woodland habitat on the appeal site. This would include four notable hawthorns, an area of fairly high quality woodland, and three trees subject to a TPO. Up to 74% of the internal hedgerows, and some of the boundary hedgerows, would be lost. However, fairly significant elements of hedgerow would be retained broadly in accordance with the hierarchy of their relative importance. I place limited negative weight on these harms because they must be seen in the context of the site allocation.

*Ecology*

142. Although a BNG would eventually be secured, the proposal would result in the loss of biodiversity on the appeal site, in particular the loss of hedgerows. This must be weighed in the balance because some of the mitigatory and compensatory measures would take a long time to fully generate biodiversity value, and because there is an inherent harm from the loss of long established and valuable habitats, such as the notable hawthorn trees and some of the hedgerows. However, I place limited negative weight on this harm because it must be seen in the context of the site allocation.

*Open space and recreation*

143. The proposal would result in the loss of the existing meadows. These provide formal and informal recreation opportunities, are easily accessible to nearby residents and are extensive in size. Although there would be replacement open space, the proposal would still result in the overall loss of open land of amenity and recreational value. However, I place limited negative weight on this harm because it must be seen in the context of the site allocation.

CONDITIONS

144. A schedule of conditions was agreed between the parties ahead of the Inquiry. This was discussed through a round-table session at the Inquiry. I have considered the conditions against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents and in the interests of clarity, precision, and simplicity. The appellant has confirmed acceptance of the pre-commencement conditions. I set out below specific reasons for each condition:
- in addition to the standard time limit, reserved matters and implementation conditions, a condition specifying the relevant drawings provides certainty;
  - the Construction Management Plan/Construction Method Statement (CMP/CMS) is necessary to protect the living conditions of neighbours;
  - the Open Space Design and Management Plan (OSDMP), Overheating Risk Assessment (ORA), Noise Mitigation Scheme (NMS), and general



highways and parking conditions are necessary to ensure suitable living conditions for future occupiers of the development;

- the OSDMP, landscaping, tree and hedgerow retention, Landscape and Ecological Management Plan (LEMP), general highways and parking, Lighting Impact Assessment (LIA), Public Art Plan, and Design Code conditions are necessary to protect and/or enhance the character and appearance of the area;
- the landscaping, tree and hedgerow retention, Biodiversity Net Gain (BNG) Assessment, BNG Strategy, Project Implementation Plan (PIP), Construction Ecological Management Plan (CEcMP), Landscape and Ecological Management Plan (LEMP), Ecological Mitigation & Enhancement Strategy (EMES), updated Ecological Impact Assessment (uEclA), Ecological Mitigation Method Statements (EMMS) and LIA conditions are necessary to protect existing biodiversity, to secure the proposed 10% BNG, and to ensure maintenance of the relevant measures;
- the CMP/CMS, adoptable highways, general highways and parking, junction between the site and Broomhill Road, emergency vehicle/pedestrian/cycle link to Bonville Road, and Travel Plan conditions are necessary to protect highway safety and/or the free-flow of traffic;
- the CMP/CMS, Written Scheme of Investigation (WSI), Remediation Strategy, surface water management, verification report, site investigation and post investigation assessment, and unexpected contamination conditions are necessary to ensure the proposal would have acceptable effects with regard to these technical considerations;
- the Phasing Plan, and general highways and parking are necessary to ensure a satisfactory standard of development;
- the CMP/CMS, Sustainability Statement, Energy Statement, Travel Plan, and Electrical Vehicle Charging conditions are necessary to ensure that the proposal reduces carbon dioxide emissions and therefore to mitigate climate change and assist in moving to a low carbon economy as set out in Paragraph 8 of the Framework;
- the CMP/CMS, the pedestrian/cycle link to Allison Road/Fermaine Avenue, a pedestrian/cycle link to School Road, and Travel Plan conditions are necessary to encourage the use of a range of modes of transport other than the car; and,
- the Employment and Skills Plan condition is necessary to ensure that the full potential for the proposal to contribute to local jobs is captured, in accordance with Policy BCS11 of the CS.

145. The BNG Strategy, Employment and Skills Plan, Phasing Plan, CEcMP, LEMP, CMP/CMS, tree and hedgerow retention, OSDMP, landscaping, WSI, Sustainability Statement, Energy Statement, ORA, NMS, Remediation Strategy, BNG Assessment, PIP, EMMS, uEclA and EMES conditions are necessarily worded as pre-commencement conditions, as a later trigger for their submission and/or implementation would limit their effectiveness or the scope of measure which could be used.

146. The Council requested a condition to survey the existing condition of existing adopted highway over an area to be agreed with the Council. However, the effect of construction traffic on existing adopted highways is not a material planning consideration. I have not, therefore included this condition.

147. The need or otherwise for a revised Design Code, including whether or not it could be secured by condition, was discussed at the Inquiry. However, this is

not required because I have found that the detailed design of the proposal could be adequately controlled and secured at reserved matters and condition discharge stages using the existing Design Code. If it is decided that the Design Code needs to change, for whatever reason, then there is nothing preventing this being submitted at that point outside of the condition discharge process. I have not, therefore included this condition.

148. I have used the Biodiversity Metric 3.0 in the relevant conditions because NE has provided transitional guidance that users should continue to use the previous metric for the duration of the project it is being used for. The conditions have been suitably worded so that if Metric 4.0, or any other metric, were to become a statutory requirement, this could be accommodated.

#### CONCLUSION

149. The proposal complies with Policy BSA1201 of the SADMP, which is the site-specific allocation policy and the primary policy for the appeal proposal. I have found conflicts with Policy BCS21 of the CS and Policies DM26, DM27 and DM28 of the SADMP with regard to character and appearance, and Policy DM17 of the SADMP with regard to aged trees. There would also be further harms with regard to loss of trees and hedgerows, ecology, and loss of open space and recreation. However, I place limited weight on these factors because they must be seen in the context of the site allocation. It therefore follows that the proposal accords with the Development Plan read as a whole. The benefits of the proposal significantly outweigh the harms and there are no material considerations that would indicate my decision should be made otherwise. Therefore, although the Council cannot demonstrate a five year supply of housing land, it is not necessary for me to consider Paragraph 11(d) of the Framework.

150. For the reasons above, the appeal is allowed.

*O S Woodward*  
INSPECTOR

## ANNEX A: APPEARANCES

### FOR THE LOCAL PLANNING AUTHORITY:

Tom Cosgrove KC. He called:

Julian Forbes-Laird MICFor MRSB MRICS MEWI	Senior Director, FLAC
Rupert Higgins MCIEEM Antonia Whatmore	Partner, Wessex Ecological Consultancy Landscape Architect and Urban Designer, Bristol City Council
Nitin Bhasin Gary Collins MRTPI	Principal Urban Designer, Bristol City Council Head of Development Management, Bristol City Council
Richard Sewell MRTPI Joanne Mansfield	Principal Planning Officer, Bristol City Council Team Manager Legal Services, Bristol City Council
Jim Cliffe MRTPI	Planning Obligations Manager, Bristol City Council
Matthew Cockburn MCIHT	Transport Development Management Co- ordinator, BCC

### FOR THE APPELLANT:

Charles Banner KC and Matthew Henderson, of Counsel. They called:

Tom Popplewell MICFor	Associate, TEP
Paul Connelly MRTPI	Director, LDA Design
Amir Bassir MCIfA	Principal Historic Environment Consultant, TEP
Francis Hesketh MCIEEM CEnv CMLI MICFor	Director, TEP
Charles Crawford CMLI	Director, LDA Design
Alex Roberts MIED	Director, Lambert Smith Hampton
James Clark	Managing Associate, Womble Bond Dickinson (UK) LLP
Lucy Aspden MRTPI	Associate, LDA Design
David Tingay MCIHT	Director, Key Transport Consultants Ltd

### FOR THE RULE 6 PARTY:

Mark CD Ashdown	Chair, Bristol Tree Forum
Ken Taylor	Chair, Brislington Community Museum

### INTERESTED PERSONS:

Mr Dickinson	Local resident
Dougal Matthews	Local resident
Janet Wren	Local resident

## ANNEX B: DOCUMENTS SUBMITTED DURING AND AFTER THE INQUIRY

- 1 Julian Forbes-Laird Tree Photographs
- 2 BNG Tree Analysis Model v3.2
- 3 Brislington Meadows Metric 3.0 Calculation – R6 Party Comments
- 4 The Town and Country Planning (Tree Preservation) (England) Regulations 2012
- 5 Key to Donn 1769 Map
- 6 FLAC Website Extracts
- 7 Opening Statement on behalf of Homes England, dated 31 January 2023, by Charles Banner KC and Matthew Henderson
- 8 Opening Statement on behalf of the LPA, dated January 2023, by Tom Cosgrove KC
- 9 Rule 6 Party Opening Statement, dated 31 January 2023, by Mark CD Ashdown
- 10 National Planning Policy Framework 2012 – Annex 2: Glossary Extract
- 11 Email from Gary Collins regarding M Bennett Qualifications
- 12 Council-owned land on Brislington Meadows SNCI
- 13 Letter from resident of 11 Condoover Road, Brislington, undated
- 14 Compliance with s.122 of the CIL Regulations Table
- 15 PDF extract from the Council's Pinpoint map service
- 16 Email from Lucy Aspden, dated 21 February 2023, in response to Friends of Victory Park
- 17 **Appellant's Planning PoE – Erratum**
- 18 Inquiry Note on Tree Survey and TPO Reference Numbers, dated 8 February 2023, by The Environment Partnership and email from Tom Popplewell, dated 9 February 2023, in response
- 19 **Comparison between the Appellant's Original AIA – 26 May 2022 and TEP corrections of 8 February 2023**
- 20 Quantum of Open Space Note, dated 2 March 2023, by LDA Design
- 21 Rule 6 Party Note, dated 7 March 2023
- 22 Statement of Common Ground between the Council and the Appellant, dated 8 March 2023

### *Fire hydrants*

- 23.1 Avon Fire & Rescue Letter, dated 15 November 2019, by SM Martyn White
- 23.2 Fire Hydrant Location Plan
  
- 24 Proposed Site Visit Route
- 25 LDA Design Note, undated, regarding conditions 19, 20, public art and fire hydrants

### *Public art*

- 26.1 Public Art Strategy Bristol, dated 2003
- 26.2 Draft Public Art Condition Wording
- 26.3 Appeal Decision Ref APP/Z0116/W/18/3210502, dated 2 April 2019
- 26.4 Minister of State for Housing, Stuart Andrew MP, Decision, dated 13 April 2022 – Land at Silverthorne Lane, Silverthorne Lane,

Bristol, BS2 0QD, Appeal Refs APP/Z0116/V/20/3264641 and 3264642

- 27 Closing submissions on behalf of the Council, dated 9 March 2023, by Tom Cosgrove KC

*Rule 6 Closings*

- 28.1 Rule 6 Party closing submissions, dated 9 March 2023  
28.2 *TV Harrison CIC v Leeds City Council* [2022] EWHC 1675 (Admin)  
28.3 *Mark Jopling v Richmond-Upon-Thames London Borough Council & SSHCLG* [2019] EWHC 190 (Admin)  
28.4 *Fox Land and Property Ltd v SSCLG* [2015] EWCA Civ 298  
28.5 *Gladman Developments Ltd v SSHCLG & Corby Borough Council & Uttlesford District Council* [2021] EWCA Civ 104  
28.6 *The Queen v Douglas Bond & Vale of White Horse District Council* [2019] EWHC 3080 (Admin)

***Appellant's closings***

- 29.1 Closing submissions on behalf of Homes England, dated 9 March 2023, by Charles Banner KC and Matthew Henderson  
29.2 *The Queen v Fareham Borough Council* [2022] EWHC 1434 (Admin), [2022] EWCA Civ 983  
29.3 *Kingsway Investments (Kent) Ltd v Kent County Council* [1971] [House of Lords]  
29.4 A: *R(Holborn Studios Ltd) v Hackney LBC (QBD)* [2018] PTSR  
B: *R(Brenner) v Hackney London Borough Council* [2017] EWHC 2823 (Admin)
- 30 Rule 6 Party Submissions, dated 6 April 2023  
31 Biodiversity Net Gain Metric 4.0 Note Ref 42-1061\_JFL  
32 Supplementary Submissions on behalf of Homes England, dated 6 April 2023, by Charles Banner KC and Matthew Henderson  
33 Summary of Changes - The Biodiversity Metric Version 3.1 to 4.0, dated March 2023  
34 The Biodiversity Metric 4.0 User Guide, dated March 2023  
35 S106 Agreement, dated 31 March 2023

## ANNEX C: SCHEDULE OF PLANNING CONDITIONS

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved drawings: 7456\_016, 102 PL2, 101 PL2, 103 PL2, 104 PL2, 1066-003.H, -007.D, -014, -016.

### Pre-commencement

- 5) No development shall take place (including any works of demolition) until the developer/occupier enters into an agreement with the City Council to produce and implement an Employment and Skills Plan in collaboration with Building Bristol that aims to maximise the opportunities for local residents to access employment offered by the development. The approved plan shall thereafter be adhered to in accordance with an agreed timetable.
- 6) No development shall take place until a Construction Ecological Management Plan (CEcMP), to be informed by the updated Ecological Impact Assessment as secured by Condition 26, has been submitted to and approved in writing by the Local Planning Authority. The CEcMP shall include, but not be limited to:
  - a) a risk assessment of potentially damaging construction activities;
  - b) identification of "**biodiversity protection zones**";
  - c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction eg pollution events;
  - d) the location and timings of sensitive works to avoid harm to biodiversity features;
  - e) the times during construction when specialist ecologists need to be present on site to oversee works;
  - f) responsible persons and lines of communication;
  - g) the role and responsibilities on site of an Ecological Clerk of Works or similarly competent person; and,
  - h) use of protective fences, exclusion barriers and warning signs if applicable.

Construction and demolition shall thereafter adhere to the approved CEcMP.

- 7) No development shall take place until a Phasing Plan of the development has been submitted to and approved in writing by the Local Planning Authority.
- 8) No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing

- by the Local Planning Authority. The LEMP is to be informed by the requirements identified in the updated Ecological Impact Assessment as required by Condition 26. The LEMP shall include, but not be limited to:
- a) description and evaluation of features to be managed;
  - b) ecological trends and constraints on site that might influence management;
  - c) aims and objectives of management;
  - d) appropriate management options for achieving aims and objectives;
  - e) prescriptions for management actions;
  - f) programme of ecological monitoring, setting out key performance indicators for each feature of interest covered by the plan against which monitoring results should be reviewed;
  - g) prescription of a work schedule (including a 30-year annual work plan – to be reviewed and submitted to the Council every five years);
  - h) details of the body or organisation responsible for implementation of the plan and defined role and responsibilities;
  - i) ongoing monitoring and remedial measures; and,
  - j) details of a resourcing and funding budget.
- 9) Prior to the commencement of each Phase of the development, as defined by the Phasing Plan in Condition 7 (including any demolition works), a Construction Management Plan (CMP)/Construction Method Statement (CMS) for that Phase shall have been submitted to and approved in writing by the Local Planning Authority. The approved CMP/CMS shall be adhered to throughout the demolition and construction period. The CMP/CMS shall include, but not be limited to:
- a) a 24 hour emergency contact number;
  - b) the hours of operation;
  - c) details of parking for vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
  - d) routes for construction traffic;
  - e) locations for loading/unloading and storage of plant, waste and construction materials;
  - f) method(s) of preventing mud being carried onto the highway;
  - g) measures to protect vulnerable road users (cyclists and pedestrians);
  - h) any necessary temporary traffic management measures;
  - i) arrangements for turning vehicles;
  - j) arrangements to receive abnormal loads or unusually large vehicles;
  - k) methods of communicating the CMP/CMS to staff, visitors and neighbouring residents and businesses; and,
  - l) methods to reduce the effects of noise, vibration, dust and site lighting.
- 10) Prior to the commencement of each Phase of the development, as defined by the Phasing Plan in Condition 7, (including demolition and all preparatory work) a scheme for the protection of retained trees and hedgerows within that Phase, in accordance with BS5837:2012, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to:

- a) identification of the trees and hedgerows to be retained, and those to be removed or translocated, to include a scaled plan;
- b) all proposed pruning work;
- c) the means by which retained or translocated trees and hedgerows will be protected throughout the construction period, including by temporary fencing and/or other physical barriers;
- d) where within the Phase mitigation of any kind (other than temporary barriers) is necessary in order to prevent harm to retained trees and/or hedgerows;
- e) how all operations with the capacity to harm a retained tree and/or hedgerow will be controlled to avoid harm during the operation (eg access, earthworks, level changes);
- f) the specification, design and arrangement of built structures near to trees and/or hedgerows, wherever this is necessary to prevent harm during the construction, operation or maintenance of the structure (eg surfaces, drainage, utilities, buildings);
- g) a schedule of independent monitoring of tree and/or hedgerow works, tree and/or hedgerow protection, relevant construction activities, and reporting to the Local Planning Authority on progress and compliance with the approved measures; and,
- h) a Veteran Tree Management Plan for each veteran tree that is retained within the Phase, including a detailed description of the tree, management objectives, buffer zone definitions, protection measures, restrictions, works prescriptions, landscaping, and a regime of monitoring.

A pre-start site meeting shall be held between the site manager (principal contractor), project arboriculturist, project ecologist, external works contractor, and tree works contractor to review the approved works and protection details, establish roles and responsibilities, and to commence regular monitoring. The Local Planning Authority shall be given at least two weeks' notice of the date of this meeting. The development of each Phase thereafter shall be implemented in strict accordance with approved details.

- 11)
  1. Prior to the commencement of each Phase of the development, as defined by the Phasing Plan in Condition 7, an Open Space Design and Management Plan (OSDMP) for that Phase shall be submitted and approved in writing by the Local Planning Authority. Details shall include, but not be limited to:
    - a) the land identified for open space for public recreation and sport;
    - b) how the open space shall be laid out and/or constructed; and,
    - c) the management company responsible for maintaining and repairing the open space.
  2. The OSDMP for each Phase shall be implemented as approved and the open space shall be used and maintained for public recreation and sport in accordance with the approved OSDMP for the lifetime of the development.
- 12)
  1. Prior to the commencement of each Phase of the development, as defined by the Phasing Plan in Condition 7, details of the treatment of all parts of the site comprised in that Phase and not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. Details shall include, but not be limited to:



- a) the location, type and materials to be used for hard landscaping including Stockholm specifications for:
  - i. permeable paving;
  - ii. underground modular systems;
  - iii. soil aeration vents;
  - iv. soil type, biochar content and soil volumes available for each tree;
  - v. sustainable urban drainage integration, utilising rainwater run-off to supplement tree planting pits;
  - vi. works within tree Root Protection Areas (RPAs);
- b) a scaled plan and a schedule detailing species, sizes and numbers/densities of all proposed trees, plants and hedgerows. The number of proposed trees shall comply with a calculation to be made in accordance with the Bristol Tree Replacement Standard. Proposed trees shall be in locations where they are able to grow to full size, and trees in rear and front gardens shall not be counted for this purpose;
- c) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
- d) types and dimensions of all boundary treatments.

2. Each Phase shall be landscaped strictly in accordance with the approved details for that Phase and in the first planting season after completion or first occupation of the development within that Phase, whichever is the sooner. All soft landscaping shall have a written five-year maintenance programme following planting. Any tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years shall be replaced. Any replacement planting shall be in accordance with the approved details.

- 13) Prior to the commencement of each Phase of the development, as defined by the Phasing Plan in Condition 7, the developer shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) for that Phase which shall have previously been submitted to and approved in writing by the Local Planning Authority.
- 14) Prior to the commencement of each Phase of the development, as defined by the Phasing Plan in Condition 7, a Sustainability Statement demonstrating how sustainable design principles and climate change adaptation measures have been incorporated into the design and construction of the development within that Phase shall have been submitted to and approved in writing by the Local Planning Authority. The development within that Phase shall thereafter be constructed in full accordance with the Sustainability Statement.
- 15) 1. Prior to the commencement of each Phase of the development, as defined by the Phasing Plan in Condition 7, an Energy Statement for that Phase shall have been submitted to and approved in writing by the Local Planning Authority. The Energy Statement shall demonstrate how the energy hierarchy has been followed, how the heat hierarchy has been applied and how a 20% reduction in carbon dioxide emissions beyond

residual emissions through renewable technologies has been achieved including full technology specifications and locations.

2. Prior to occupation of each Phase, as defined by the Phasing Plan in Condition 5, evidence demonstrating that the approved measures for that Phase have been implemented, together with detail of ongoing management and maintenance to ensure the measures continue to achieve the predicted CO2 emissions reduction, shall have been submitted to and approved in writing by the Local Planning Authority.

- 16) Prior to the commencement of each Phase of the development, as defined by the Phasing Plan in Condition 7, an Overheating Risk Assessment (ORA) for that Phase (based on a recognised methodology and criteria such as C.I.B.S.E TM52/ TM59 or equivalent) together with details of mitigation measures in the event that the ORA identifies risks for any units/rooms, shall have been submitted to and approved in writing by the Local Planning Authority. The approved measures must then be implemented prior to the first occupation of that Phase.
- 17) Prior to the commencement of each Phase of the development, as defined by the Phasing Plan in Condition 7, a Noise Mitigation Scheme (NMS) for the residential accommodation within that Phase shall have been submitted to and approved in writing by the Local Planning Authority. The NMS shall take into account the recommendations set out in the Noise Impact Assessment Ref A3949/N/02 and shall detail the required façade insulation, means of ventilation and acoustic fencing. The NMS shall thereafter be implemented in full prior to the commencement of the relevant part of the development.
- 18) Prior to the commencement of each Phase of the development, as defined by the Phasing Plan in Condition 7, a Remediation Strategy (RS) for that Phase shall have been submitted to and approved in writing by the Local Planning Authority. The RS shall include, but not be limited to:
  - a) a site investigation scheme, to provide information for appropriate assessment of the risk to all receptors that may be affected, including those off-site;
  - b) the results of the site investigation and the risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and,
  - c) a Verification Plan providing details of the data that will be collected to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The RS shall thereafter be implemented as approved.

- 19) Prior to the commencement of each Phase of the development, as defined by the Phasing Plan in Condition 7, an updated Biodiversity Net Gain (BNG) Assessment for that Phase shall have been submitted to and approved in writing by the Local Planning Authority. The BNG Assessment shall be based on an updated Ecological Survey of the site and the detailed design proposals for that Phase as agreed in the relevant reserved matters submission(s). The BNG Assessment shall use the Biodiversity Metric 3.0 Calculation Tool unless an amended statutory

Biodiversity Metric Calculator associated with the Environment Act 2021 becomes mandatory.

- 20) Prior to the commencement of each Phase of the development, as defined by the Phasing Plan in Condition 7, a Project Implementation Plan (PIP) shall be submitted to and approved in writing by the Local Planning Authority. The PIP shall detail the delivery of on and off-site ecological and Biodiversity Net Gain (BNG) mitigation and compensation, in accordance with the approved BNG Strategy. The purpose of the PIP shall be to ensure that a framework is adopted by all relevant parties which ensures a consistent, integrated and common approach for the delivery of the agreed scheme targets for ecology and BNG. The PIP shall include timescales, phasing, critical pathways, programme risks, roles and responsibilities, communication pathways, and project controls as may be required to ensure the successful delivery of the combination of mitigation and compensation measures on and off site. The PIP shall thereafter be adhered to.
- 21) 1. Prior to the commencement of each Phase of the development, as defined by the Phasing Plan in Condition 7, an Ecological Mitigation and Enhancement Strategy (EMES) for that Phase shall have been submitted to and approved in writing by the Local Planning Authority.
2. Within one year of substantial completion of each Phase, evidence that the measures approved under the EMES have been delivered for that Phase shall be submitted to the Local Planning Authority.

#### Reserved matters

- 22) The reserved matters submission(s) for each Phase of the development, as defined by the Phasing Plan in Condition 7, shall include a plan showing all roads, paths and parking spaces to be constructed to an adoptable standard, which are proposed to be offered for adoption.
- 23) The reserved matters submission(s) for each Phase of the development, as defined by the Phasing Plan in Condition 7, shall be accompanied by the following:
- a) a plan showing swept path analysis for all carriageways for a refuse truck passing a large car;
  - b) a plan showing appropriate forward visibility splays;
  - c) a plan showing vehicular visibility splays at junctions;
  - d) speed reduction measures where appropriate;
  - e) cross and long sections with spot heights and gradients for the carriageways/shared surfaces;
  - f) a plan showing the details of car parking;
  - g) a plan showing the details of secure cycle parking;
  - h) a plan showing the solutions for the storage and collection of refuse and recycling; and,
  - i) a proposal for the modification of the walking and cycling links through the site.
- 24) The first reserved matters submission(s) shall include full details of a Surface Water Management Scheme (SWMS) for the site and the phasing thereof. The SWMS shall accord with the principles and objectives of the Flood Risk Assessment and outline drainage strategy (April 2022) and the Design Code (April 2022). The development shall thereafter be carried out in accordance with the approved details.

- 25) 1. Prior to, or concurrent with, the submission of the first reserved matters submission(s), a Biodiversity Net Gain (BNG) Strategy shall have been submitted to and approved in writing by the Local Planning Authority. The BNG Strategy shall detail proposals to redress loss of biodiversity and the mitigation strategy proposed to include all on-site habitats and any off-site habitats required to deliver the target 10% BNG uplift. This shall be informed by a contemporary habitat survey and condition assessment of the whole site and any off-site habitats. The BNG Strategy shall use the Biodiversity Metric 3.0 Calculation Tool unless an amended statutory Biodiversity Metric Calculator associated with the Environment Act 2021 becomes mandatory.
2. On completion of each Phase, an update to the BNG Strategy shall be submitted to the Local Planning Authority, demonstrating how BNG has been delivered for that Phase and how the target 10% is anticipated to be delivered during the remaining course of development.
- 26) The first reserved matters submission(s) shall include an updated Ecological Impact Assessment (EclA), prepared in accordance with published CIEEM guidelines and informed by the Outline Ecological Impact Assessment (TEP Ref. 7507.20.066 v6 April 2022). The updated EclA should be updated for each Phase thereafter. This shall include repeat protected species surveys as appropriate.
- 27) The first reserved matters submission(s) shall include combined Ecological Mitigation Method Statements (EMMS). The EMMS shall include, but not be limited to, information on the following:
- a) native bluebell (preservation, translocation or mitigation for loss);
  - b) invasive species (prevention of spread);
  - c) slow worm (protection of slow worms, translocation plan in line with Natural England guidelines, and mitigation for habitats);
  - d) birds (protection of nests and mitigation for nesting habitat);
  - e) invertebrates (protection of key habitat features and mitigation for habitats);
  - f) badgers (protection and mitigation for habitats and/or setts);
  - g) hedgehogs and other small wildlife including terrestrial amphibians (protection of animals and mitigation for habitats, including permeability measures);
  - h) bats (protection of and mitigation for tree roost habitats and commuting/foraging habitat); and,
  - i) measures to avoid and minimise harm to the Brislington Meadows Site of Nature Conservation Interest (to include measures related to the drainage connection works).

#### Pre-specific part of the development

- 28) No development shall take place above ground level until full details of the junction between the site and Broomhill Road have been submitted to and approved in writing by the Local Planning Authority. The details shall be in broad accordance with drawing Ref 1066-007.D. No dwelling hereby approved shall be occupied until that junction has been constructed in accordance with the approved details.
- 29) No development shall take place above ground level until details of the pedestrian/cycle link to Allison Road/Fermaine Avenue have been submitted to and approved in writing by the Local Planning Authority. The

details shall be in general accordance with drawing Ref 1066-003. The works shall thereafter be constructed in accordance with the approved details and be completed in accordance with the agreed Phasing Plan as secured through Condition 7.

- 30) No development shall take place above ground level until details of the emergency vehicle/pedestrian/cycle link to Bonville Road have been submitted to and approved in writing by the Local Planning Authority, including details of construction access arrangements and measures to prevent vehicular access (other than emergency vehicle access) once the development has reached practical completion. The details shall be in general accordance with drawing Ref 1066-014. The works shall thereafter be constructed in accordance with the approved details and be completed in accordance with the agreed Phasing Plan as secured through Condition 7. Once the development is complete, the link shall at no time be used as a vehicular access apart from emergency access.
- 31) No development shall take place above ground level until details of the improvements to the existing footpath to provide a pedestrian/cycle link to School Road have been submitted to and approved in writing by the Local Planning Authority. The details shall be in general accordance with drawing Ref 1066-016. The works shall thereafter be constructed in accordance with the approved details and be completed in accordance with the agreed Phasing Plan as secured through Condition 7.
- 32) The occupation of the development hereby approved shall not take place until:
  - a) the Local Planning Authority has approved in writing a scheme of off-site highway improvement works comprising:
    - i. traffic calming to control speeds and pedestrian improvements on Broomhill Road;
    - ii. provision of zebra crossing on School Road;
    - iii. pedestrian improvements through the Bonville Trading Estate; and,
  - b) the approved works have been completed in accordance with the Local Planning Authority's written approval and have been certified in writing as complete on behalf of the Local Planning Authority.
- 33) Prior to works above ground level in each Phase of the development, as defined by the Phasing Plan in Condition 7, details for any proposed external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The details shall be in the form of a Lighting Impact Assessment (LIA), requiring a baseline light survey and the detailed lighting scheme showing lux levels. The LIA shall include, but not be limited to:
  - a) the Lighting Design Principles set out in the Outline EclA (TEP 7507.20.066 v6 April 2022) and Updated EclA under Condition 26; and,
  - b) contemporary guidance from Bat Conservation Trust and Institute of Lighting Professionals.

No new artificial lighting should be introduced within the southern greenspaces of the site. The development shall thereafter be constructed in accordance with the approved LIA.

Pre-occupation

- 34) Prior to occupation of each Phase of the development, as defined by the Phasing Plan in Condition 7, a Verification Report (VR) demonstrating completion of works for that Phase shall have been submitted to and approved in writing by the Local Planning Authority. The VR shall set out the approved remediation strategy and the effectiveness of the remediation. The VR shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any Long-term Monitoring and Maintenance Plan (LMMP) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the LMMP. The LMMP shall be implemented as approved.
- 35) Prior to occupation of any residential unit within each Phase of the development, as defined by the Phasing Plan in Condition 7, a Travel Plan (TP) for that Phase shall have been submitted to and approved in writing by the Local Planning Authority. The TP shall comprise immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use. The approved TP shall thereafter be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.
- 36) Prior to occupation of any residential unit within each Phase of the development, as defined by the Phasing Plan in Condition 7, details of Electrical Vehicle Charging infrastructure for that Phase, together with a management plan and phasing for its implementation, shall have been submitted to and approved in writing by the Local Planning Authority. This shall include, but not be limited to, details of the:
- a) final layout;
  - b) number and location of EV parking spaces;
  - c) number and location of EV charging points;
  - d) type of EV charging points (eg fast, rapid);
  - e) indicative locations for feeder pillars and protective infrastructure;
  - f) evidence of power supply (to ensure substation capacity is adequate);
  - g) indicative location of substation (where required);
  - h) indicative cable routing;
  - i) management plan outlining proposed management of spaces, charging network and infrastructure;
  - j) electrical Layout and Schematic Design; and,
  - k) feeder Pillar Design/Electrical Layout/Schematic Layout Designs.

The Electric Vehicle Charging Points and management strategy as approved shall be implemented and retained thereafter for the lifetime of the development.

- 37) Prior to occupation within each Phase of the development, as defined by the Phasing Plan in Condition 7, a Site Investigation and Post Investigation Assessment for that Phase shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 13 and the provision made for analysis, publication and dissemination of results and archive deposition shall have been secured.

- 38) Prior to occupation within each Phase of the development, as defined by the Phasing Plan in Condition 7, a Public Art Plan (PAP) shall be submitted to and approved in writing by the Local Planning Authority. The PAP shall set out specific public art proposals, in accordance with the requirements of Policy BCS21 of the Core Strategy 2011. The PAP shall thereafter be delivered as agreed.

For observation

- 39) Detailed plans and particulars of the reserved matters submission(s) shall be in compliance with the approved the Design Code (April 2022) and each reserved matters submission(s) must demonstrate compliance with the design requirements set out in the Design Code.
- 40) 1. In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the Environment Agency's Land Contamination Risk Management, and where remediation is necessary a Remediation Scheme must be prepared which ensures the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
2. Following completion of measures identified in the approved Remediation Scheme and prior to occupation of the relevant part of the development, a Verification Report (VR) and any associated Long-term Monitoring and Maintenance Plan, either stand-alone or as an amendment to those required by Condition 34, must be submitted to and approved in writing by the Local Planning Authority.

===== END OF SCHEDULE =====

Appendix KM5 – Design and Access Statement Application Ref. 20/02966/COMIND



OFFICIAL



# AWE BURGHEFIELD: MULTI-MATERIAL FACILITY

Design and Access Statement

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**Document status**

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4	Planning Issue (updated QA pages).	Peter King	Camila Fisher	Amy Robinson	08/12/20

**Approval for issue**

Camilla Fisher

8 December 2020

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# 1 INTRODUCTION

- 1.1 This Design and Access Statement is submitted in support of a planning application for a Multi-Material Facility (MMF). The development is required to aid the facilitation of the UK Nuclear Weapon Programme.
- 1.2 The site is illustrated in Figure 1 Site Location Plan and is located at the Atomic Weapons Establishment (AWE) site at Burghfield, Berkshire. The proposed MMF application boundary is illustrated in Figure 2.
- 1.3 The Design and Access Statement should be read in conjunction with the supporting documents and plans submitted as part of the planning application. These include a Planning Statement and an Environmental Appraisal.

## Development Context

- 1.4 AWE Burghfield is owned by the Secretary of State for Defence and together with AWE Aldermaston delivers the warhead contribution to the nationally and internationally significant nuclear deterrent.
- 1.5 The current infrastructure at AWE Burghfield is large, aged and costly to run such that there is a clear need for the provision of improved and updated facilities. AWE has therefore been engaged in a programme of site optimisation, which aims to deliver the following outcomes:
- rebalancing the cost of the programme more towards the product and less towards the cost of operating the estate;
  - the business to be ready for any decisions about any future product; and
  - management of the capability risk caused by an ageing infrastructure.
- 1.6 In doing so, the site optimisation process would generate the following outputs:
- adaptable capability space to meet future requirement;
  - increased productivity with staff working more effectively;
  - lower site costs and a greater percentage of the budget for core work;
  - greater resilience - less reliance on legacy infrastructure;
  - optimisation - greater spatial efficiency and economy;
  - co-location - less infrastructure and better collaboration;
  - staff retention - and easier to attract specialist staff; and
  - adaptability - designed to allow for reconfiguration.

## Proposed Development

### MMF

- 1.7 The MMF site is located within the northern part of AWE Burghfield, comprising approximately 5 hectares and includes:
- the MMF development site, which occupies an area of approximately 2.39 hectares within the northern part of the existing AWE Burghfield site;
  - existing internal access routes between the highway and the MMF development site (within AWE Burghfield);

- existing vehicle check areas at the entrance to the AWE Burghfield site; and
- an area to be used for temporary construction parking.

1.8 The final design of the MMF has considered its two primary functions; front of house accommodation and a production area, reflected in their proposed designs. The front of house accommodation draws inspiration from modern science park facilities incorporating elements such as large glass curtains. It would provide modern shared facilities for use by AWE Burghfield personnel and become the first point of call for visitors to Burghfield. As such, the accommodation would become the ‘front door’ of the AWE Burghfield site and the MMF building has therefore been designed to incorporate a modern reception facility. The design approach for the MMF production area is based on the use of a universal modular panel system, in line with the cladding approach used on other recent / modern buildings on the AWE Burghfield site, such as Phoenix (11/00029) and Mensa (08/02287).

1.9 The MMF building would comprise a structural steel frame building occupying an area of approximately 6,553 m<sup>2</sup> (gross external area). The building would be approximately 94 metres x 69 metres in plan, with a maximum built height (excluding ventilation flues and stacks) of 18.7 metres. The facility will comprise several distinct areas over two-storeys, with the main features comprising the following.

- Front of house accommodation. Ground floor to contain reception and exhibition space, production office and restaurant/seating. First floor to contain conference and VR suite with gym and changing facilities, occupational health, multi-faith room.
- Production areas, comprising co-located manufacturing capability processes within secure and modular reconfigurable production cells.
- Plant rooms, forming the roof of the production cells.
- Curved roof structure, with photovoltaic cells.

**Indicative Floor Areas – MMF**

Component	Area (m <sup>2</sup> )
Production Area	5,213 (GIFA)
Front of House Accommodation Ground Floor (Level 00)	890 (GIFA)
Front of House Accommodation First Floor (Level 01)	1,149 (GIFA)
<b>Total</b>	<b>7,252 (GIFA)</b>
Plantroom floor (Level 02)	6,235

1.10 The MMF building would comprise a two-storey building, with an additional intermediate floor provided in the front of house area. The floor to floor heights are 5 metres from ground floor (Level 00) to office level (Level 01) in the front of house area and 10 metres from ground floor (Level 00) to the plant floor level (Level 02) in the production areas. A full plant room is proposed above the production cells. The roof to the building would be a curved barrel roof, with an apex height of 18.7 metres in the middle falling to perimeter gutters at 15.4 metres above ground level. Photovoltaic cells are proposed on the roof.

1.11 Stacks are required in two locations either side of the building (for gaseous emissions from laboratory/glovebox activities) and would be up to 25.5 metres in height. In addition, flues are required for the combined heat and power (CHP) plant and for the boiler. The height of the flues has been determined through a flue height evaluation modelling exercise and is likely to be 25.5 metres.

1.12 The front of house accommodation is anticipated to include the following across two floors:

- office area for production teams, with meeting space;
- 150 person conference facilities, with the ability to sub-divide into smaller meeting room, and a VR suite;
- kitchenette areas, kitchen/servery and restaurant seating;
- exhibition area incorporating the reception desk;
- occupational health facility;
- gym and associated change; and
- multi-faith room.

1.13 The production areas would provide flexible manufacturing capability processes within secure, free-spanning, modular, reconfigurable production cells.

1.14 The plantroom would incorporate a shared electrical workshop, a shared mechanical workshop and a machine workshop.

### Ancillary/Support Buildings

1.15 Around the perimeter of the MMF building there would be a series of external enclosures and compounds for substations, local stores, trade waste systems, evacuation centres and fenced areas for chiller plant and gas bottle storage.

#### Indicative External Areas - Ancillary Buildings

	Gross External Area (m <sup>2</sup> )
Open plant compound	151
West substation	224
East substation	195
Bin store – open enclosure	41
Cycle store	20
Evacuation processing x 3	42 (x3)
Trade Waste x 2	34 (x2)
Store	40
Combined temporary waste store	126
<b>Total Ancillary</b>	<b>991</b>

1.16 No new permanent parking is proposed as part of the MMF development.

1.17 The proposed Layout Plan can be seen at Figure 3.

### Purpose of the Design and Access Statement

1.18 The purpose of the Design and Access Statement is to provide a summary of the rationale of the current planning application in design terms so that the proposals may be clearly and succinctly understood in terms of the principles and concepts that have informed them.

1.19 This statement is submitted in accordance with the requirements referenced in the Town and Country Planning Development Management Procedure (England) Order 2015 which sets out that applications where the proposed development consists of a building with a floor space of 100 m<sup>2</sup> or more, must be accompanied by a Design and Access Statement which must:

- explain the design principles and concepts that have been applied to the proposed development;

- demonstrate the steps taken to appraise the context of the proposed development, and how the design of the development that context into account;
- explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;
- state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and
- explain how any specific issues which might affect access to the development have been addressed.

1.20 The design principles used during evolution of the MMF are based on national and local guidance including:

- The Town and Country Planning (Development Management Procedure (England) Order 2015);
- Design and Access Statements, how to write, read and use them, CABE, 2006, reprinted 2007;
- Better Places to Live – A Companion Guide to PPS3, DTLR and CABE (2001);
- The Value of Urban Design, CABE, UCL & DETR (2001);
- Urban Design Compendium, English Partnerships (August 2000);
- West Berkshire Core Strategy (2006-2026) and Local Plan Policies (saved 2007); and
- National Planning Policy Framework (NPPF) & Planning Practice Guidance (PPG).

1.21 This Design and Access Statement is structured based on the guidance provided by CABE. However, it is important to be aware of the particular circumstances of this application, predominantly due to the very specific nature of the planned development and the heavily constrained context in which it is being proposed. These factors limit the scope for decision-making in respect of the use, amount and location of the proposed development, which are essentially predetermined by the operational requirements of such a facility and the sensitivity of its surroundings.

1.22 Notwithstanding, in addition to design guidance, any decisions about the overall scale, massing and appearance of the proposals must be carefully considered and measured against the recommendations of AWE's long-term Site Development Context Plan as well as potential impacts of such proposals on the wider site context.

## 2 SITE APPRAISAL

### Site Location and Context

- 2.1 AWE Burghfield is located in West Berkshire approximately 3 km south west of Reading, 900 metres east of Burghfield village and 1 km east of Burghfield Common. It is situated approximately 1 km south of the M4 motorway which provides routes to south Wales to the west and London to the east and is accessed *via* the A33 located to the east of AWE Burghfield. The north-south orientated Reading to Basingstoke Railway lies approximately 500 metres east of the AWE Burghfield site boundary. The area around AWE Burghfield predominantly comprises the local road network with interspersed agricultural land. AWE Burghfield is bound to the north by agricultural land, the east by Riders Lane (becoming Palmers Lane as it moves south along the boundary), Burghfield Brook to the south and The Mearings (part of the local highway network) and Woodside Recycling.
- 2.2 There are two vehicular access points into AWE Burghfield. The vehicular accesses are located on the north eastern and north western corners of AWE Burghfield with both points having security gates. Further, the entire site is enclosed by a security fence and is subject to stringent security controls. The MMF site is located in the northern area of AWE Burghfield, within an area that is currently clear of buildings and in recent history has been used as a car park and an area for spoil storage of nearby facilities. The area around the site is consistent with the urban character of AWE Burghfield.
- 2.3 AWE Burghfield extends to 91 hectares. The planning application boundary for the MMF extends to 5 hectares which includes the existing access routes giving rise to the irregularly shaped red line boundary. The new MMF facility will involve re-development of approximately 2.39 hectares, including landscaping and drainage. The land remaining, approximately 2.61 hectares including access roads, will be used to provide access and to manage construction activities through uses such as construction parking and laydown.

### Character and Built Form

- 2.4 Buildings across AWE Burghfield are generally arranged on a rectangular grid, with the adherence to this structure less stringent in the northernmost parts. Structures across AWE Burghfield comprise a mix of one, two and three storey buildings, up to 12 metres in height as workshops, stores and offices. These date from the 1940s and 1950s to the present day and are utilitarian in appearance, comprising red brick, steel cladding and painted masonry, flat-roofed, pitched roofed or domed-roof structures. Chimneys, silos, and steel-lattice catenary (lightning) towers add increased height of up to 45 metres. Ongoing construction work also forms part of the character, albeit for the short term.
- 2.5 The application site and the wider AWE Burghfield site are urban in nature and relatively flat. AWE Burghfield lies on the edge of the Kennet Valley on the relatively flat valley floor. The existing ground levels across AWE Burghfield range from approximately 40 metres above ordnance datum (AOD) in the north eastern corner of the AWE site to 47 metres AOD in the south western corner. The application site therefore slopes gently down from the MMF development site to the access point at the Pingewood Gate to the east.

### Access and Movement to the MMF Development Site

- 2.6 AWE Burghfield has two access points, the Main Gate, the current principal access point located off The Mearings in the north western corner and Pingewood Gate located off Burnthouse Lane in the North eastern corner. It is evident that the current Main Gate has been upgraded through the construction of a (mini) roundabout to improve access. At Pingewood gate no roundabout is



present, instead a T-junction is present. Gates are present at each access point for security checks. It is proposed that construction access and egress, and MMF operational access will be from Pingewood Gate accessed from the A43 *via* the local highway network. Construction HGVs would also access the site *via* Pingewood Gate and use the existing internal road network to reach the site. Prior to accessing the site, HGVs would be searched in the construction logistics search area.

## Environmental Appraisal

### Landscape Character

- 2.7 The landscape character framework of the study area from the national level through to county and district scale based upon existing character assessments undertaken by Natural England, Berkshire County Council, West Berkshire Council (formerly Newbury District Council), Wokingham District Council, Basingstoke and Deane District Council and Hart District Council is detailed in the Landscape and Visual Impact Assessment (LVIA) that has been submitted in support of the application. This also describes the local landscape within and adjacent to AWE Burghfield.
- 2.8 At the district level, AWE Burghfield is described in the West Berkshire Landscape Character Assessment (2019) as lying within the context of the CL1: Grazeley Open Clay Lowland landscape character area. Further west, and inclusive of the settlement of Burghfield Common, is landscape character area WH5: Burghfield Woodland and Heathland Mosaic whilst, to the north, and inclusive of the Kennet Valley, is landscape character area RO1: Kennet Lower River with Open Water. To the east, and within Wokingham District, is landscape character area I3: Grazeley Farmed Clay Lowland.
- 2.9 A detailed site-wide landscape character assessment has been used to inform various previous landscape assessments and planning applications. The proposed development site would fall within (9) Contained Valley Grassland with Buildings, within the northern part of AWE Burghfield. This character area is classified as having an Ordinary condition and Low value.
- 2.10 Overall, the LVIA concluded that the proposed development would not result in any significant landscape effects throughout its construction or operational phase. No long term significant adverse effects have been identified. All other potential landscape and visual effects of the proposed development are assessed as not significant.

### Ecology

- 2.11 An Ecological Impact Assessment has been undertaken and submitted in support of this application. This included both a desk study for an area that extended 2 km from the application site and a Phase 1 Habitat Survey (including site walkover) of the application site. This was undertaken in September 2020 to map the habitats present within the redline application boundary. The Phase 1 Habitat Survey also assessed the habitats for their potential to support protected species. Ecological records were requested from national and local consultees and records centres.
- 2.12 The desk study consultation concluded that neither the MMF development site nor the wider application boundary was designated for their ecological value. The land proposed for the MMF development site itself was- partially occupied by a spoil heap used to store materials associated with other construction activities on the AWE Burghfield site with no buildings present. This has now been removed from the site. Several standalone trees at the site boundary and well-maintained amenity grassland offer the potential for foraging habitat.
- 2.13 Regarding habitats, an assessment of Biodiversity Net Gain (BNG) of the proposed MMF has been undertaken, taking into account the proposed landscape strategy for the development. This

indicates that the MMF development site would achieve a net gain of 22.17% of habitat (non-linear) units and provides 0.5 hedgerow (linear) units (no hedgerow was present prior to development and therefore a percentage change is not provided). This represents a notable contribution to improved biodiversity value within the MMF development site.

- 2.14 Regarding birds, compensation for the loss of some existing trees on the site would be achieved through the proposed landscape strategy, which includes new native trees and hedgerow planting. Nest bricks/boxes will be provided to create permanent nesting features for small species of birds either within the fabric of the new ancillary buildings where possible or on suitable retained trees (boxes only). The new landscape planting on the site such as scrub of native origin would provide food sources and nesting habitat for birds.
- 2.15 Regarding bats, the proposed landscaping would result in invertebrate habitat and subsequently improved foraging opportunity for both bats and birds. Much of the site is currently well lit for security reasons. Lighting would be designed to prevent lighting levels from exceeding current levels. At present the site does not offer suitable roosting areas for bats. Simple bat boxes and tubes would be incorporated into the new ancillary buildings where possible or on the retained site trees.
- 2.16 Regarding herpetofauna, the site offers no potential habitat. The development of the MMF on the bare ground is unlikely to have any significant effect upon these species. Regular maintenance of the amenity grassland on site for security reasons will ensure it does not become a suitable habitat for reptile's overtime.
- 2.17 Due to the distance, no effects are anticipated to the non-statutory sites recorded within 2 km from the MMF development site. It is assumed good practice guidelines would be adhered to during the construction phase to ensure nearby buildings, roads and open spaces would be protected from contamination, dust etc. during construction.

## Cultural Heritage

- 2.18 A Heritage Statement has been produced to assess the potential impacts of the proposed site on nearby receptors of cultural or historic merit.
- 2.19 There are no heritage assets within or directly adjacent to the application site although there are multiple assets within 2 km. The nearest listed building, the Grade II Church of St Mary the Virgin in Burghfield, is located approximately 900 metres west of the application site. Amner's Farmhouse, Grade II listed is located 1 km north east; Poundgreen Farmhouse, Grade II listed is located 1.5 km south east and Culverlands on Man's Hill, Grade II listed is located 1.93 km south west.
- 2.20 A programme of Historic Landscape Characterisation (HLC) for West Berkshire has been undertaken with the results available for viewing *via* the West Berkshire Council website. Information shows that the AWE Burghfield site is situated in an HLC recorded as Military Establishment. In addition, HLC sensitivity was also mapped concluding the application site is considered in the context of the study to be of medium sensitivity.
- 2.21 In 2015 an overall AWE Heritage Strategy for both AWE Burghfield and Aldermaston was undertaken (Atkins, 2015). This identified the application site falls within several historic character areas. The western part of the application site falls within historic character area B5: stores. The Atkins study identifies this as characterised by *'the surviving elements of an array of large RPF non-metallic component storage buildings with earth embankments topped by characteristic roof structures comprising protruding vertical elements with concrete flat roofs extending beyond them'* (Atkins, 2015). The eastern part of the application site is within historic character area B9: New Process Area. The area was previously comprised of old ROF stores and open ground which was redeveloped in 2010 with new steel-clad buildings and paved hard standing. Some parts of the

application site were found to fall in historic character area B2: Administration and Amenity, including several ROF/AWRE buildings and some more recent AWE buildings.

- 2.22 The heritage assessment concluded that no designated heritage assets would be physically impacted by any part of the proposed development. Potential effects on designated assets in the form of loss of significance as a result of change within the setting of the asset has been assessed as very unlikely. This is due to a combination of the distance from any designated heritage asset along with the presence of the existing buildings within this part of AWE Burghfield.
- 2.23 In addition, there may be some impact on potential archaeological features within the application site, however the MMF development site has been subject to considerable disturbance as a result of the construction, operation and demolition of structures and infrastructure associated with the previous use of the site as an ROF and subsequently as part of the AWRE. An archaeological watching brief undertaken during geotechnical investigations in August 2020 confirmed the extent of this disturbance and it is recommended that no further archaeological mitigation should be undertaken before or during construction of the proposed MMF development.

## Flood Risk

- 2.24 A Flood Risk Assessment and Surface Water Drainage Strategy (FRA) has been conducted in the support of the planning application for the proposed MMF. The aim of the FRA is to outline the potential for the MMF development site to be impacted by flooding, the potential impacts of the development on flooding both on-site and in the surrounding area, and the proposed measures which can be incorporated into the development to mitigate the identified risks.
- 2.25 There is a minor surface water feature located approximately 20 metres to the north of the MMF development site. Beyond this, the nearest surface watercourse is a tributary of Foundry Brook, named Clayhill Brook, located approximately 200 metres to the north of the MMF development site. The drainage channel joins this watercourse to the north. The Burghfield Brook is located approximately 515 metres to the south east of the MMF development site and runs south west to north east along the southern and eastern boundary of the AWE Burghfield site.
- 2.26 The site is located almost entirely within Flood Zone 1, which is classed as being at a low probability of fluvial flooding (less than 1 in 1000 annual probability). Flood Zone 2 (between a 1 in 100 and 1 in 1,000 annual probability of river flooding), associated with Burghfield Brook, encroaches onto the south western boundary of the site. The majority of the MMF development site is at 'very low' risk of surface water flooding (less than 1 in 100 but greater than 1 in 1,000). Small areas, mainly along internal roadways, are classified as having a 'low' to 'high' risk of surface water flooding.
- 2.27 No significant risks have been identified in relation to flooding from non-fluvial or pluvial sources. Provision of the surface water drainage system will result in a decrease in surface water flood risk at the site and help ensure that off-site flood risk is not increased.
- 2.28 Overall, it has been demonstrated that the development would be at a low risk of flooding, would not increase flood risk elsewhere, and that a positive reduction in flood risk would be achieved through the incorporation of SuDS features.

## Ground Conditions

- 2.29 A ground conditions appraisal has been prepared to support the planning application for the proposed MMF. The purpose of the appraisal is to provide an appraisal of the ground conditions at the application site, develop a Conceptual Site Model (CSM) highlighting potential contamination sources, pathways and receptors and to undertake a risk assessment to determine risks to sensitive receptors from identified contamination sources.

- 2.30 A site walkover survey of the proposed MMF development site was undertaken by ground conditions specialist on 15th March 2018 and by other RPS personnel in early 2020. At the time of the site visits, the southern part of the site comprised a level car park with a tarmac surface. The majority of the remainder of the site comprised an area of stockpiled soils approximately 2 to 3 metres in height, surrounded by heras fencing. The stockpiled soils were overgrown, however no obvious evidence of contamination was noted during the site inspection.
- 2.31 A number of ground investigations have been undertaken at or in close proximity to the MMF development site. No significant radioactive soil contamination has been identified on site and therefore no pollutant linkages between radioactive sources and receptors have been identified. Overall, a low potential risk of contamination was identified and no further quantitative risk assessment is deemed necessary.
- 2.32 The identified, potential receptors at risk from contamination comprise: human health receptors including site end users and construction workers; perched water within the underlying Unproductive Strata (London Clay Formation); groundwater in the combined Secondary Aquifer (Lambeth Group) and Principal Aquifer (Upper Chalk) underlying the London Clay Formation; surface water (includes tributary of Clayhill Brook, Clayhill Brook to the north and Burghfield Brook to the south east of the proposed MMF development site); and users of future buildings associated with the proposed development.
- 2.33 To conclude, the CSM undertaken for the MMF has identified a low, negligible or very low risk for the majority of contamination sources. A low/moderate risk has been identified for ground gases. Previous investigations identified very low ground gas concentrations including CO<sub>2</sub> and CH<sub>4</sub> on the proposed MMF area, although this was based upon a limited gas monitoring dataset. The Boiler House ground investigation, conducted in 2010, indicated a Characteristic Situation 2 gas regime to be present to the south-west of the MMF development site, although this conclusion was also drawn upon a limited dataset.
- 2.34 It is considered that the available ground investigation dataset is adequate for a general assessment of the ground conditions at the planning application stage. On this basis, no further ground investigation of the MMF area is considered necessary for the purpose of planning but would provide a more comprehensive assessment of baseline ground conditions for construction purposes.

## Transport

- 2.35 A Transport Statement has been prepared for the application. The statement considers the highways and transport matters associated with the proposed MMF.
- 2.36 The road network immediately surrounding AWE Burghfield is comprised of local roads with The Mearings running alongside the western boundary and Palmers Lane/Rider's Lane/Burnthouse Lane on the eastern boundary. The current principal access point to the AWE Burghfield site is the Main Gate off The Mearings in the north west corner of the site. A further access point is via Pingewood Gate off Burnthouse Lane in the north east of the site.
- 2.37 Baseline pedestrian and cycle provision in the vicinity of the AWE Burghfield site is generally limited, reflecting the relatively isolated location of the site.
- 2.38 AWE has produced a Code of Construction Practice (CoCP), which sets out the overarching requirements for all construction activities at AWE Aldermaston and Burghfield. A Construction Environmental Management Plan (CEMP) has been produced for the MMF development, which incorporates and expands on AWE's existing CoCP.
- 2.39 With regard to the construction phase, AWE estimate that the peak construction workforce would be 93 staff per day in late spring/early summer of 2022. Previous construction projects, undertaken at AWE Aldermaston, have demonstrated that approximately 70% of these staff would car share. Application of this proportion to the 93 construction workers suggests that 65 additional cars/vans,

giving a total of 130 vehicle movements (65 in/65 out), would be generated each day at the peak of construction worker attendance.

- 2.40 It is estimated by AWE that HGV movements would peak in 2021 with 21 HGVs per day, giving a total of 42 HGV movements per day (21 in / 21 out).
- 2.41 Overall, construction vehicle movements are predicted to peak in late Spring / early Summer 2022 with 140 vehicle movements per day, comprising 130 car / van movements and 10 HGV movements. These historic flows have previously been accommodated on the surrounding highway network without causing adverse impacts. It is therefore, considered that such increases in car / van and HGV movements would be imperceptible, and as such would have a negligible impact on the surrounding highway network and would not have an unacceptable impact on highway safety.
- 2.42 With regard to the operational phase, many of the staff who would work in and utilise the MMF already work at AWE Burghfield. However, it is anticipated that approximately 50 staff currently working at AWE Aldermaston would transfer to AWE Burghfield.
- 2.43 Applying current mode share to the 50 new staff suggests that 45 additional car trips would be generated by staff during each of the AM and PM peak periods. Using the current arrival and departure times of existing employees suggests this equates to approximately one additional car movement every 2.25 minutes in the AM peak hour and one additional car movement every 3 minutes in the PM peak hour.
- 2.44 Overall, it is considered that such increases in car movements would be imperceptible, and as such would have a negligible impact on the surrounding highway network and would not have an unacceptable impact on highway safety.

### Noise

- 2.45 A noise appraisal has been undertaken for the MMF application to ascertain potential noise impacts of the development at construction and operational phases.
- 2.46 The appraisal has considered all Noise Sensitive Receptors (NSR's) within approximately 1 km of the MMF development site. The closest of which include: Burghfield Place Cottages, located approximately 350 metres to the west of the MMF site; residential properties on the Mearings, located approximately 370 metres to the south-west of the MMF site; Burghfield Place, located approximately 550 metres to the south-west of the MMF site; Burnt House Farm, located approximately 780 metres to the east of the MMF site; and residential properties on James Lane, located approximately 880 metres to the south-west of the MMF site.
- 2.47 RPS undertook a baseline noise survey on behalf of AWE between 27 February and 09 March 2018, and several baseline noise surveys on behalf of AWE between 26 July and 02 August 2011, which have been used to inform the noise assessment. Surveys were undertaken at all NSR's identified above as well as others included in the full noise appraisal document.
- 2.48 With regard to the construction phase, assessment concluded that the noise impacts at the worst affected receptors during piling, foundation and substructure works (the most noise generating phase of construction works) are likely to be negligible to low.
- 2.49 Traffic data have been provided for the base year (2020) and the peak construction traffic (2021). The assessment indicates that the noise change on all of the road links would be less than 3 dB and, therefore, the noise impact from construction traffic would be negligible.
- 2.50 Regarding the operation phase, the predicted specific sound levels from the MMF will be significantly lower than the noise level of 50 dB LAeq,T that is specified in WHO guidance for the onset of annoyance during the daytime. Thus, based on the absolute noise level assessment, it is considered that the development would not result in an adverse impact to amenity.

- 2.51 At night, the specific sound level at all residential receptors is below the level for the onset of sleep disturbance contained in WHO Guidance of 45 dB LAeq,8h. Consequently, noise from the MMF is considered unlikely to result in sleep disturbance, even if the MMF was to operate at night.
- 2.52 There would be no new HGV movements associated with the operation of the MMF. The only traffic generated would be cars associated with staff commuting to and from work, which would equate to a total of 90 vehicle movements per day that would be interspersed on the local road network. This quantity of traffic would result in lower noise impacts at NSRs than construction traffic, which has been evaluated as negligible. Therefore, a quantitative assessment of noise from road traffic has not been considered necessary.

### Air Quality

- 2.53 An air quality assessment has been undertaken for the MMF, covering both the construction and operational phase of the development. For the construction phase the assessment focused on an evaluation of the temporary effects from fugitive construction dust. For the operational phase the assessment focused on an evaluation of the impacts of emissions from the CHP plant and LTHW boiler flues on the local area.
- 2.54 Neither the application site nor the wider AWE Burghfield site is located within an Air Quality Management Area (AQMA). The nearest AQMA is designated along Bath Road, Reading, which is located approximately 4 km north of the MMF development site.
- 2.55 Impacts during the construction phase of the proposed development, such as dust generation and plant vehicle emissions, are predicted to be of short duration and only relevant during the construction phase. The results of the risk assessment of construction dust impacts undertaken using the Institute of Air Quality Management (IAQM) dust guidance indicates that, before the implementation of mitigation and controls, the risk of dust impacts would be medium. Implementation of the highly-recommended mitigation measures described in the IAQM construction dust guidance would reduce the residual dust effects to a level categorised as 'not significant'.
- 2.56 The operational effects of NOX emissions from the gas-fired CHP plant and four gas-fired boiler flues have been predicted using best practice approaches. The assessment has been undertaken based on several worst-case assumptions, including using the worst-case meteorological conditions. The results show that with the gas-fired CHP plant and four gas-fired LTHW boilers operational, the predicted concentrations are below the relevant air quality standards.
- 2.57 Using professional judgement in the context of published impact descriptors, the resulting air quality effect of the proposed development is considered 'not significant' overall. The proposed development does not, in air quality terms, conflict with national or local policies. There are no constraints to the development in the context of air quality.

### Population and Human Health

- 2.58 A population and health scoping exercise has been undertaken to identify the potential for effects on people and health as a result of the MMF, at both construction and operational phases. The scoping exercise has adopted the 'source-pathway-receptor' approach to identify potential effects on population and human health that are directly attributable to the MMF. An identified hazard source itself does not constitute a health risk: it is only when there is a sensitive receptor and a pathway of exposure present, that a hazard source may become a potential risk to human health.
- 2.59 The scoping exercise has framed potential health impacts with regard to the assessments previously mentioned, i.e. health impacts from ground conditions, transport, noise and air quality, therefore the baseline conditions the assessment are also based on these assessments.

- 2.60 In addition to considering impacts that may affect human health from the physical environment, the scoping exercise has also considered the effects to human health as a result of impacts of additional employment that would be generated by the MMF.
- 2.61 Activities with the potential to adversely impact upon health would be limited during the construction phase of the MMF and would be associated with temporary and local changes in air quality, noise, traffic and any existing on-site contamination. However, none are considered significant in health terms.
- 2.62 Once operational, the MMF would not change the broad scope, scale or nature of the AWE Burghfield site and does not seek to extend it. This is the primary reason that no significant health effects are anticipated (adverse or beneficial).
- 2.63 On the above basis, all potential health determinants are already addressed through embedded mitigation measures and project design. A full HIA is not deemed necessary in this instance and has therefore been scoped out from the appraisal report.

### **Site Appraisal Summary**

- 2.64 The MMF development site is located in the central northern part of AWE Burghfield on land that has previously been used for car parking and spoil storage from developments in the surrounding AWE Burchfield site. The proposed development would see redevelopment of the site with the addition of the MMF building. This facility forms the basis of the planning application.
- 2.65 The proposed development has been assessed through an environmental appraisal, featuring focused evaluations of the potential impacts regarding landscape, ecology, cultural heritage, flood risk and drainage, ground conditions, transport, noise, air quality and human health at both constructional and operational phases of the MMF development.
- 2.66 Overall, the individual assessments have each concluded the proposed development will not have any significant negative impacts relating to the environmental parameters it has been assessed against.

### 3 DESIGN PRINCIPLES

3.1 The design principles formulated for the MMF incorporate the following key requirements.

- The need for a free-spanning structure of secure production cells with flexible layout for optimised process flows.
- Adaptability of the overall buildings as a modular form to allow configuration of production cells to suit a variety of production processes.
- The need for construction flexibility of cells for non-bespoke production processes with minimised refurbishment costs to meet changing requirements of AWE production.
- Co-location to allow for sharing of common facilities, resulting in reduced footprint and personnel levels.
- Co-location of different processes within a single building envelope and structural frame to allow increased efficiency in terms of total building envelope area and frame tonnage compared to single buildings.

3.2 The application for these design principles is set out below.

#### Use

3.3 The use of the proposed development does not contain a requirement for extending the MMF in the future. However, in-line with the design principles, options for extending the facility to the north are considered as well as the increasing of Production Cell floorspace through the use of lightweight mezzanine floor structures. These considerations are in-keeping with the flexible and adaptable layout requirements. This approach will assist with creating adaptable space.

#### Location

3.4 The MMF development site is located on the AWE Burghfield site in a central location toward the northern boundary. The MMF would be located on the route from Mensa (08/02287) to Phoenix (11/00029), between the existing boiler house and water reservoir. This allows for the proposed MMF development to be located on the main access road through the site, key to its use as the first point of call for visitors including VIPs. The MMF would essentially be the front door to AWE Burghfield and as such, should be considered as a modern reception building on a science park, with a clearly defined entrance, rather than a utilitarian production facility. This provides a strong modern 'face' with a clearly defined entrance to the façade facing the main road / pedestrian routes, with the large expanses of glazing allowing views into and out of the common areas.

3.5 The proposed development has been positioned here to avoid the existing, buried multi-utility service route to the south and, although not anticipated, allow for future extension to the north boundary if needed. This would, however, require adjustment to the existing landscape proposals agreed under the planning application for the Mensa facility together with the realignment of MMF external works. The MMF building is orientated to be parallel to the existing internal road; the existing car park at the front of the new building has been replaced with landscaping.

3.6 Locating the development within the context of the existing area previously used for spoil storage and previous car parking helps to offset the potential visual impact that the proposed development may have. However, impacts may still manifest, owing to the change of site use.

#### Amount

3.7 The amount of new development is related to the specific operational requirements of the MMF facility for its multiple uses and flexible and adaptable ethos. It should consider the short, medium



and long-term flexibility of the proposed building, and how these could be internally altered or extended in a controlled future expansion.

### Size, Scale and Massing

- 3.8 The MMF building would comprise a structural steel frame building occupying an area of approximately 6,553 m<sup>2</sup> (gross external area). The building would be approximately 94 metres x 69 metres in plan, with a maximum built height (excluding ventilation flues and stacks) of approximately 18.7 metres high.
- 3.9 The MMF building would comprise a two-storey building, with an additional intermediate floor provided in the front of house area. The floor to floor heights are 5 metres from ground floor (Level 00) to office level (Level 01) in the front of house area and 10 metres from ground floor (Level 00) to the plant floor level (Level 02) in the production areas. A full plant room is proposed above the production cells. The roof to the building would be a curved barrel roof, with an apex height of 18.7 metres in the middle falling to perimeter gutters at 15.4 metres above ground level. Photovoltaic cells are proposed on the roof.
- 3.10 Stacks are required in two locations either side of the building (for gaseous emissions from laboratory/glovebox activities) and would be up to 25.5 metres in height. In addition, flues are required for the combined heat and power (CHP) plant and for the boiler. The height of the flues has been determined through a flue height evaluation modelling exercise and is likely to be 25.5 metres.
- 3.11 The clear height of the production cells is to be approximately 8.3 metres which will provide for the largest anticipated process equipment and allow for any possible mezzanines in the future. Placing plant and equipment above the processing area is a key determinant of building height but creates adaptable space.

### Access and Parking

- 3.12 The proposed development will see the main access point to the site, for both construction and operation, switched from both the Main Gate and current principal access point, located off The Mearings in the north western corner, to Pingewood Gate, located off Burnthouse Lane in the North eastern corner of AWE Burghfield.
- 3.13 No additional car parking will be provided as there are adequate spaces on the existing AWE Burghfield site even taking into account when the 50 employees switch from AWE Aldermaston to AWE Burghfield.

### Landscape

- 3.14 The proposed development will be set within a landscaped area and maximise existing opportunities within the application area. The wider area that has been included in the application site to be used for construction purposes is to remain in its present condition .
- 3.15 The landscape strategy is shown on Figure 4. Landscape design proposals will be advised by an ecologist, in respect to species choice, habitat creation and biodiversity net gain.

### Surface Water Management

- 3.16 At this stage, AWE Burghfield as a whole does not discharge at greenfield run-off rate. However, a surface water management strategy has been agreed between AWE and West Berkshire Council to enable AWE to meet this target across the AWE Burghfield site in the longer term.
- 3.17 An indicative surface water drainage strategy for the MMF development site has been undertaken by Baker Hicks. It has been developed in line with the principles set out for the wider AWE

Burghfield site in the AWE surface water management strategy. This strategy is predicted to achieve a runoff rate of 13 litres per second (l/s) for all storm events up to and including a 1 in 200 year plus 40% climate change event. This is noted to be as close as possible to the QBAR (mean annual flood) greenfield rate of 10.5 l/s, taking into account constraints at the site, most notably site levels.

- 3.18 Any surface water management features should follow the principles of SuDS and be integrated with the landscaping proposal in order to maximise biodiversity opportunities. The proposed SuDS strategy proposed for the MMF facility would take the form of attenuation ponds/basins seeded with wet meadow grass mix.

## 4 DESIGN PROPOSAL

### Design Approach

- 4.1 The design approach for this proposal is for a sustainable and high-quality development that addresses the utilisation of all land, infrastructure and buildings to ensure value for money while also increasing the efficiency and effectiveness of the land and facilities.
- 4.2 The new MMF building will have a distinctive structural/architectural aesthetic that has the benefit of providing a strong modern 'face' to AWE Burghfield while also lifting the overall quality of the public realm and providing a space that facilitates a number of key site activities within a single building envelope and structural frame.
- 4.3 The project's architectural appearance will enhance the appearance of the existing site by incorporating various architectural elements in line with other recent/modern buildings on site like Phoenix (11/00029) and Mensa (08/02287).
- 4.4 In order to deliver optimum efficiencies and benefits the new MMF project will accommodate all the required processes within a single building laid in a logical manner with respect to location, process, flow, juxtaposition. Interaction with the front of house accommodation will be the first thing encountered before moving through to production areas.
- 4.5 The design has considered, in detail, all appropriate technologies for sustainability and energy efficiency to reduce energy consumption within the remit of AWE requirements.
- 4.6 Elevations of the MMF building are provided at Appendix A.

### The Proposal

- 4.7 The proposed design of the MMF building is in two broad parts, the front of house accommodation and the production areas. These are constructed in two phases, with Phase 1 being the front of house accommodation and shell, and Phase 2 the fit out of the production cells. The dimensions of the MMF in its entirety are approximately 94 metres long by 69 metres wide and 18.7 metres high. The front of house accommodation will be split over two storeys and occupy an overall area of 2,039 m<sup>2</sup>. Where large sections of inclined glazed curtain walling (to both ground and first floor) and High level over sailing brise-soleil is not used, this part of the structure will be clad in primarily flat, metal faced, long span insulated composite panels.
- 4.8 The production area occupies 5,213 m<sup>2</sup> and is housed in the same building footprint as the front of house accommodation. It will be constructed using a universal modular panel system which is in line with cladding used on other recent/modern buildings on site such as Phoenix (11/00029) and Mensa (08/02287). This section will be clad in a specialist proprietary secure panel system – Remtech, this is predominantly installed from the ground to the underside of the roof and incorporates sealed joint gapping/cover strips for weather sealing. Where required, Remtech CPNI MFES Base Cladding panel will be installed while in other places the Remtech Non-secure cladding panel will be provided. Phenolithic foam will be used as the insulation in the composite panel which provides 90-minute fire protection. Between the cladding for the front of house accommodation and the production areas louvre profiled panelling will be used vertically to disguise the different horizontal modules. A critical objective of the design of the MMF is to provide a weather line to the building, and security requirements to the secure Production Cells, providing CPNI baseline rating.
- 4.9 The curved 'barrel' roof to the main building, stair towers and projecting roof to the office area on level 1 is proposed as a built-up insulated mill finish aluminium standing seam roof, with outboard gutters and external rainwater pipes (RWP's) to the stairs and main roof. It will be 18.7 metres high in the middle, falling to perimeter gutters at 15.4 metres to the ground level. The curve provides a low maintenance, joint free roof covering and reflects similar language of the curve roofs used on

neighbouring Phoenix and Mensa buildings. Further, photovoltaic solar panels will be installed on the roof structure.

### Use and Amount

- 4.10 The proposed facility provides a space for cross disciplinary uses associated with front of house accommodation and production areas under one building envelope. It has a total 7,252 m<sup>2</sup> gross internal floor area with a maximum height of 18.7 metres (excluding flues and stacks) and the middle falling to perimeter gutters at 15.4 metres. Stacks are required in two locations either side of the building and would be up to 25.5 metres each in height.

### Layout

- 4.11 The proposed development site is within the perimeter security fencing of the AWE Burghfield site. Around the perimeter of the MMF there are a series of external enclosures and compounds for substations, local stores, trade waste systems, evacuation centres of which there are fenced areas for chiller plant and gas bottle storage.
- 4.12 The layout is driven by the need to facilitate multiple disciplines in one footprint while also retaining adaptability in the production module layout.

### Size, Scale and Modelling

- 4.13 The clear height of the production cells is to be approximately 8.3 metres which will provide for the largest anticipated item of process equipment and allow for any possible mezzanines in the future, creating adaptable space.
- 4.14 The entrance to the MMF has been designed to be the 'front door' of AWE Burghfield. The clearly defined entrance has been achieved through the use of large inclined sections of a glazed curtain walling to both the ground and first floor, either side of a projecting entrance core, with high level over sailing brise-soleil to minimise solar gain, on the south elevation. This provides a strong modern 'face' with a clearly defined entrance.

### Appearance and Design Evolution

- 4.15 As the aim of the proposed development is to optimise and consolidate the existing operations at AWE Burghfield, the co-location with, or proximity to, existing services and facilities was identified as a key consideration. By locating the proposed MMF within the existing AWE Burghfield site, the new facilities would be able to deliver continuous operation with the required improvement and increased efficiency and resilience. Three key siting options were considered. Site 1 offered a pedestrian link to the Phoenix building but would still require van delivery for receipt/despatch. Other existing facilities provided constraints to the optimum arrangement and process cell spans. Site 3 was identified as being of a suitable size for the MMF. It is currently in use for construction of the MENSA facilities and would not therefore be available for use within the required programme. The selected siting option (site 2) was considered to provide a site of suitable size, without significant constraints, such that it could provide the most potential for optimum configuration of required facilities.
- 4.16 An optioneering process for Best Available Techniques (BAT) in terms of combustion technologies proposed for the MMF was also undertaken against criteria such as applicability to site, safety, ease of maintenance and energy demands among others. Several conclusions were drawn from the process including:
- boilers would be selected for natural gas fuel;
  - the heating distribution system would be Low Temperature Hot Water (LTHW);

- boilers would have an efficiency of not less than 95%; and
- boiler nitrous oxide (NOx) emissions would be no greater than 46.7 mg/m<sup>3</sup> or 40 mg/kWh.

4.17 Any emissions to air which are the result of Environmentally Permitted operations will be suitably abated and reported. Best Available Techniques (BAT) reports are in preparation and will be completed when more detailed process information is available.

### Landscaping

4.18 The landscape strategy for the MMF (Figure 4) takes influence from the wider context of AWE Burghfield's setting, integrating the MMF into the surrounding natural landscape, whilst simultaneously reinforcing the AWE 'campus' environment to create attractive spaces for the AWE community. The landscape masterplan includes:

- new trees, hedge planting, species rich meadows and drainage/pond to the south to make a distinctive arrival experience and sense of place;
- creation of new habitat contributing to a net gain in biodiversity across the MMF development site;
- an informal, transitional landscape around all elevations of the MMF, absorbing the built structures into the surrounding landscape;
- woodland buffer to the north and west boundary to screen long distance views and enhance biodiversity links; and
- sustainable urban drainage features.

4.19 The MMF building will be set back from the main circulation road around AWE Burghfield which facilitates a landscaped setting with avenue fronting the road. A linear avenue of trees is also proposed in front of the large SuDS feature to the south. Existing trees to the north of the application site are proposed to be retained while small areas of woodland planting are proposed to the north and north western parts of the MMF development site. The attenuation ponds to the north and south of the MMF building would be surrounded by wildflower meadow planting, blending into surrounding amenity grassland. Existing vegetation features within the northern boundary of the site are to be retained, reinforcing the relationship with the surrounding structural landscape and increasing boundary screening.

4.20 The access, operations and delivery yard are of functional use. The yard would consist of a simple mix of concrete hardstanding or permeable block paving with suitable build-up to allow for heavy loadings and trafficking. Concrete curbs would be present and would contain marked bays for loading/unloading goods.

4.21 New macadam access roads are proposed around the north, west and eastern elevations of the main building and would provide a convenient and legible route off the estate's primary access road.

### Sustainability and Energy Efficiency

4.22 AWE aims to achieve a DREAM rating of 'Excellent' for the MMF site under the New Build Commercial, Hangars and Workshop criteria. A DREAM pre-assessment has been undertaken, which indicates that the initial design is on course to achieve an 'Excellent' rating.

4.23 The design of the MMF would incorporate energy efficiency and optimisation measures, which would be achieved by applying best practice design techniques and referring to industry energy benchmarks for similar buildings. The renewable and sustainable technologies proposed for the MMF include Photo-Voltaic (PV) panels and a combined heat and power plan. It is proposed to employ natural ventilation where practicable, this includes ground floor offices, restaurants eating and occupational health treatment rooms.

## Waste

- 4.24 All operational waste would be assayed before it leaves the MMF building, with the waste collected and sealed into drums at source within the production cell and stored locally until assayed. Solid waste would be separated and packaged for shipment to other areas of AWE Burghfield for removal. Each process would have a separate, above ground, collection tank for aqueous waste allowing for assaying and transport to the site drain or to be removed by tanker for specialised disposal. The MMF would produce some operational waste in the form of normal office and visitor waste including packaging, printer toners, paper and food waste as well as wastewater. Operational waste from the site would be reused or recycled, where possible. An external area to collect general and recyclable waste would be provided.

## Drainage

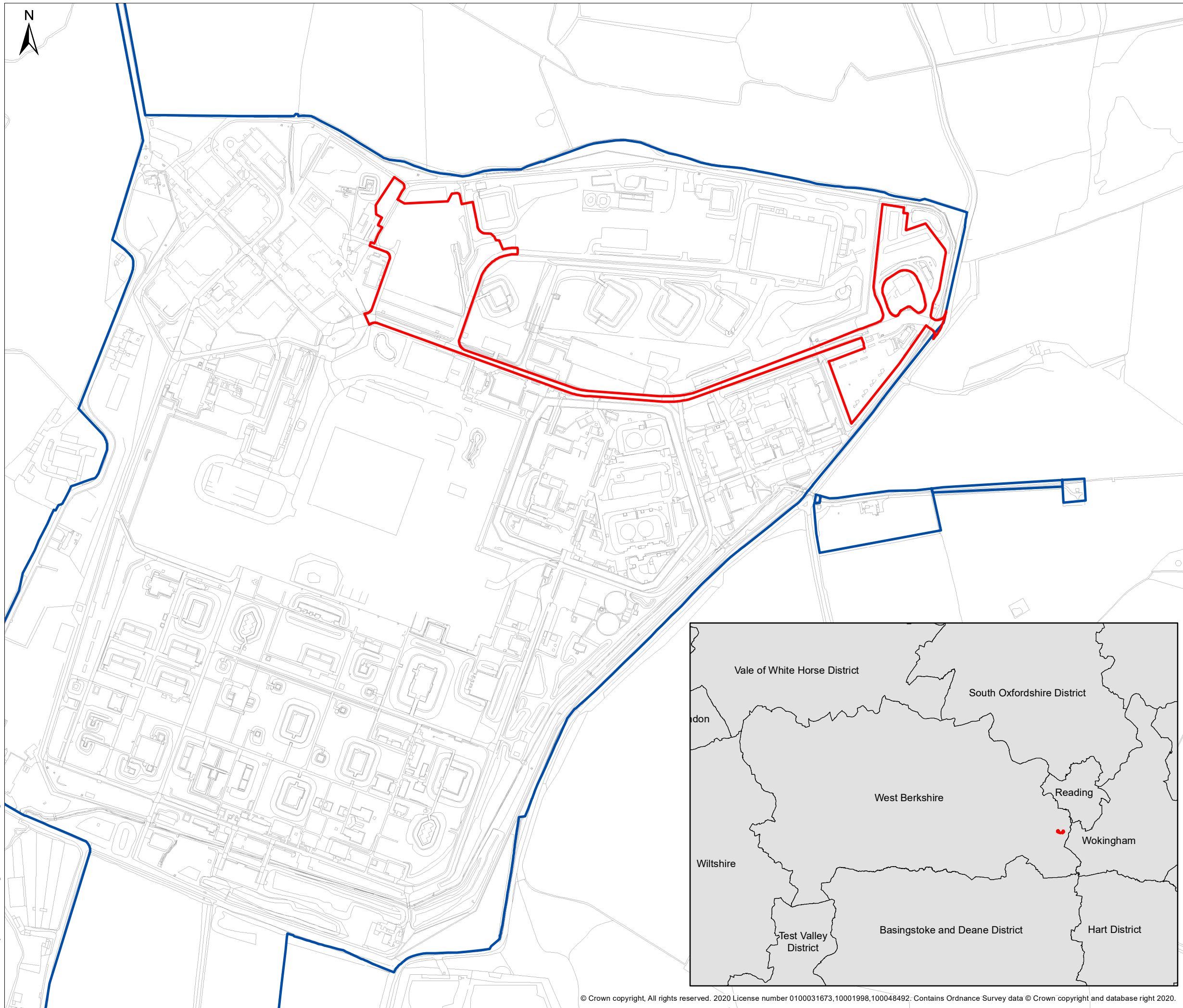
- 4.25 Drainage infrastructure would be provided within the MMF site and connected to the AWE Burghfield site wide drainage infrastructure prior to discharge, to ensure that surface water flow from the MMF site should be controlled.
- 4.26 A Surface Water Management Strategy (SWMS) that has agreement in principle with West Berkshire Council has been produced by HR Wallingford. The full title is “Surface water management strategy for Aldermaston and Burghfield – Concept and design criteria guide” October 2017. This provides a general approach to site wide surface water management for both the AWE Burghfield and Aldermaston sites, and includes a guide to drainage concepts and design criteria for planning purposes.
- 4.27 Currently AWE Burghfield does not discharge at greenfield discharge rates. The SWMS aims to provide flexibility for site development up to 2080. The details for the drainage strategy are discussed in more detail in the Flood Risk Assessment and include design features for a range of rainfall events, storm events and details of SuDS elements proposed.
- 4.28 This strategy is predicted to achieve a runoff rate of 13 litres per second (l/s) for all storm events up to and including a 1 in 200 year plus 40% climate change event. This is noted to be as close as possible to the QBAR (mean annual flood) greenfield rate of 10.5 l/s, taking into account constraints at the site, most notably site levels.

## Accessibility

- 4.29 The design of the development has incorporated the requirements of all users as required by Part M of Building Regulations 2004, and other guidance as stated in the supporting reports, where reasonable and practical.
- 4.30 No new parking is proposed for operational staff in connection with the proposed development. This is because the majority of the users of the MMF would already be based at AWE Burghfield and the 50 new operational staff who are transferring from AWE Aldermaston would park within existing spare car parking at the AWE Burghfield site.
- 4.31 Disabled drop off facilities are available at the main site entrance.

## 5 CONCLUSION

- 5.1 This statement shows how the proposed development has been informed by the very specific operational constraints in place at the Burghfield site, along with concern for the wider issues affecting the sustainability of the AWE sites as set out in the SDCP.
- 5.2 The proposed facility will provide a flexible manufacturing capability, with associated support areas (offices, receipt/dispatch etc.) and common site facilities for use by all Burghfield personnel, referred to as the front of house accommodation. The flexible manufacturing capability is accommodated within separate secure free-spanning, modular reconfigurable Production Cells, co-located within a single lightweight envelope. The facility will make use of what is mostly brownfield land previously used for spoil storage and car parking.
- 5.3 The design approach for this proposal is for a sustainable and high-quality development that addresses the utilisation of all land, infrastructure and buildings to ensure value for money while also increasing the economy, efficiency and effectiveness of land and facilities. The design strikes a medium between practicality required for production cells and providing a strong modern 'face' to AWE Burghfield through distinctive architectural aesthetic including large curtains of glass on the front of house accommodation and entrance.
- 5.4 The modern design of the building will be set within a sensitive integrated landscaping scheme including hard and soft landscaping features, surface water attenuation ponds and associated planting with significant biodiversity elements. This would result in a considerable improvement of the local character of the site.
- 5.5 The introduction of the building roofline at 18.7 metres and the stacks at 25.5 metres in conjunction with existing Mensa and Phoenix buildings would be seen within views as part of this group of buildings and within an industrial landscape setting. Whilst new planting implemented as part of the proposed development would have fully established by Year 15 and, along with other landscape design elements, would provide an enhanced landscape setting to the new building, it would have relatively little effect upon the absolute visibility of the MMF building within more distant views from the wider study area out with AWE Burghfield.
- 5.6 For these reasons it is considered that the current development proposals will provide a good benchmark for the ongoing redevelopment and rationalisation of the Burghfield site, setting a high standard of design in the process of meeting the present and future operational requirements at AWE.

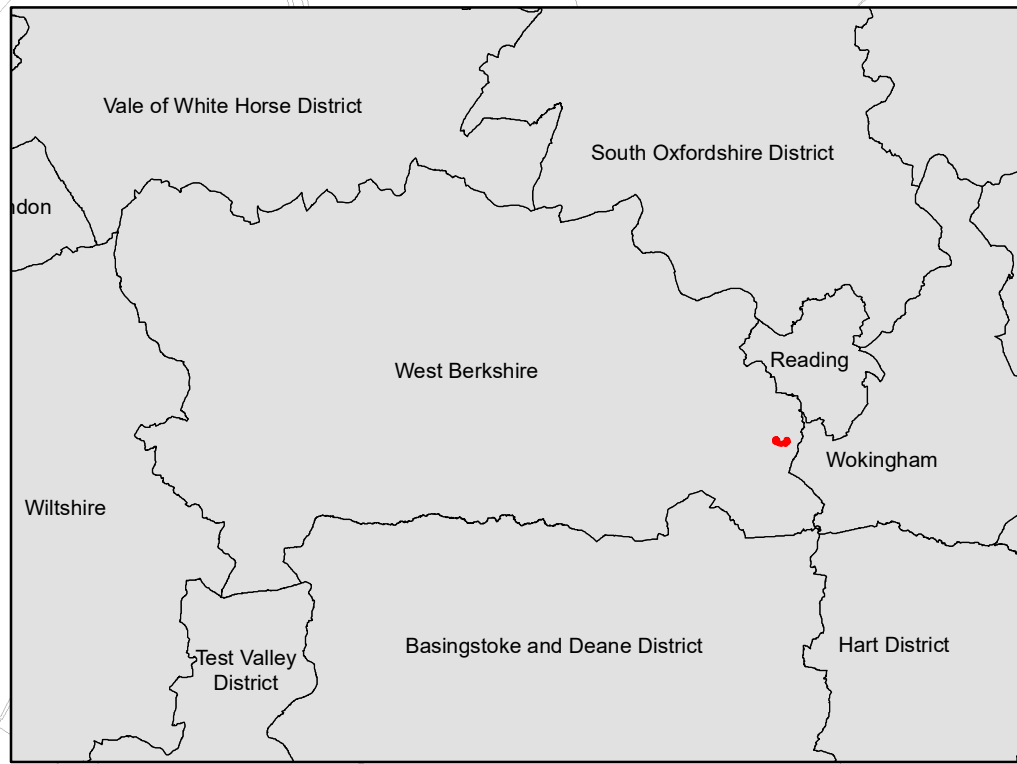


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- Legend**
- Application Boundary
  - AWE Burghfield Site Boundary



Rev	Description	By	CB	Date



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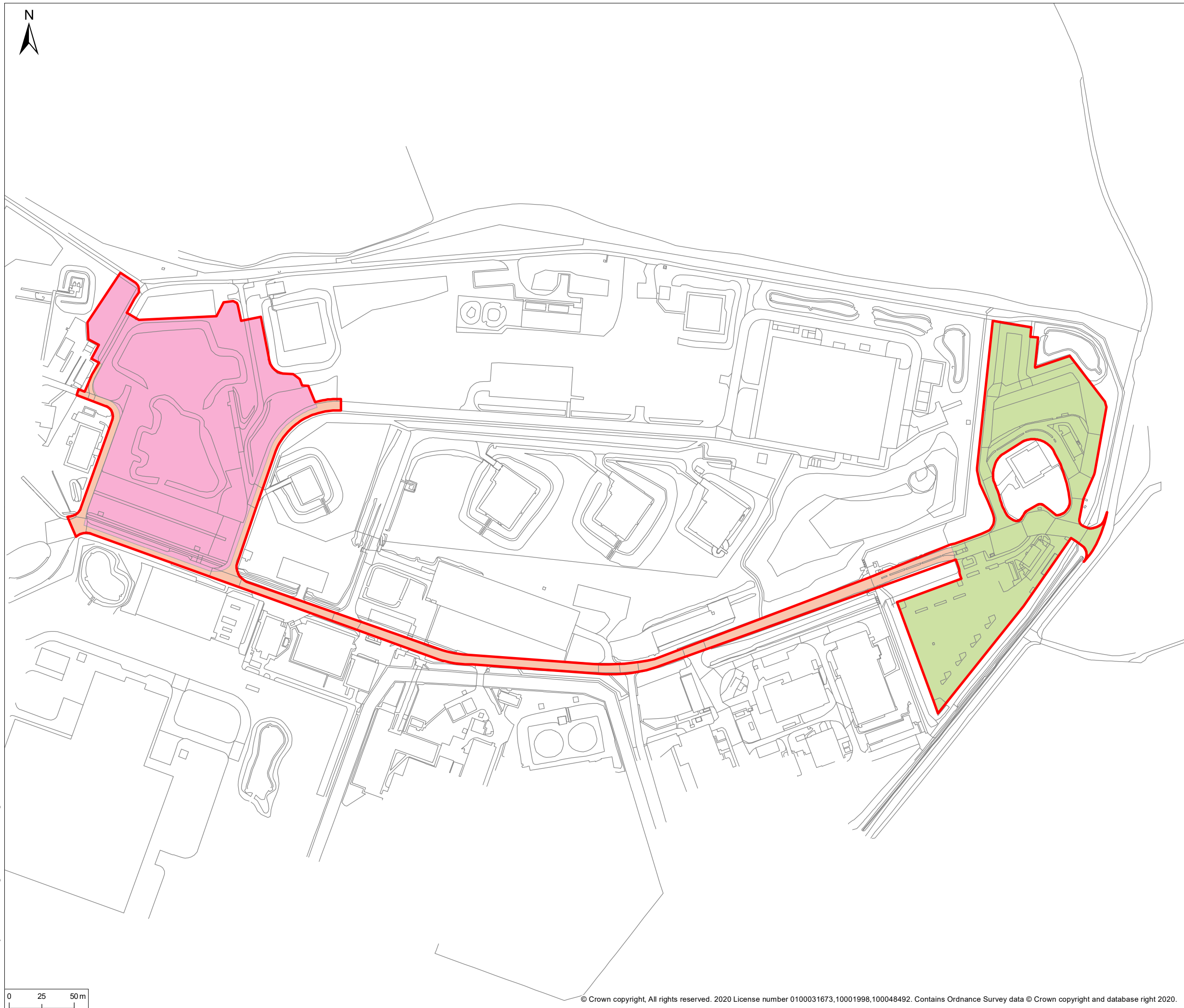
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 Project **MMF**  
 Title **Site Location Plan**

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Project Number <b>OXF10255</b>	Scale @ A3 <b>1:5,000</b>	Date Created <b>SEP 2020</b>
Figure Number <b>1</b>		Rev <b>-</b>

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Legend

-  Application boundary
-  MMF Development Site
-  Existing internal access routes
-  Vehicle check & construction parking

Rev	Description	By	CB	Date



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Client **AWE**

Project **MMF**

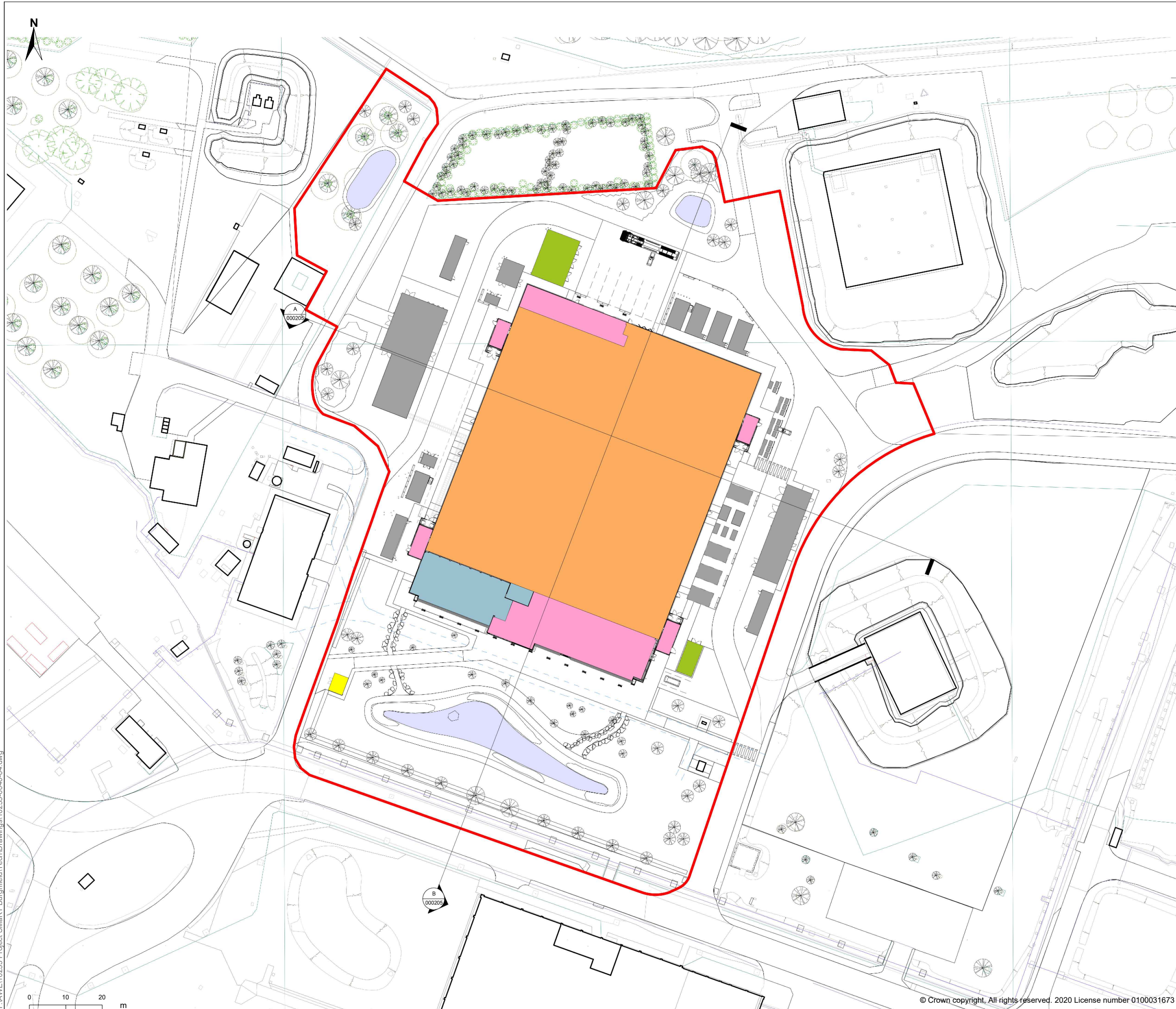
Title **Application Boundary**

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Project Number	Scale @ A3	Date Created
<b>OXF10255</b>	<b>1:2,800</b>	<b>NOV 2020</b>

Figure Number	Rev
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Legend

- MMF Development Site
- Zones key plan**
- Offices
- Workshop
- Storage
- Ancillary
- Plant
- Cycle shelter
- SUDS features

Rev	Description	By	CB	Date



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Client AWE

Project MMF

Title Layout Plan

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RPS Drawing/Figure Number Rev

**3**

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Legend

- MMF Development Site
- Existing trees retained
- Proposed trees
- Proposed native woodland planting
- Proposed hedgerow
- Proposed aquatic and marginal planting
- Amenity grass
- Meadow grass
- Wet meadow grass
- Boulders
- Water
- Pedestrian walkway and plaza - high quality exposed aggregate block paving
- Maintenance access - high quality block paving
- Hardstands and roads to BakerHicks details.

Rev	Description	By	CB	Date



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Client AWE

Project MMF

Title Landscape Masterplan

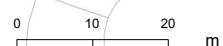
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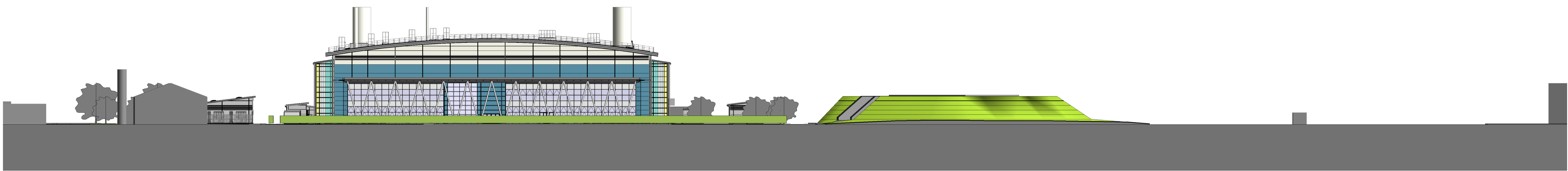
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## Appendix A: Elevations

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Health:  
 Safety:  
 Environmental:  
 It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an agreed method statement. HealthSafetyEnviro\_v1.0



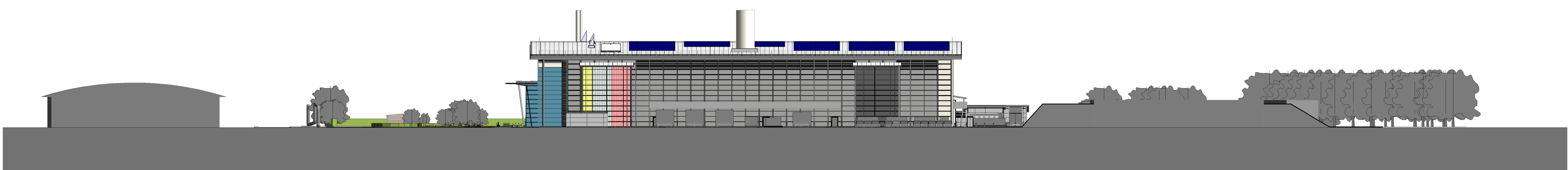
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 Scale: 1 : 500



**West Site Elevation - Planning**  
 Scale: 1 : 500



**North Site Elevation - Planning**  
 Scale: 1 : 500



**East Site Elevation - Planning**  
 Scale: 1 : 500

P3	COLOUR AMENDMENT ISSUED FOR PLANNING.	24/11/20	01	02	03
P2	ISSUED FOR PLANNING	16/04/20	01	02	03
P1	ISSUED FOR COMMENT	24/01/20	01	02	03
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DRN	CHK	CERT			DATE
CHANGE DOC					ISSUE
DRN	CHK	CERT			DATE
CHANGE DOC					ISSUE
DRN	CHK	CERT			DATE
CHANGE DOC					ISSUE
DRN	CHK	CERT			DATE

FS1	B
FS2	MMFRIBA3
FS3	B - BUILDING FABRIC
FS4	BA - STRUCTURAL HIERARCHY
FS5	BA03 - BUILDING

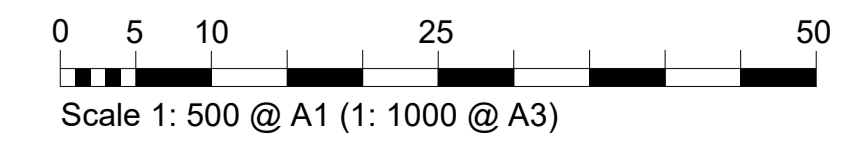
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Scale	ISSUING OFFICE	PROJECT NUMBER
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ORIGINATOR  
**BAKERHICKS**  
 ONE WARWICK TECHNOLOGY PARK  
 GALLOWS HILL, WARWICK, CV34 6YL

CLIENT  
**AWE**  
 ALDERMASTON, READING  
 BERKSHIRE. RG7 4PR

PROJECT  
 MMF - WORK PACKAGE 1 - RIBA STAGE 3 DESIGN  
 TITLE  
 ELEVATION  
 SITE ELEVATIONS  
 PLANNING

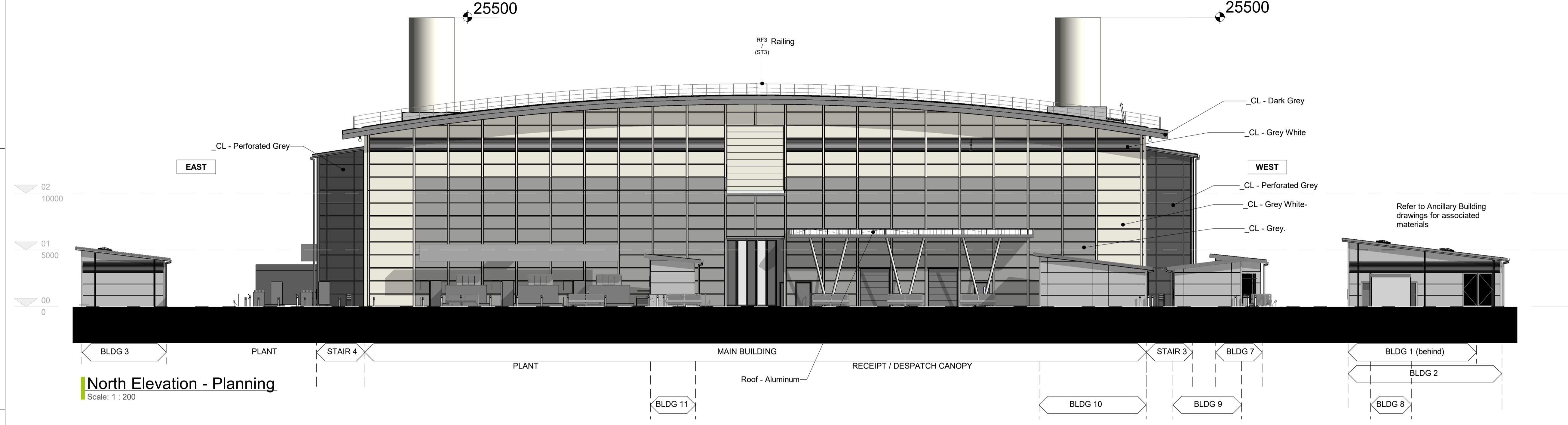
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<b>OFFICIAL</b>			
AWE ENDURING DRAWING NUMBER	SHT 001	DOC Rev	DWG Rev
	OF 001		P3
PROJECT DRAWING NO. (DO NOT REFERENCE IN THROUGH LIFE DOCUMENTATION)			
B-MMFRIBA3-BAK-12-XX-DRW-AR-200-89B-000206			



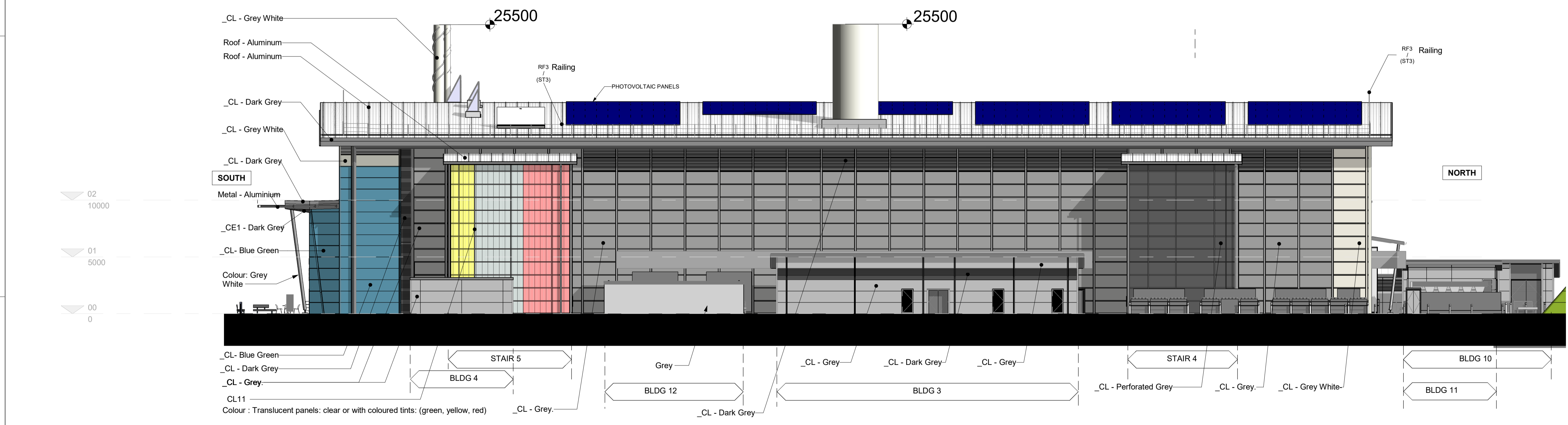
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 Safety:  
 Environmental:  
 It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an agreed method statement. HealthSafetyEnviro\_v1.0



**North Elevation - Planning**  
 Scale: 1 : 200



**East Elevation - Planning**  
 Scale: 1 : 200

REV.	COMMENTS	DATE	DRWN	CHKD	APRVD
P5	GRIDLINES REMOVED. ISSUED FOR PLANNING.	24/11/20	01	02	03
P4	LEVEL COMMENTS INCORPORATED. ISSUED FOR PLANNING	17/11/20	01	02	03
P3	FURTHER COMMENTS INCORPORATED. ISSUED FOR PLANNING	02/10/20	01	02	03
P2	ISSUED FOR PLANNING	16/04/20	01	02	03
P1	ISSUED FOR COMMENT	24/01/20	01	02	03

CHANGE DOC	DRN	CHK	CERT	DATE	ISSUE
CHANGE DOC	DRN	CHK	CERT	DATE	ISSUE
CHANGE DOC	DRN	CHK	CERT	DATE	ISSUE
CHANGE DOC	DRN	CHK	CERT	DATE	ISSUE

FS1	B
FS2	MMFRIBA3
FS3	B - BUILDING FABRIC
FS4	BA - STRUCTURAL HIERARCHY
FS5	BA03 - BUILDING

DIMS IN mm	VAULT	DOCUMENT SUB CATEGORY
mm	89B	ELEVATION
Scale	ISSUING OFFICE	PROJECT NUMBER
1 : 200	WARWICK	30002171

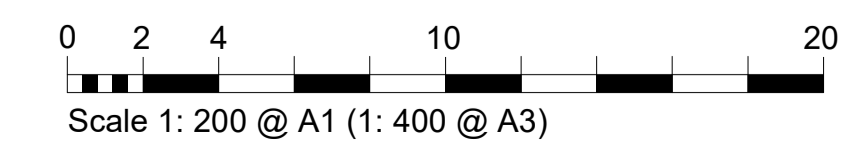
ORIGINATOR  
**BAKERHICKS**  
 ONE WARWICK TECHNOLOGY PARK  
 GALLOW HILL, WARWICK CV34 6YL

CLIENT  
**AWE**  
 ALDERMASTON, READING  
 BERKSHIRE, RG7 4PR

PROJECT  
**MMF - WORK PACKAGE 1 - RIBA STAGE 3 DESIGN**

TITLE  
 ELEVATION  
 NORTH & EAST ELEVATIONS  
 PLANNING

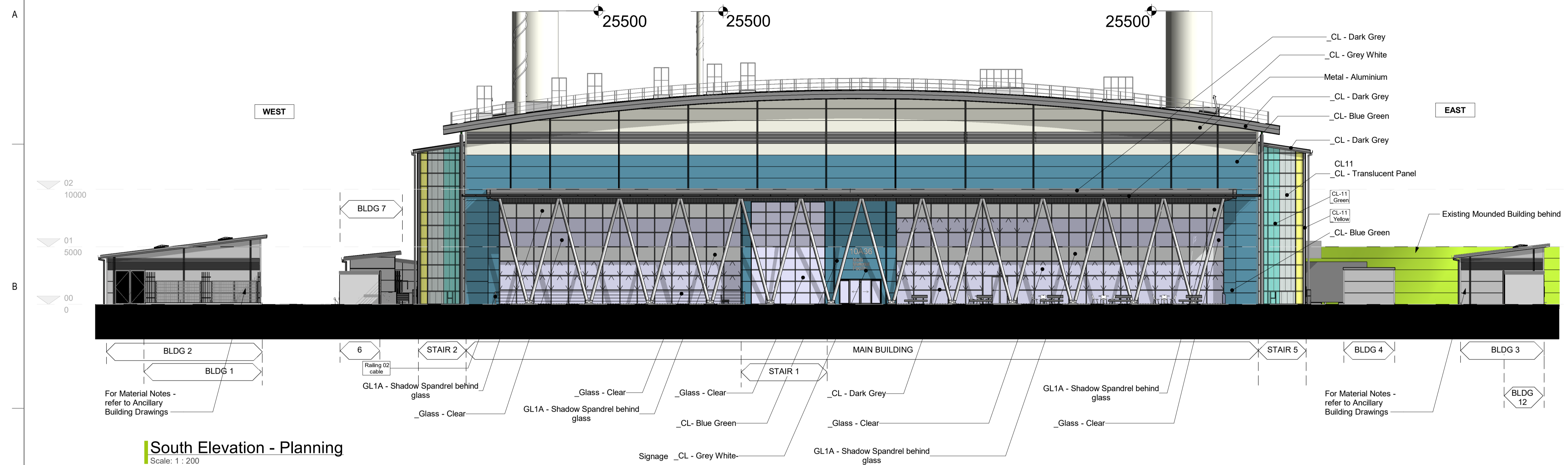
PROTECTIVE MARKING			
<b>OFFICIAL</b>			
AWE ENDURING DRAWING NUMBER	SHT 001	DOC Rev	DWG Rev
	OF 001		P5
PROJECT DRAWING NO. (DO NOT REFERENCE IN THROUGH LIFE DOCUMENTATION)			
B-MMFRIBA3-BAK-13-XX-DRW-AR-200-89B-000221			



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**Significant Health, Safety and Environmental Information Relating to CDM**

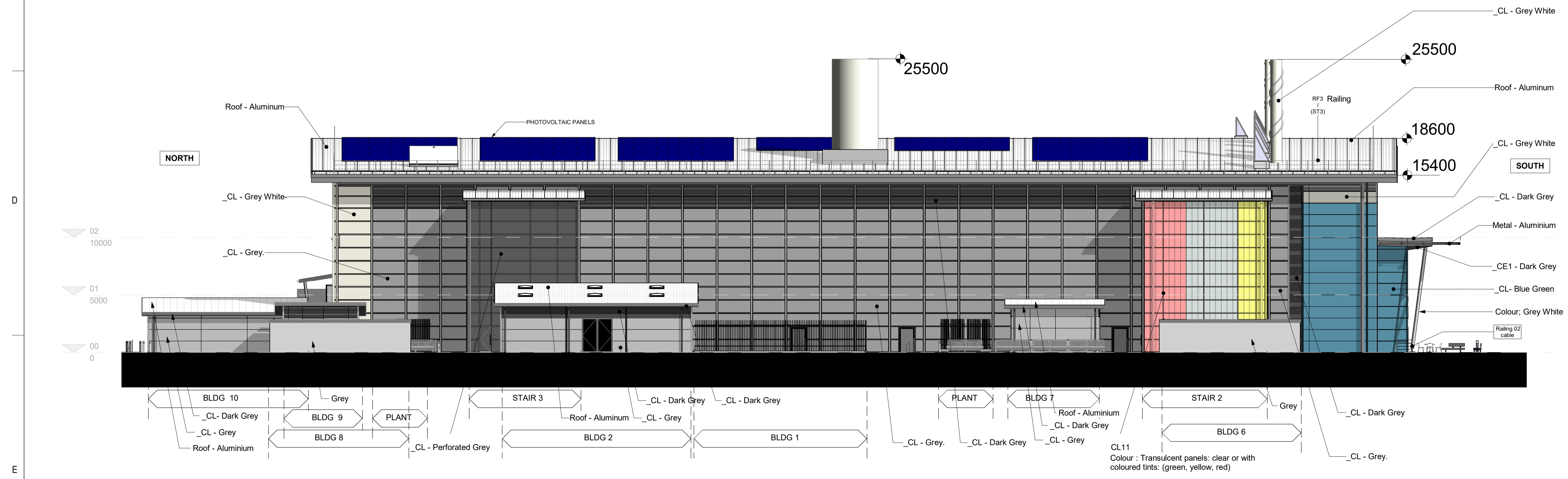
Health:  
 Safety:  
 Environmental:  
 It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an agreed method statement. HealthSafetyEnviro\_v1.0



**South Elevation - Planning**  
 Scale: 1 : 200

P5	GRIDLINES REMOVED. ISSUED FOR PLANNING.	24/11/20	01	02	03
P4	LEVEL COMMENTS INCORPORATED. ISSUED FOR PLANNING	17/11/20	01	02	03
P3	FURTHER COMMENTS INCORPORATED. ISSUED FOR PLANNING	02/10/20	01	02	03
P2	ISSUED FOR PLANNING	16/04/20	01	02	03
P1	ISSUED FOR COMMENT	24/01/20	01	02	03

REV.	COMMENTS	DATE	DRWN	CHKD	APRVD
CHANGE DOC					ISSUE
DRN	CHK	CERT			DATE
CHANGE DOC					ISSUE
DRN	CHK	CERT			DATE
CHANGE DOC					ISSUE
DRN	CHK	CERT			DATE



**West Elevation - Planning**  
 Scale: 1 : 200

FS1	B
FS2	MMFRIBA3
FS3	B - BUILDING FABRIC
FS4	BA - STRUCTURAL HIERARCHY
FS5	BA03 - BUILDING

DIMS IN mm	VAULT	DOCUMENT SUB CATEGORY
mm	89B	ELEVATION
Scale	ISSUING OFFICE	PROJECT NUMBER
1 : 200	WARWICK	30002171

ORIGINATOR  
**BAKERHICKS**  
 ONE WARWICK TECHNOLOGY PARK  
 GALLOWS HILL, WARWICK CV34 6YL

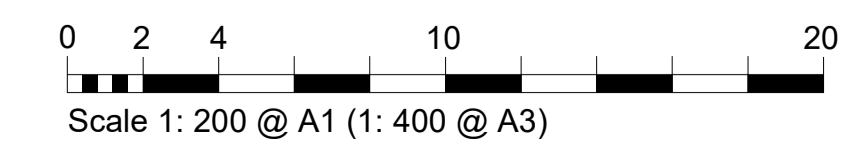
CLIENT  
**AWE**  
 ALDERMASTON, READING  
 BERKSHIRE, RG7 4PR

PROJECT  
**MMF - WORK PACKAGE 1 - RIBA STAGE 3 DESIGN**

TITLE  
**ELEVATION  
 SOUTH & WEST ELEVATIONS  
 PLANNING**

PROTECTIVE MARKING  
**OFFICIAL**

AWE ENDURING DRAWING NUMBER	SHT 001	DOC Rev	DWG Rev
	OF 001		P5
PROJECT DRAWING NO. (DO NOT REFERENCE IN THROUGH LIFE DOCUMENTATION)			
B-MMFRIBA3-BAK-13-XX-DRW-AR-200-89B-000220			



**A1**

Appendix KM6 – Officers Report Application Ref. 20/02966/COMIND



# CASE OFFICER'S (MBB) REPORT ON APPLICATION NUMBER 20/02966/COMIND



**Site: AWE Burghfield  
Burghfield  
Reading  
RG30 3RP**

Member expiry date: 20th January 2021  
EOT: 16th April 2021  
SuDS pre-commencement condition agreed: 7th April 2021

## INTRODUCTION

This application seeks planning permission for a Multi Materials Facility [MMF] at the north western portion/sector of the present AWE Burghfield site. It has a site area of just under 2.4ha. The building will be an important component of the overall Site Development Context Plan [SDCP] for AWE which seeks to optimise the future production of the UK capability for nuclear warhead production. As such this new modular building will make such production far more efficient and cost effective.

The MMF building would comprise a structural steel frame building occupying an area of approximate 6,553 m<sup>2</sup> (gross external area). The building would be approximately 94 metres x 69 metres in plan, with a maximum built height (excluding ventilation flues and stacks) of 18.7 metres. The flue height will be 25.5m above the local ground level. The eaves height will be 15.5m. The AOD level at the barrel roof apex will be just over 62m, whilst the height of the catenary towers to the rear [south] are 87m to provide some comparison.

The facility will comprise several distinct areas over two-storeys, with the main features comprising the following:

- Front of house accommodation. Ground floor to contain reception and exhibition space, production office and restaurant/seating. First floor to contain conference and VR suite with gym and changing facilities, occupational health, multi-faith room.
- Production areas, comprising co-located manufacturing capability processes within secure and modular reconfigurable production cells.
- Plant rooms, forming the roof of the production cells.
- Curved roof structure, with photovoltaic cells.

In addition there is to be 991m<sup>2</sup> of ancillary space supporting the new building, which will comprise such uses as substations, bin stores and waste compounds.

There is however to be no additional car parking laid out on the site for the additional staff required [about 50 in number who are to be largely transferred from the Aldermaston site] as the site has sufficient capacity already. The red line notes that access will be taken from the existing Pingewood Gate access to the east. HGV construction traffic will also use this principal access point.

In association with the scheme there will be a new SuDS basin and landscaped area around the building, with associated cycle parking.

## PLANNING HISTORY

The history of the site is very considerable since the sites inception and there is little point in replicating all of this in this report.

However the most relevant is a pre-application enquiry number 20/00131/PREAPP, issued on the 1st October 2020. This concluded that the application was likely to be acceptable in both principle and scale.

## PROCEDURAL MATTERS

EIA: On the 8th December 2020 the Council issued an EIA screening opinion letter under reference 20/02635/SCREEN which noted that NO ES was required to be submitted to accompany the planning application.

Publicity: Three site notices displayed around the site perimeter on the 23rd December 2020. Allowing for the intervening 3 bank holidays the expiry date was posted as the 16th January 2021. A public notice was also published in the Reading Chronicle on the 7th January 2021.

CIL: Whilst CIL liability would be confirmed separately by the CIL Charging Authority, the application submissions indicate that the development is unlikely to be CIL liable.

## CONSTRAINTS AND DESIGNATIONS

Within the open countryside as designated in the WBCS of 2006 to 2026.  
In the East Kennet Valley designation.

## PLANNING POLICY

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The relevant policies of the statutory development plan for West Berkshire are listed below. These policies can be read online at [www.westberks.gov.uk/planningpolicy](http://www.westberks.gov.uk/planningpolicy).

West Berkshire Core Strategy 2006-2026

Policies: ADPP1, ADPP6, CS5, CS9, CS10, CS13, CS14, CS15, CS16, CS17, CS18 and CS19.

The following are relevant materials considerations:

- The National Planning Policy Framework (Feb 2019) (NPPF)
- The Planning Practice Guidance (PPG)
- West Berkshire Landscape Character Assessment 2019

## CONSULTATION RESPONSES

Wokefield Parish Council: No response.

Burghfield Parish Council (adjacent): No objections.

Highway Authority: No objections raised.

Lead Local Flood Authority: After some negotiations on the proposed outfall detail, the application is recommended for conditional approval.

Environment Agency: No response received.

Office for Nuclear Regulation: Does not advise against the proposal.

Conservation Officer: No assets of heritage importance will be harmed / affected by the scheme so no objections are raised.

Tree Officer: No TPOs or conservation areas affected. The application will require the removal of one or two small trees, however this loss will be significantly offset by the planting proposed. No objections subject to landscaping being completed.

Thames Valley Police: Do not raise any security concerns in regard to the application.

Archaeology: No implications hence no objections.

Emergency Planning Officer: Accept the application as being appropriate.

Thames Water Utilities: Initially advised that a condition be placed on any permission to ensure that if any additional foul waste arose from the site a pre-condition re capacity was required. The applicant has since confirmed that all waste produced on site will be dealt with via an existing waste treatment plant, so the condition is not needed. Case officer concurs.

Environmental Health: No objections/ no conditions recommended.

## PUBLIC CONSULTATION RESPONSES

Total received: Nil.

## PRINCIPLE OF DEVELOPMENT

According to Policy ADPP1, most development will be within or adjacent to the settlements in the hierarchy, and related to their transport accessibility and level of services. The urban areas will be the focused for most development. The scale and density of development will be related to the site's accessibility, character and surroundings. Only appropriate limited development in the countryside (outside of the defined settlement boundaries) will be allowed, focused on addressing identified needs and maintaining a strong rural economy.

The application site is located within the East Kennet Valley, the name given to the rural south-east of the district that lies east of Thatcham and outside of the AONB. Policy ADPP6 is the spatial strategy for the East Kennet Valley. According to the policy, the character of all the settlements in this area will be conserved and enhanced by ensuring that any development responds positively to the local context. Development in the open countryside will be strictly controlled. The supporting text identifies that the Atomic Weapons Establishment (AWE) has two bases in this area, at Aldermaston and Burghfield. AWE is an important provider of local jobs but has implications for the future level of development in this area.

According to Policy CS9, business development will be supported on existing employment sites, particularly on those sites seen as strategically important for the District's economy, including, amongst others, AWE. The policy provides that proposals for business development should be in keeping with the surrounding environment, not conflict with existing uses, and promote sustainable transport. More efficient use of existing sites and premises should be made in order to attract inward investment, respond to modern business requirements, and meet the demand for employment land over the plan period. The Council will promote the intensification, redevelopment, and upgrade of (amongst others) existing employment sites and premises for business development.

Paragraph 5.60 of the supporting text notes that the Atomic Weapons Establishment (AWE) is one of three strategically important employment locations for the West Berkshire economy. It comprises a large amount of business floorspace and is a large local employer. The Council will support business development within these sites, particularly that which enhances the contribution to the local economy.

Policy CS10 identifies the need to support the rural economy. Although this policy is predominantly directed towards smaller scale schemes, the principle remains relevant in this context, given the rural location of the AWE site.

In addition, the policy in para 95[b] of the NPPF specifically encourages local planning authorities to recognise and support development for UK operational defence capability and security purposes, which the proposed MMF is one. In addition it is very clear that the application site location is brownfield, and within the context of the existing AWE site. So although it lies in the rural area in policy terms, this makes the principle of the development acceptable.

In addition the Council's Economic Development Strategy 2020-2023 was adopted in April 2020 and is thus a material consideration. It notes the importance generally of supporting the wider economy in the district, for reasons of future regeneration, prosperity, and job creation. The strategy states that the AWE is an important provider of local jobs, and that the Council will consider how it can support sustainable growth on these sites, ensuring that AWE's status as a world leader in innovation and employment opportunities is allowed to grow. In all these ways the proposal is accordingly supported, and the economic benefits are integral to the support within the Local Plan for supporting development at AWE. In addition it is clear that the new facility functions to maintain the UK Nuclear Deterrent, which is in accordance with current Government policy. In addition it is understood the DEPZ will not alter from the present situation.

## DESIGN, CHARACTER AND APPEARANCE

Policy CS19 states that particular regard will be given to (a) the sensitivity of the area to change, (b) ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character, and (c) the conservation and, where appropriate, enhancement of heritage assets and their settings.

The case officer has visited the application site, and has examined the submitted plans. It is acknowledged that the new MMF is a large building given its floorspace and height of nearly 19m, rising to almost 26m with the stacks. This is a scale of building which would not normally be acceptable in the open countryside designation, but exceptionally it lies within the AWE site, will be relatively well screened visually by surrounding buildings to the east, west and south [but not the north], and will be also well screened across the wider landscape given the local topography and natural features. At the specific request of the officer a "field scene" from the north elevation has been submitted based on LIDAR which provides a modelled accurate visual representation of the new building from the north elevation if it were to be viewed from the public footpath which runs to the north east of the application site. It also provides a useful benchmark against which other buildings to the east can be seen in the overall context, and the relative height of the catenary towers, which are substantially higher than the proposal [over 20 m greater]. Although this building would be lower, it would have solid mass that would increase its visibility within the landscape.

The application is accompanied by a Landscape and Visual Impact Assessment (LVIA), which is informed by the relevant landscape character assessments applicable to the area. It provides a landscape strategy for the site, and gives an assessment of the construction and operational effects of the development.

It is clear, notwithstanding the well prepared LVIA which the officer has examined, that there will be a degree of visual impact arising from the new MMF, which to a degree will be harmful. This in itself

would be contrary to policy CS19, which seeks to protect the nature and character of the quality of the countryside across the district. Having said that, the new building will be viewed in the context of existing built form, notably the catenary towers, and the fact that it is understood that the height of the building is specifically required in order to facilitate production processes for nuclear warhead purposes. This of course is in the National Defence interest so a degree of harm, is accepted on balance by the officer, in recommending approval to the application on this [part] basis.

In terms of design, the building makes no pretence of being a functional/industrial unit, which is considered to be appropriate in the context of the military-industrial and commercial character of the AWE site. The barrel roof assists in reducing the overall impact particularly on the important north elevation, i.e. the principal public view from close-range viewpoints. The proposed materials are acceptable, providing a modern and relatively attractive appearance, notwithstanding its functional design. It will certainly help to modernise the present AWE site. The flues will be an "unfortunate" but clearly necessary addition to the roof scape, but the additional harm is limited by their slim profile. In addition the introduction of the PV cells on the roof will not be viewed from "street" level so reflectivity will not be a problem in this regard.

Finally a degree of additional structural landscaping is proposed on the northern boundary, which will assist to a degree in softening the impact of the building, but only to a relative degree given the substantial mass and scale.

On balance, it is considered that given the constraints identified, the design, mass and scale and location is justifiable and so overall accords with policy CS19 and the NPPF despite a degree of landscape and visual harm.

## HIGHWAYS

The Council highways officer has formally responded to the proposal. He notes that the site location is reasonably sustainable in that there are number of bus services which pass the site to the west as do a number of Sustrans Cycle Routes. As to projected increase in traffic generation due to the increase in the number of employees on site, this is to be 45 movements in the AM peak and 31 in the PM peak. It is apparent to the case officer that the impact of these additional private vehicle movements on the local highways network will not be severe in terms of paragraph 109 of the NPPF. Accordingly, in principle, the application would not be rejected on the grounds of increased and unacceptable traffic generation.

Turning to wider sustainability issues, the AWE has an existing Travel Plan which applies to all staff and it is noted in the supporting detail with the application that this would continue. The Council Transport Policy team has not however responded to the application. Related to this it is notable that a covered [and obviously secure] cycle store is intended to be provided on the application red line site. The highways officer has accepted the lack of any additional parking on site given the existing high spare capacity already at the AWE site, so there will be no additional parking impact on the local highways.

In terms of the construction phase, there will be a rise of 37 vehicle movements during the AM peak and 27 during the PM peak for light vans etc. Again this is not considered to be significant and in any event will only be on a temporary basis over the construction period. As to HGV movements these are controlled by a Code of Construction Practice which ensures no HGV movements go in or out of the site outside the hours of 8.30am to 4pm, unless of course it is an emergency or for an exceptional need.

Accordingly the case officer considers that whilst of course there will be a degree of impact upon the local network, this will be acceptable, having due regard to policy CS13 and the policy in chapter 9 of the NPPF on highways matters.

## DRAINAGE

The sustainable drainage issues on the site have been resolved by the submission of additional details, which will be duly conditioned.

## NOISE

The applicants have submitted a noise impact assessment of the impact on local residents of the increased construction traffic, and the noise impacts of the actual construction, involving piling and foundation works. Finally an assessment has been made of the noise impacts arising from the future operational phase of the building as a whole.

The case officer has considered this report, and in addition has noted the response of the Council EHO who has raised no objections/comments on the application.

The conclusions of the assessment all point to the lack of any noticeable impact on local amenity due to noise, and as such it is considered the scheme will comply with the aims of saved policy OVS6 in the WBDLP of 1991 to 2006. In addition the assessment concludes that there would be a negligible to low noise impact from the operation of the MMF. On the basis of the above and in conclusion, noise from the proposed development would be mitigated, through the application of best available techniques, such that it does not cause a significant adverse impact, as defined by the NPSE and PPG. The potential for noise affecting living and working conditions has therefore been minimised, in line with the requirements of the NPPF and WHO guidelines on these issues.

## Air Quality

The applicant has submitted a report examining the potential impact upon local air quality arising from the scheme both during the construction and operational phases. This examines the following principal issues: emissions from construction and operational traffic; construction dust; operational emissions from the discharge flues, arising from the gas-fired Combined Heat and Power (CHP) plant and four gas-fired Low Temperature Hot Water (LTHW) boilers; and operational process emissions from the discharge stacks.

The case officer has examined the report and notes the EHO response. The conclusions of the report regarding dust emissions and the emissions are accordingly accepted.

## HERITAGE

Policy CS19 sets out the need for the Council as LPA to examine any new development in the light of future potential impacts on the archaeological resource, and that of other heritage assets such as listed buildings and conservation areas. The applicants have submitted a helpful Heritage report in this regard.

The conclusions are that no archaeological value is attached to the localised application site itself, given the historic and substantial amount of past works undertaken on the site itself being part of the ROF and then the AWE. The Council archaeologist has accepted this in her response. In addition there are no listed buildings in close proximity to the application site whose setting would be detrimentally affected and so harmed by the MMF. The Council conservation officer has agreed this in his view on the pre-application enquiry. Accordingly, having due regard to the policy in Chapter 16 of the NPPF and policy CS19 it is anticipated that the scheme will not harm any matters of heritage significance.

## PLANNING BALANCE AND CONCLUSION

The application before the Council comprises a very significant investment in the national defence infrastructure for the country. The local economic benefit of supporting development at AWE is substantial, and in accordance with the aforementioned policies of the Local Plan. This weighs heavily in the planning balance, in economic terms, but also in terms of wider national defence/security issues having regard to the NPPF.

In environmental terms there will inevitably be a degree of short term impact during the construction phase on local traffic movements, noise and dust, but during the operational phase the principal impact will be landscape and visual. The case officer notes that there will be a degree of harmful visual impact caused by the MMF, but these impacts must be viewed in the context of existing development at the established AWE site. This has to be weighed against the wider benefits noted above, including increased employment, particularly during the construction phase. In social terms the development impact is taken to be generally neutral.

In policy terms the application is considered to be in accordance with the statutory development plan, and the relevant material considerations do not otherwise indicate that permission should be refused.

#### RECOMMENDATION

Grant conditional planning permission.

Appendix KM7 – Screenshot from NHS website for Burghfield Medical Centre





## Dr M L Swami & Partners - Burghfield Health Centre

# Overview

### Overview

[How to register with this GP surgery](/services/gp-surgery/dr-m-l-swami-and-partners-burghfield-health-centre/K81636002/how-to-register) (Link: /services/gp-surgery/dr-m-l-swami-and-partners-burghfield-health-centre/K81636002/how-to-register).

[Ratings and reviews](/services/gp-surgery/dr-m-l-swami-and-partners-burghfield-health-centre/K81636002/ratings-and-reviews) (Link: /services/gp-surgery/dr-m-l-swami-and-partners-burghfield-health-centre/K81636002/ratings-and-reviews).

[Leave a review](/services/gp-surgery/dr-m-l-swami-and-partners-burghfield-health-centre/K81636002/leave-a-review) (Link: /services/gp-surgery/dr-m-l-swami-and-partners-burghfield-health-centre/K81636002/leave-a-review).



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Burghfield Common  
Reading  
Berkshire  
RG7 3YJ

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0118 907 9965

### Online

[Email this GP surgery](#)  
(Link:

### Online health and prescription services

Log in with your usual website or app

[Start using online services](#)  
(Link: <https://www.nhs.uk/using-the-nhs/nhs->

<https://www.google.com/maps/search/Burghfield+Health+Centre+Read>

<mailto:srccg.drmlswamiandpartners@nhs.uk>

[services/gps/gp-online-services/](#)

[33804321289,-1.0563946962356567,17z](tel:33804321289,-1.0563946962356567,17z)

Sign up or log in using the [NHS App](#) (Link: <https://www.nhsapp.service.nhs.uk/login>)

[➔ Find another GP surgery \(Link: /service-search/find-a-gp/\)](#)

## Reception opening times

Day	Opening hours
Monday	8am to 6:30pm
Tuesday	7am to 6:30pm
Wednesday	7am to 2pm
Thursday	8am to 6:30pm
Friday	8am to 6:30pm
Saturday	Closed
Sunday	Closed

Last updated: 28 July 2015

Appendix KM8 – Screenshot from Burghfield Dental website and Tadley Dental Practice



Burghfield Dental

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All our staff are highly trained in using the latest technology and equipment and they are dedicated to giving you the best care available and to ensure that every visit is a pleasant one. In order to fulfil our commitment to our patients, we offer the benefits of affordable Private, Denplan and NHS dental care which we tailor to your individual situation. Everything we do is for the benefit of our patients. We firmly believe that your needs come first and we will do our utmost to make you feel comfortable at every visit whether it's a simple check up or an appointment for more complex dentistry.

Website last updated- 17/02/2023

### Patient Notice – Coronavirus

Update – we are pleased to announce that all of our staff have now been vaccinated. We are also performing on-site Covid-19 testing twice weekly for all staff to help ensure your safety. Please book your appointment with confidence.

#### COVID-19 Screening:

- Please do not attend the surgery if you answer yes to the following:
- Are you waiting for a COVID-19 test or the results?
- Have you tested positive for COVID-19 in the last 7 days?
- Have you been in contact with anyone with COVID-19 or symptoms?

We ask that you brush your teeth and use the toilet at home, prior to attending the surgery.

### Complaints

In this practice we take complaints very seriously & try to ensure that all patients are happy with their experience of our service. If a patient should complain they will be dealt with courteously and promptly so the matter is resolved as quickly as possible. We will acknowledge a complaint within 48 hours and respond within 10 working days. Please use contact box below if you wish to make a complaint in writing.

If you have any further questions regarding your visit, please contact the reception team on [01189833563](tel:01189833563) or email

[hhesami@btconnect.com](mailto:hhesami@btconnect.com) , Who will happily answer any queries.

A fee may be charged if an appointment is cancelled without 48 business hours notice.

Sincerely,

Burghfield dental

### Contact Us

[hhesami@btconnect.com](mailto:hhesami@btconnect.com)

Your Name (required)

Your Email (required)

Subject

Your Message

Send



# Harrison Dental Tadley Ltd

## Overview

### Overview

[Treatments and services](/services/dentist/harrison-dental-tadley-ltd/V284030/treatments-and-services) (Link: /services/dentist/harrison-dental-tadley-ltd/V284030/treatments-and-services)

[Ratings and reviews](/services/dentist/harrison-dental-tadley-ltd/V284030/ratings-and-reviews) (Link: /services/dentist/harrison-dental-tadley-ltd/V284030/ratings-and-reviews)

[Leave a review](/services/dentist/harrison-dental-tadley-ltd/V284030/leave-a-review) (Link: /services/dentist/harrison-dental-tadley-ltd/V284030/leave-a-review)

## Contact us

### Address

Unit 1 Brick Kiln  
Silchester Road  
Tadley  
RG26 3PX

[Get directions \(opens in Google Maps\)](https://www.google.com/maps/search/Unit+1+Brick+Kiln+Silchester+Road+Tadley+++RG26+3PX/@51.35704040527344,-1.1377936601638794,17z) (Link: https://www.google.com/maps/search/Unit+1+Brick+Kiln+Silchester+Road+Tadley+++RG26+3PX/@51.35704040527344,-1.1377936601638794,17z)

### Phone

0118 334 5234

### Online

[Send email to dentists](mailto:info@hdtadley.co.uk) (Link: mailto:info@hdtadley.co.uk)


Unit+1+Brick+Kiln+Silchester+Road+Tadley+++RG26+3PX/@51.35704040527344,-1.1377936601638794,17z

[➔ Find another dentist](/service-search/find-a-dentist) (Link: /service-search/find-a-dentist)

## Taking on new NHS patients

This dentist is:

- accepting adults 18 and over
- accepting adults entitled to free dental care
- accepting children aged 17 or under

 There may be fewer appointments available, while practices work through a backlog following the coronavirus (COVID-19) pandemic.

Last updated: 16 February 2023

## Opening times

Day	Opening hours
Monday	9am to 5pm
Tuesday	8am to 5pm
Wednesday	9am to 7pm
Thursday	9am to 6pm
Friday	9am to 5pm
Saturday	9am to 1pm
Sunday	Closed

Last updated: 16 February 2023

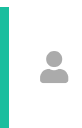
Appendix KM9 – AWE Travel Plan by RPS



Projects

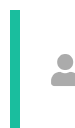
# ATOMIC WEAPONS ESTABLISHMENT TRAVEL PLAN IMPLEMENTATION

With sustainability at its core, the Atomic Weapons Establishment (AWE) has committed to managing the demand for travel at its operational research facilities. For many years, we have advised how this could be appropriately managed through the implementation of a Travel Plan, focused on reducing single occupancy vehicle travel to and from their sites at Aldermaston and Burghfield in West Berkshire.



Through this Travel Plan, which we developed in collaboration with numerous departments all the way up to the Executive Board, AWE has been able to reduce carbon emissions for employee travel, while allowing for operational efficiencies through better control of access to their sites and management of car parking.

As a 'live' plan, we are continually reviewing and adjusting the Travel Plan in response to its outcomes, through regular surveys and staff consultation; assessing the environmental impact and commercial considerations to ensure resources are targeted to the most effective initiatives.



## Key details

### Project name

Atomic Weapons Establishment Travel Plan Implementation

### Client

Atomic Weapons Establishment (AWE)

### Location

West Berkshire

### Services provided

- Travel Plan Implementation

## Challenge

The success of a Travel Plan is dependent on a number of factors, not least in securing the level of engagement with the targeted audience. This has been no different at AWE. Their sites at Aldermaston and Burghfield accommodate approximately 10,000 people generating thousands of vehicle movements on a daily basis.

The volume of employee car movements creates pressure on the surrounding highway network, the access gates and car parks. It also substantially contributes to AWE's carbon



missions, which it has committed to reducing.

The sensitivity of the sites being surveyed means that a careful approach was required when carrying out baseline surveys. This challenge has been compounded with the stringent security procedures that operate at both sites and the relatively isolated location of the sites.

Prior to the implementation of the plan, the operation of both sites was characterised by a dominance of car movements and the number of limited secured accesses created natural pinch points.

Taken together, the scale of the challenges faced were significant in ensuring that meaningful changes in travel behaviours could take place without significantly affecting AWE's operations.



## Solution

Through an understanding of its objectives and vision, we have been able to set-out an overall strategy for tackling employee movements. This involved identifying what would offer the best prospects for change.

We assisted AWE to implement a range of carefully tailored Travel Plan initiatives, using a mixture of control measures as well as benefits to encourage more sustainable forms of travel.

Recognising the central role that employees would play in this, we helped to organise a comprehensive marketing campaign. Focus groups and exhibitions provided the opportunity for staff feedback on the initiatives and where necessary, this led to refining the initiatives accordingly.

Given the characteristics of the sites and the employee catchment, we identified that one important contributor to the Travel Plan would be car sharing. Our recommendation was that benefits could be gained from engaging with staff on the environmental and economic advantages of car sharing through a targeted marketing campaign. While other modes of transport also featured in the Travel Plan, the emphasis on reducing the number of single occupancy vehicle trips was judged to be an important first step in addressing the long-standing nature of this mode of travel by employees.

The introduction and enforcement of car parking restrictions has contributed to regularising the use of onsite car parks, meaning staff are assigned defined areas for parking.

Business travel in the course of employment has also been addressed by limiting the need for staff to travel for meetings, and where this is required, additional incentives were also considered. Where travel between the two sites is concerned, we assisted with the implementation of inter / intra-site shuttle buses as well as cycling and walking initiatives. We have also assisted AWE to rationalise building usage and car parking provision to minimise internal travel within the sites, as part of a wider estate rationalisation exercise.



To measure the success of the plan, we have mobilised, supervised and analysed over 20 travel surveys to track progress against the initiatives being used to determine ways in which the

Travel plan could be enhanced while continuing to offer value for money.

1,245

estimated tonnes of carbon reduced per annum

£700,000

per annum in fuel savings as a result of the car sharing scheme

1/5

staff car sharing achieved

800

parking spaces no longer required after the car sharing scheme

20

travel surveys conducted and analysed



Appendix KM10 – The Economic Footprint of Housing Building in England and Wales report 2018



# The Economic Footprint of House Building in England and Wales

July 2018







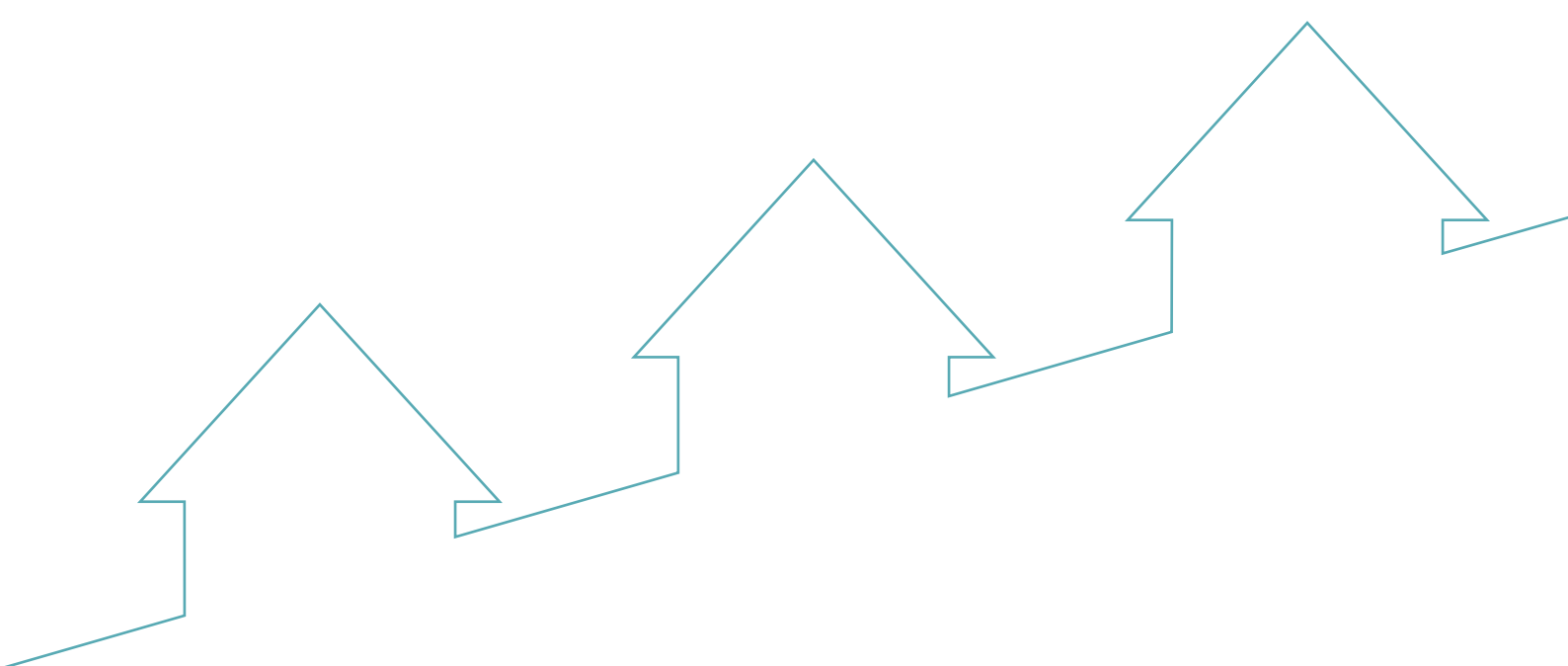
## Home Builders Federation

The Home Builders Federation (HBF) is the representative body of the home building industry in England and Wales. HBF's members' account for 80% of all new homes built in England and Wales in any one year, and include companies of all sizes, ranging from multi-national, household names through regionally based businesses to small local companies.



## Lichfields

Lichfields is the pre-eminent planning and development consultancy in the UK. With offices nationwide, Lichfields offers a broad range of planning services including economics, heritage, sustainability, and urban design. Lichfields has clients in both the public and private sectors and is a retained economic advisor to a number of leading house building companies and property sector corporates.



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Last year the house building industry in England and Wales built around 224,000 new homes. Its economic footprint was significant.

## Investment



**£12bn**  
invested in land and buildings for homes



**£11.7bn**  
spent on suppliers  
(90% stays in the UK)

## Jobs and Growth

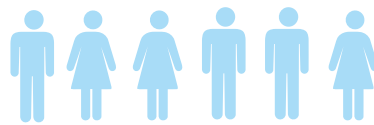


**£38bn**

of Economic Output  
generated by house building  
each year

**Nearly  
698,000 jobs**

239,000 directly employed in the  
industry (18% of the construction industry)



**3.1 jobs for every  
home built**

**4,300 Apprentices,  
525 graduates and  
2,900 other trainees**

supported each year,  
excluding those in  
contractors and suppliers

## Resources for Public Services



**£2.7bn**  
of tax paid

Stamp Duty Land Tax, Corporation Tax,  
NI, PAYE, and Residents' Council Tax



**£4.2bn** of new  
"Affordable Housing"

20% of all new homes  
built in England and  
Wales are "Affordable"

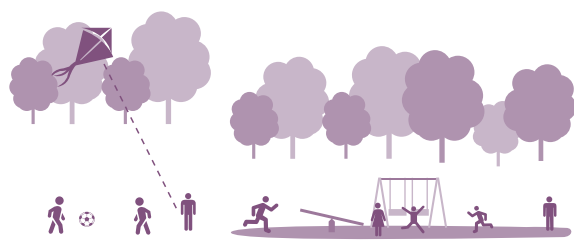


**£841m**

for infrastructure

including £122m on new  
and improved schools

## Stronger Local Communities and Environment



**£45m** invested in open space, community,  
sport and leisure facilities

**£5.9bn** spent in local shops and  
services by residents of new homes

A further £1.2bn is spent to make these houses  
"feel like home"



**England and Wales should increase annual supply of homes by around 81,600. Achieving this would mean:**

**£411m**

more net capital  
expenditure

**£14.2bn**

increase  
in economic  
output

**260,800**

extra jobs

**£1.1bn**

more tax paid

**£384m**

extra investment in  
local infrastructure

**£2.7bn**

additional resident  
spending on goods  
and services

These extra benefits would be additional to the economic footprint of the current annual supply of 224,000 new homes.

# 1.0 Introduction

---

The importance of the house building industry is firmly in the national policy spotlight, given the Government's clear focus on driving forward the supply of housing, tackling problems of affordability and reversing declining rates of home ownership.

Yet the industry's ability to drive economic growth and support prosperous economies – as well as providing much needed housing to support sustainable communities – is also significant, with the economic contribution that house building makes to the economy having long been recognised by Government, policy makers and practitioners.

In 2015, the Home Builders Federation ("HBF") commissioned Lichfields to assess the economic footprint of the UK house building industry and quantify its economic contribution to the national economy. The study was the first of its kind to calculate the house building industry's national economic footprint in a truly holistic way and its analysis has been an important point of reference for the industry, as well as policy makers and other stakeholders.

This new report has been prepared by Lichfields to update the analysis undertaken in 2015 with the latest information, statistics and trends in house building and to provide an up-to-date view on the economic footprint of the house building industry in both monetary and non-monetary terms. It gives additional focus to some topical issues including the value of affordable housing delivery and the relative impact of recent Permitted Development Rights for residential change of use. This year, the data and analysis covers England and Wales only, to reflect the geographical focus of the HBF's work.<sup>1</sup>

The study looks at a wide and comprehensive range of economic, social and environmental benefits that day-to-day house building generates. It uses a number of primary and secondary data sources to measure the industry's economic footprint and draws on a survey of some of the largest house builders in England and Wales, as well as the latest economic appraisal techniques and benchmarks.

The remainder of the report is structured as follows:

- **Section 2** summarises the methodology and approach;
- **Section 3** provides an overview of the house building industry and recent trends across England and Wales;
- **Section 4** details the national economic footprint of the house building industry across a series of key themes and metrics;
- **Section 5** summarises some of the more qualitative, wider benefits associated with house building activity;
- **Section 6** considers the additional scale of economic benefits that could be realised if the delivery of new homes were to increase to meet the level of need identified by the Government; and
- Overall conclusions are presented in **Section 7**.

<sup>1</sup> A separate organisation – Homes for Scotland – represents the industry in Scotland.  
homesforscotland.com



# Measuring the Economic Footprint



This update report provides an in-depth analysis of the contribution of house building to the economy of England and Wales. It quantifies the economic contribution of house building in terms of both direct impacts (through house builders themselves and their contractors) as well as indirect and induced impacts (from other sectors and firms that rely on house building and its supply chains and spending). It also summarises some of the “softer” impacts generated by house building that are typically more difficult to quantify.

Due to the scale and complexity of the house building industry, there is no single source of data that provides comprehensive information about its day-to-day economic activity and operations. In light of this challenge and in order to ensure that the outputs from the analysis are as accurate and robust as possible (whilst remaining proportionate), this update replicates the methodology applied in 2015 by using a combination of approaches to measure the economic contribution of the house building industry, broadly following a three stage assessment summarised as follows.

1. **High Level Literature Review** – review of recent work undertaken by industry leading organisations exploring the economic contribution of the house building industry in England and Wales, and the construction sector more generally;
2. **“Top-down” Assessment** – estimating the economic contribution of the house building industry in England and Wales through a “top down” assessment using published Government accounts data and surveys; and
3. **“Bottom-up” Assessment** of the house building industry’s economic footprint by collecting a series of primary company data from a sample of house builders, aggregating and extrapolating this up to cover the industry in its entirety. A sample of HBF house builder members were selected from each size tier (i.e. large, medium-sized and small firms) to undertake a detailed “deep dive” analysis of each company’s output, financial and monitoring data as far as information is available and reported in a consistent format.





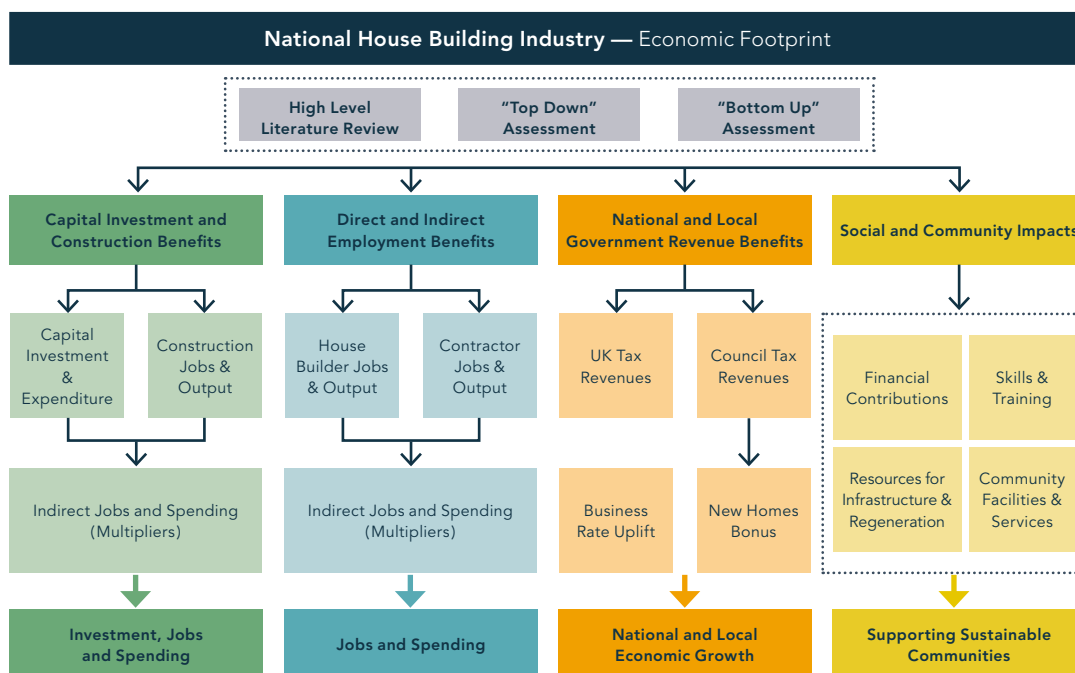
The outputs from each step have been brought together and synthesised in order to estimate the industry's existing economic footprint across the following broad categories:

- **Capital Investment and Expenditure Benefits:** this relates to the value of capital investment and expenditure generated by the industry on new land for housing development;
- **Construction Benefits:** this relates to the impacts of this capital investment on construction employment and associated income generation and economic output during the construction of housing;
- **Direct Employment Benefits:** the number of people employed directly by house builders and their contractors, as well as the levels of economic output generated by these jobs;
- **Indirect and Induced Employment Benefits:** further jobs supported in the wider economy in house building supply chains and by spending amongst direct and supply chain employees on goods and services;
- **Resident Expenditure Benefits:** level of expenditure generated by residents of new housing development;
- **Public Finances:** contribution through tax revenues generated by house builders and their supply chain;
- **Local Authority Revenue Benefits:** the benefits that house building development brings in terms of local authority financial receipts from New Homes Bonus and Council Tax;
- **Local Community Benefits:** financial contributions made by house building to fund new facilities, services and infrastructure for local communities; and
- **Other "Softer" Benefits:** this relates to other benefits that tend to be non-monetary such as the re-use of brownfield land and open space preserved.



## Analytical Framework

The analytical framework for the study is summarised below.



**Figure 2.1:** Analytical framework.  
**Source:** Lichfields.

A glossary for the various terms and definitions is set out at Appendix 1.

It should be noted that, as with any research report of this nature, there are a number of limitations associated with the methodology and therefore outputs are intended to provide a broad "point-in-time" indication of the house building industry's estimated economic contribution rather than a definitive assessment. It incorporates the latest data and other evidence available at the time of preparation.

The sample survey of house builder firms covers largely private sector enterprises.

The results from the survey have been extrapolated to represent the industry as a whole – including the share of the industry accounted for by housing associations / registered providers and local authorities, both of which have an important role to play in delivering new homes each year – although it is recognised that operational models and day-to-day activity is likely to vary across different sub-sectors of the industry. The data derived from the "deep dive" sample survey of house builder firms, as well as other data derived from third party sources, is assumed to be accurate, but has not been validated by Lichfields.



# House Building in England and Wales

## The Need for Housing

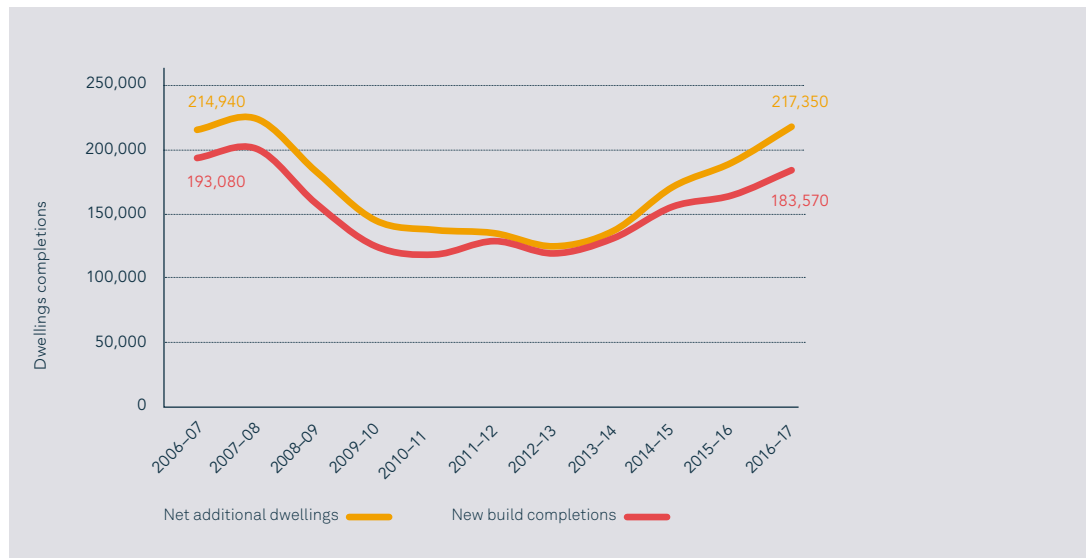
The Government’s 2017 White Paper on housing<sup>2</sup> opens with the statement *“the housing market in this country is broken, and the cause is very simple: for too long, we haven’t built enough homes.”*

In the years following the financial crisis, net additional housing supply fell to under 150,000 per annum. Whilst it has recovered most recently to 217,350 net additional dwellings in England in 2016/17<sup>3</sup> (see **Figure 3.1**), it still falls well below the 300,000 homes a year by the mid-2020s set out by the Chancellor in the 2017 Autumn Budget<sup>4</sup> – a figure which, if sustained over a long period, could begin to improve affordability<sup>5</sup> and deliver the necessary supply of affordable homes.

The net additional supply data presented above represents the Government’s primary and most comprehensive measure of housing supply and comprises conversions and change of use as well as new build housing.

New build dwellings have traditionally made the greatest contribution towards overall net additional housing supply in England, equivalent to 85% of the total in the latest reporting year (2016/17) (see **Figure 3.1**).

Net additional housing supply in Wales stood at 6,704 in the most recent reporting year (2016/17); the rate of delivery of new dwellings has been increasing over recent years, but has yet to recover to pre-recession levels (see **Figure 3.2** overleaf).



**Figure 3.1:** Net additional housing supply in England, 2006–2017.

**Source:** MHCLG Live Table 120/Lichfields analysis.

<sup>2</sup> DCLG, Fixing our broken housing market, February 2017.

<sup>3</sup> MHCLG Net Additional Dwellings data.

<sup>4</sup> HMT Autumn Budget speech 2017; it is understood that 300,000 homes a year refers to England only.

<sup>5</sup> Select Committee on Economic Affairs: Building more homes 1st Report of Session 2016–17 – published 15 July 2016 – HL Paper 20. Paragraph 84 states: *“To address the housing crisis at least 300,000 new homes are needed annually for the foreseeable future.”*





As a whole, England and Wales have not built enough new homes for more than a generation and the impact of the financial crisis, recession and economic slow-down has compounded this issue. One of the starkest impacts of a lack of housing supply is affordability, and the quantity of concealed households is growing. ONS Data<sup>6</sup> shows that just over a quarter (26%) of adults in the UK aged between 20 and 34 were living with a parent in 2017, compared to 20% twenty years earlier.

- The proportion of those buying with a mortgage is down;
- Private tenants now spend 38% of their income on housing costs, compared to 18% for homeowners; and
- Recent trends within the 25–44 year old group have been particularly pronounced, with a significant drop in owner occupation and a considerable increase in private renting.

Meanwhile, latest data from the English Housing Survey<sup>7</sup> suggests that:

- Owner occupation has been declining in recent years (but with no change since 2013/14);



**Figure 3.2:** Net additional housing supply in Wales, 2006–2017.

**Source:** Welsh Government / Lichfields analysis.

**Note:** Data comprises new dwellings completed minus demolitions as a proxy for net additional dwellings delivered in Wales.

<sup>6</sup> <https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/datasets/youngadultslivingwiththeirparents>

<sup>7</sup> <https://www.gov.uk/government/statistics/english-housing-survey-2016-to-2017-headline-report>

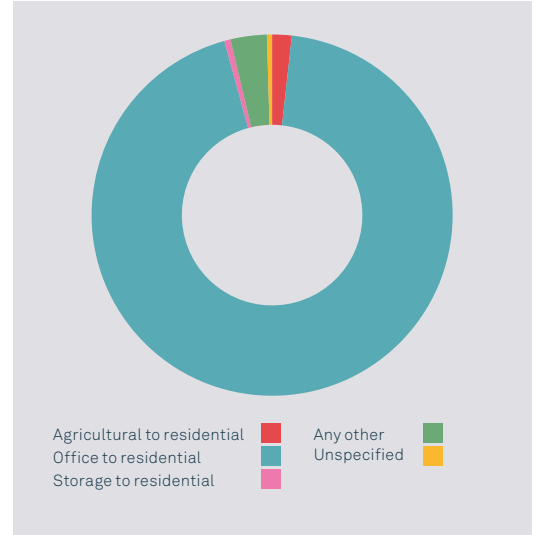


## Permitted Development Rights

Over the last few years, an increasing proportion of net additional housing supply has been delivered through change of use of existing property (see **Figure 3.3**). In March 2015, permitted development rights (PDR) legislation was updated, with new regulations coming into effect to allow greater flexibility to convert buildings for residential use without the need to apply for planning permission.

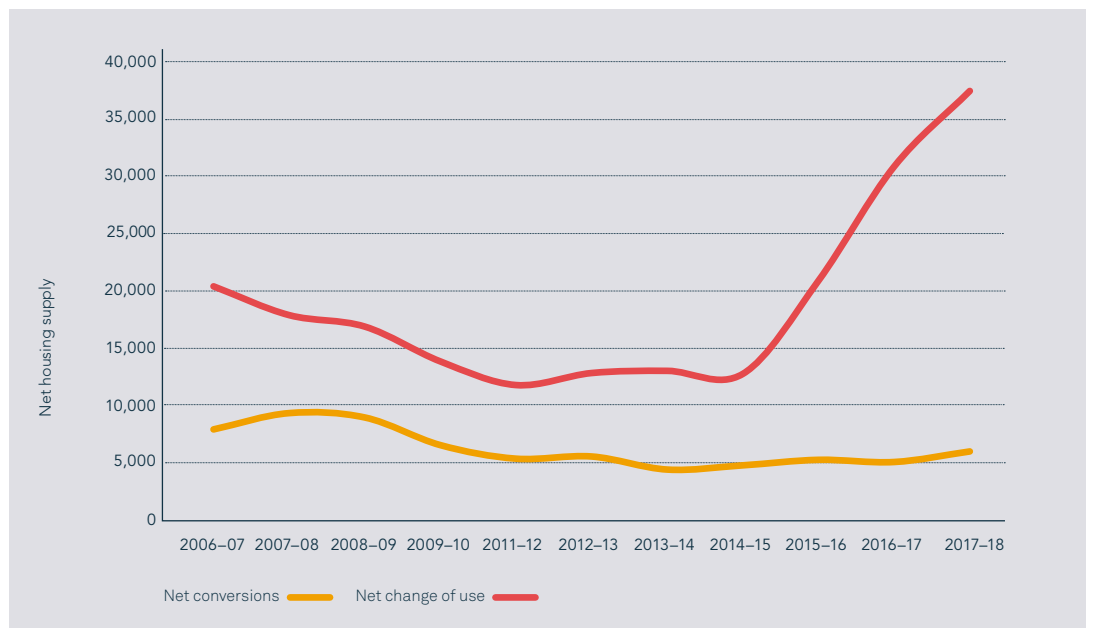
This legislation was intended to boost new housing supply by making better use of those existing buildings no longer needed for commercial purposes; inevitably, the relative impact and success of the policy has been felt unevenly across England.

In England, 37,190 net additional residential units were delivered via change of use in 2016/17, equivalent to 17% of the total. Of these, around half (just under 18,900) occurred through PDR, predominately office to residential PDR (see **Figure 3.4**). Equivalent data is not available for Wales.



**Figure 3.4:** Net housing supply – change of use through permitted development rights 2016/17 in England.

**Source:** DCLG Live Table 120/Lichfields analysis.



**Figure 3.3:** Net conversions and change of use to residential in England.

**Source:** MHCLG Live Table 120/Lichfields analysis.





## Affordable Housing

House building also has an important role to play in supporting mixed and sustainable communities by providing affordable housing as part of residential schemes to help meet the housing needs of local people. Affordable housing is defined as social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the wider market. It must remain at an affordable price for existing and future eligible households.

Affordable housing completions have fluctuated over recent years but latest data from DCLG<sup>8</sup> shows that completions have picked up in the latest reporting year 2016/17, with a total of 41,530 affordable units completed in England. This was nearly 9,000 more than the previous year (2015/16). More than half (59%) of these homes were made available for affordable rent, with the remaining delivered as intermediate affordable housing (28%) and for social rent (13%).

These 41,530 affordable units represented approximately 19% of all residential dwelling completions last year in England.

Just under half (43%) of the 41,530 affordable dwellings in England were delivered through S.106 planning agreements, while in 2016–2017 Government estimates suggest that a further 50,000 affordable homes were agreed through S.106 agreements to be delivered over the coming months and years.<sup>9</sup>

In Wales 2,547 affordable units were delivered in 2016/17, representing approximately 38% of all residential dwelling completions in that year, and having increased by 6% from the previous year. Affordable housing completions have also fluctuated year-on-year in Wales, although there has been an overall upward delivery trend over the last 10 years since 2007/08.

<sup>8</sup> DCLG, Affordable Housing Supply: April 2016 to March 2017.

<sup>9</sup> MHCLG, Supporting housing delivery through developer contributions, March 2018.



# The Industry's Economic Footprint



Analysis carried out for the HBF in 2015 sought to quantify the economic contribution that house building makes to the UK economy and found this to be significant and wide-ranging. It makes a direct contribution to GDP through the economic output or Gross Value Added (GVA) that it produces, whilst also supporting a significant employment base and contributing to public finances through the tax revenues that it generates.

More broadly, house building activity also has an important role to play in stimulating further demand and economic activity through its extensive supply chains and networks, which in turn generates additional output, employment, spending and tax contributions.

This section updates that previous analysis by drawing together latest data sources with the results from the house builder survey update. Impacts are generally presented for England and Wales, although where this is not available this is clarified and data is instead presented for the United Kingdom or Great Britain.

## Capital Investment and Expenditure

The value of capital investment and expenditure generated by the industry on acquiring new land for housing development is significant, as house builders constantly invest in new land and sites in order to build their development pipeline.

Based on our sample survey, it is possible to estimate that across England and Wales, annual capital investment and expenditure on new land for housing development amounts to nearly £12 billion (£11.4 billion in England and £500 million in Wales). Theoretically this land has the potential to yield a significant supply of new homes, although not all of it benefits from planning allocations in local plans<sup>10</sup> or permission. House builders invested in land with equivalent capacity for 416,000 homes in the latest financial year, including 398,000 homes in England and 18,000 homes in Wales.

In addition, it is estimated that the house building industry generates over £1.1 billion of net capital expenditure<sup>11</sup> per year on acquiring or upgrading physical assets such as property, industrial buildings or equipment to support day-to-day commercial operations. This figure relates to the UK as a whole.

<sup>10</sup> Local Development Plans in Wales.

<sup>11</sup> ONS Annual Business Survey 2016 Provisional Results, as defined by SIC sub-sector code 41:202 "Construction of domestic buildings", using a proxy based on BRES 2016.



## Economic Output

House building plays an important role in generating economic output. As shown in **Table 4.1** below, new house building generated £38 billion of economic output to the Great Britain economy in 2017, the majority of which (85%) was contributed through private sector housing. This includes house builders themselves as well as their contractors and suppliers, but excludes induced economic output. This figure is considerably higher than that reported in 2015 (£19.2 billion per annum), albeit construction industry output is heavily affected by seasonal factors and can fluctuate significantly over time.

It is also possible to estimate how much GVA (a measure of economic output) the house building industry directly generates using data from the latest Annual Business Survey. Across the UK as a whole, house building<sup>12</sup> was reported to generate £19.2 billion of GVA in 2016,<sup>13</sup> but this figure will exclude some important supply chain and induced impacts.

## Employment

The scale of house building across England and Wales means that its role in creating and supporting employment is significant. This includes people directly employed by house building firms and their contractors, as well as employees supported in the wider supply chain (i.e. in firms that supply house builders with goods and services) and in the wider economy through the spending power of house builder, contractor and supply chain firm employees.

### Direct Employment

Official Government data collated as part of the Business Register and Employment Survey (BRES) provides an estimate of the number of people directly employed in the construction of domestic buildings; in England and Wales this equated to 239,000 in 2016.<sup>14</sup> The majority of these jobs (224,500 or 94%) are based in England, with the remaining 14,500 (6%) based in Wales. A very similar figure is identified by the Annual Business Survey which recorded a total of 250,000<sup>15</sup> people employed within the construction of domestic buildings in 2016.

<sup>12</sup> As defined by SIC sub-sector code 41:202 Construction of domestic buildings, using a proxy based on BRES 2016.

<sup>13</sup> ONS Annual Business Survey 2016 Provisional Results; this figure does not include the full extent of house building supply chains.

<sup>14</sup> BRES 2016, Relating to SIC Code 41:202 Construction of domestic buildings, England and Wales.

<sup>15</sup> ONS Annual Business Survey 2016 Provisional Results, as defined by SIC sub-sector code 41:202 Construction of domestic buildings, using a proxy based on BRES 2016.

Type	Output (£ billions)	Total
<b>New Housing</b>		
Public Housing	£5.5	15%
Private Housing	£32.4	85%
<b>Total New Housing</b>	<b>£38.0</b>	<b>100%</b>

**Table 4.1:** Value of construction output by type (2017).

**Source:** ONS construction output in Great Britain – February 2018 (totals rounded).





This ABS figure relates to the UK as a whole, and is equivalent to just under a fifth (18%) of total employment within the UK construction sector in 2016.

This includes employees directly employed by house builder firms and organisations as well as firms contracted to deliver new homes on behalf of the country's house builders. It obviously excludes workers involved in providing goods, services and materials. Direct employment of trade labour by home builders is relatively low, with a recent Workforce Census carried out by the HBF and its members indicating that just over 20% of on-site surveyed workers were employed directly by the developer.<sup>16</sup> Our sample survey suggests that the proportion of on-site personnel that are "in-house" varies between 15% and 33% depending on the size of the house builder.

Based on our sample survey of house builder firms it is possible to estimate that across England and Wales, house builder firms and organisations directly employ just over 91,000 people; 87,000 of which are in England and 4,000 in Wales.

The recent HBF Workforce Census found that the reliance of house building on foreign workers is heavier than for the wider construction industry, and that reliance on foreign labour is the heaviest in the South East, where housing demand is acutest, and in-particular London where over half of workers are from abroad. It also coincides with the greatest tightness in the labour market.

Our sample survey of house builder firms provides an estimate of the number of Apprentices, graduates and trainees that are directly supported by the industry (i.e. in-house through house builder firms and organisations themselves). Across the industry in England and Wales, this is equivalent to over 4,300 Apprentices, 525 graduates and 2,900 other trainees last year. The actual figure is likely to be higher as many more will be employed by contractors and suppliers.

<sup>16</sup> HBF, Home Building Workforce Census 2017 (December 2017).





## Indirect and Induced Employment

In addition to direct and on-site employment, it is widely recognised that the house building industry has a large supply chain. Annual expenditure on suppliers (i.e. providing goods, services and materials) across the house building industry in England and Wales is estimated to total £11.7 billion, based on our sample survey of house builder firms. Much of this supplier spending is retained within the UK; for example, it is estimated that for every £1 spent in construction at least 90% stays in the UK.<sup>17</sup>

The extent of the sector's supply chain in employment terms has been explored through a number of previous studies, including:

1. Work by Professor Ball which estimated that for every 50,000 homes built, approximately 75,000 direct jobs and 50,000 indirect jobs are supported,<sup>18</sup> indicating that every 1 direct job supports 0.5 indirect jobs in the supply chain;
2. A report by CEBR for the NHF which identified a supply chain multiplier of 1.78, i.e. 1 construction job supports 0.78 jobs elsewhere in the supply chain.<sup>19</sup>

This is corroborated by guidance published by the Ministry of Housing, Communities and Local Government (formerly DCLG) that £1m of new housing output supports 19.9 direct and 15.6 indirect jobs.<sup>20</sup>

When also taking into account induced employment effects – i.e. employment supported by the wage spending of construction and supply chain workers in shops, services and other businesses throughout the economy – a range of higher “combined” employment multiplier figures can be identified by recent studies:

1. CEBR's report for the NHF identifies a multiplier of 2.51. This indicates that for every 1 direct construction job, 1.51 indirect and induced jobs are created elsewhere in the supply chain and wider UK economy;<sup>21</sup>
2. Drawing on company specific data, Barratt Developments' 2017 Socio-Economic Footprint identifies an induced employment multiplier of 1.64,<sup>22</sup> indicating that for every 1 direct job created, 0.64 induced jobs are created elsewhere, and for every 1 indirect job created, 0.64 induced jobs are created elsewhere.

<sup>17</sup> CBI (June 2012) Construction bridging the gap; BIS, (July 2013), UK Construction: An economic analysis of the sector; HBF Facts & Messages Bulletin: Q1 2015.

<sup>18</sup> HBF Facts & Messages Bulletin: Q1 2015.

<sup>19</sup> National Housing Federation (2013), Housing and Economic Growth.

<sup>20</sup> DCLG note on direct and indirect construction employment.

<sup>21</sup> National Housing Federation (2013), Housing and Economic Growth.

<sup>22</sup> Lichfields, Barratt Developments' socio-economic footprint FY2017 Output descriptions report (September 2017).



## Employment Summary

In combination, then, the house building industry is estimated to support up to almost 698,000 people across a range of organisations, operations and occupations in England and Wales. As summarised in **Table 4.2** below, around a third (34% or 239,000) of these employees are directly employed by house building firms and organisations and their subcontractors. The remaining 458,690<sup>23</sup> is split between indirect employees (i.e. those working within the house building supply chain) and other employees working across the wider economy, for example providing goods and services to house builder, subcontractor and supplier employees.

This scale of employment supported by house building is equivalent to between 2.4 and 3.1 direct, indirect and induced jobs per new permanent dwelling built.<sup>24</sup> This figure will vary year-on-year depending upon the exact nature of new units built (such as an increasing proportion of new supply coming from permitted development change of use which is inevitably less labour intensive than new build housing, per unit delivered) and will also reflect increasing productivity within the sector.

## Public Finances

The house building industry makes a significant contribution to public finances through tax revenues generated by house builders and their supply chains.

Stamp Duty Land Tax (SDLT) is charged on all purchases of houses, flats and other land and property in the UK over a certain price. In 2016/17, the tax generated £11.5 billion of revenue for the exchequer in England and £210 million in Wales. House builders alone are estimated through our survey sample to generate over £392 million of Stamp Duty Land Tax per year through sales of new build homes; this includes £375 million in England and £17 million in Wales.<sup>25</sup>

Corporation tax is levied on profit generated by house builders and provides a direct revenue stream for the public purse. Based on our sample survey, it is estimated that house builders incurred over £1.6 billion of corporation tax last year; £1.5 billion in England and £0.1 billion in Wales. Of this, £1.3 billion was "paid" in the most recent year.<sup>26</sup>

	Total
Direct employment supported (i.e. by house builders and their subcontractors)	239,000
Indirect employment supported (i.e. in the house building supply chain)	119,500–186,420
Induced employment supported (i.e. in the wider economy)	174,470–272,270
<b>Total Employment Supported (direct, indirect and induced)</b>	<b>532,970–697,690</b>

**Table 4.2:** Summary of house building employment.

**Source:** Lichfields analysis (based on the range of sources and employment multipliers outlined above).

<sup>23</sup> Based on the top end of the employment multiplier range.

<sup>24</sup> Based on a total of 224,054 net additional dwellings completed in 2016/17 in England and Wales.

<sup>25</sup> HMRC, Annual Stamp Tax 2016–17 (September 2017).

<sup>26</sup> The difference between corporation tax incurred and paid relates to the accounting processes associated with carrying forward losses.







House builder firms also make a significant contribution to HMRC revenues through employee related National Insurance and Pay As You Earn (PAYE) contributions, which are estimated (through our survey) to total just over £777 million in England and Wales last year (£743 million in England and £34 million in Wales). This figure excludes tax paid by employees themselves, and by contractors in the supply chain.

The industry also contributes to the Exchequer through a range of other taxes such as landfill tax, business rates and non-recoverable Value Added Tax (VAT).

### Local Authority Fiscal Benefits

The house building industry delivers economic benefits for local authorities through financial receipts generated in the form of New Homes Bonus payments (England only) and ongoing Council Tax. This additional revenue represents an increasingly important source of income for local authorities as budgets continue to be cut from central Government. In the financial year 2016/17, New Homes Bonus allocations to local authorities across England amounted to £1.46 billion, with a further £1.2 billion announced for the following year 2017/18.<sup>27</sup>

Ongoing Council Tax generates £26.6 billion<sup>28</sup> each year for local authorities across England. Within Wales, it is estimated that £1.4 billion was generated in 2016/2017.<sup>29</sup> It is estimated that residents of the 224,000 additional dwellings built across England and Wales in 2016/17 alone contributed just under £253 million of Council Tax receipts.<sup>30</sup> As the stock of housing increases, these figures will compound year on year. In this regard, one should note the role of additional housing not just in accommodating population growth, but in enabling households to form (with many “concealed” households); it is thus the case that new housing does not itself generate increases in population, and thus increase demands for public services. Those demands will exist in any event. Rather, new housing enables that population to benefit from its own home and in doing so pay Council Tax and generate local revenue.

<sup>27</sup> House of Commons Library Briefing Paper, The New Homes Bonus (England), July 2017.

<sup>28</sup> DCLG, Collection rates and receipts of council tax and non-domestic rates in England 2016–17, June 2017.

<sup>29</sup> Welsh Govt – Council Tax Collection, June 2017. (<http://gov.wales/statistics-and-research/council-tax-collection-rates/?lang=en>).

<sup>30</sup> Based on an average Council Tax per dwelling charge of £1,128 in 2016/17 in England (used as a proxy).



## Local Community Benefits

In addition to delivering much needed housing and supporting employment across a range of sectors of the economy, house building also provides a wide range of other economic benefits for local communities through financial and other contributions made through the planning system. Some of these are detailed below.

### Section 106 and CIL Contributions

Section 106 of the Town and Country Planning Act 1990 (amended) provides a tool for securing investment in essential infrastructure arising from development and this contribution can be used by local authorities to fund new services and infrastructure in the local area.

Based on our sample survey of house builder firms it is possible to estimate that across England, over £804 million of S.106 contributions are made each year towards funding these facilities and services, with a further £37 million of contributions made in Wales.

The majority of this funding relates to financial contributions made to the local authority, with the remaining associated with works undertaken directly by house builders to construct and/or implement the facilities themselves. S.106 contributions most commonly relate to education provision (i.e. school places), although significant financial contributions are also made towards funding public open space, sport and leisure facilities and improvements to public transport and highways (Table 4.3).

Latest data from MHCLG estimates that in 2016/17, the value of developer contributions generated through house building was £6.0 billion; this includes Community Infrastructure Levy (CIL) contributions as well as a range of other types of contributions including open space, education, transport and travel. This represents a 50% increase since 2011/12.<sup>31</sup>

Type of Facility	Annual S.106 Contributions
Education facilities	£122.3m
Public open space	£24.2m
Sport and leisure facilities	£15.2m
Healthcare facilities	£5.2m
Youth and community facilities	£5.1m
Other contributions (including public transport, highways and public art)	£669.3m
<b>Total</b>	<b>£841.3m</b>

**Table 4.3:** S.106 contributions by type.  
**Source:** HBF/Lichfields House Builder Survey 2018.

<sup>31</sup> MHCLG, Supporting housing delivery through developer contributions, March 2018.



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The CIL was introduced by Government in 2012 to allow local authorities in England and Wales to raise funds from developers undertaking new building projects in their area. The income can be used to fund a wide range of infrastructure that is needed as a result of development, including road improvements, flood defences, schools, green spaces and leisure centres. The CIL is levied separately to S.106 contributions.

Based on the sample survey of house builder firms, it is estimated that the industry generates just under £180 million of CIL contributions each year in England and £8 million in Wales, making a significant contribution towards supporting local community infrastructure. This figure has increased significantly since the previous analysis was undertaken in 2015, now that many more local authorities have adopted CIL Charging Schedules.

### Affordable Housing

As noted in Chapter 3, affordable housing (social rented, affordable rented and intermediate housing) represents an important component of overall housing supply and completions have picked up across England and Wales over the years following the recession.

These affordable homes are delivered through a combination of private sector house builders, registered providers of social housing and local authorities. Based on our sample survey of house builder firms, it is possible to estimate the value of affordable housing sales at £4.2 billion per year across the UK, representing a total discount to market value (in effect, a subsidy) of around £3.4 billion or 20% on average.

Government estimates suggest that in 2016/17 approximately 50,000 affordable homes were agreed through S.106 agreements, with a total equivalent value of over £4 billion.<sup>32</sup> This represents an almost 10,000 increase in the number of affordable housing dwellings agreed through planning obligations compared to 2011/12.

### Resident Expenditure

New housing development also offers an opportunity to increase local expenditure as residents spend their money on goods and services in the local area. It is estimated that residents of the 224,054 net additional homes<sup>33</sup> built across England and Wales in 2016/2017 generated £5.9 billion<sup>34</sup> of spending over the course of the year<sup>35</sup> and a further £1.2 billion of one-off spending on furnishing and decorating a property to make their new house “feel like home”.<sup>36</sup> This additional expenditure in turn supports a range of retail and leisure jobs in local service sectors, helping to maintain the vitality of local economies across the country.

<sup>32</sup> MHCLG, Supporting housing delivery through developer contributions, March 2018.

<sup>33</sup> Net additional dwellings include 217,350 in England and 6,704 in Wales (2016/17).

<sup>34</sup> Based on data from the ONS Family Spending Survey 2018 which showed that households across England and Wales spent an average of £503 a week in 2017.

<sup>35</sup> Not all of this will be “net additional” expenditure.

<sup>36</sup> Research carried out by OnePoll on behalf of Barratt Homes (August 2014; <https://www.barratthomes.co.uk/the-buying-process/home-buying-advice/>).





volunteering

Debt advice

legal advice

## 5.0

# Wider Economic Benefits



The house building industry also has an important role to play in generating more qualitative, wider benefits that are often harder to quantify or assign a monetary value to.

Its relationship with the wider economy can be characterised in three main ways:

1. Through the impact of activity in the housing (and wider construction) sector;
2. Through the way in which housing wealth affects consumption behaviour; and
3. Supporting the economic competitiveness of places.

These metrics are increasingly recognised as a valuable way of capturing and measuring the industry's contribution in wider socio-economic and environmental terms. They are explored in more detail in the 2015 report, and summarised on the following page.





### Housing as a Driver of Economic Growth

Improving the long-term competitiveness of the UK economy, including through its significant network of supply chains and contracting relationships, where domestic spin-off benefits from house building activity are far greater than for many other economic sectors.



### Delivering "Real" Jobs and Economic Value

House building is a major source of national employment, with construction supporting more jobs compared with investment in many other sectors of the economy. The house building industry (and construction more widely) provides a crucial labour market entry point for young, lower skilled workers and those moving out of unemployment.



### Supporting Labour Market Mobility

A healthy, well-functioning labour market requires a good supply of housing that is affordable for local people to enable them to move jobs freely and match up skills supply with employer demand. A dysfunctional housing market can inhibit labour market mobility, in turn stifling economic growth.



### Sector Skills and Employability

The house building industry offers a range of opportunities across different trades and skill sets from bricklaying and carpentry through to plumbing and maintenance. Apprenticeship opportunities are particularly prevalent, and have been increasing over the last few years.



### Enhancing Place Competitiveness and Local Economic Development

A well-functioning housing market is considered important for an area to remain competitive and attractive to business and economic activity, which in turn will drive the economic growth the country needs. Housing affordability issues have the potential to harm the ability of key locations that provide unique productivity opportunities to the UK (such as Cambridge) to remain competitive.



### Quality of Place

Open spaces provided within housing developments generate opportunities for local residents to undertake recreational activities, contributing to improved physical health, fitness, mental health and wellbeing. A high-quality environment also provides opportunities for social interaction between people of different communities, fostering social inclusion and community development.



### Re-use of Brownfield Land

Brownfield land (i.e. land that has been previously developed) suitable for housing has a vital role to play in meeting the country's need for new homes while protecting the countryside. This is particularly important in those areas of the country that face the challenge of a constrained supply of land for development.



# The Economic Benefits of Increasing Supply

As described in Section 3.0, for years the country has been providing far fewer new homes than it requires. The renewed centrality of housing as Government's policy priority was reinforced by the Chancellor in the 2017 Autumn Budget, identifying the need for an additional 300,000 homes<sup>37</sup> to be built a year by the mid-2020s in order to meet demand and improve affordability. Last year net additional dwelling completions across England and Wales totalled just over 224,000; or approximately 218,400 excluding conversions. The scale of delivery has been characterised by a marked increase over the last few years, but annual delivery is still falling short of the c. 300,000 per annum target by around 81,600 each year.<sup>38</sup>

The analysis presented in this update report shows that house building already generates significant economic benefits to the economy of England and Wales, although the scale of benefits and value that can be achieved is being constrained by under delivery.

**Table 6.1** indicates that if housing supply were to increase by around 81,600 per year (i.e. in order to broadly match the Government's ambitions for England and projections for Wales), the benefits could be substantial.

In other words, these are the additional economic benefits that could be achieved each year across England and Wales if the supply of housing was to increase to meet these ambitions.

All figures are indicative, and are based on current estimates/levels which are likely to change in scale and value in future years. Commensurate to a strategic high level study, assessments have been based on conservative assumptions of economic benefit per new dwelling, taxes levied and resident spending profiles based on current averages. On this basis, the additional economic benefits that could be achieved in the future if house building were to increase in scale and volume could be even greater than illustrated here.

At the same time, it should be noted that the dwelling completions figures noted above relate to "net additions" which include new build completions as well as change of use of existing buildings to residential. Inevitably, the scale of economic impact associated with change of use is generally lower than new builds on a "per unit" basis due to the scale and complexity of work involved.

<sup>37</sup> HMT Autumn Budget speech 2017; the 300,000 homes a year figure refers to England only.

<sup>38</sup> The 300,000 dwellings per annum figure has been used as a broad proxy for the level of additional housing needed across England and Wales – it incorporates 300,000 dwellings per annum for England minus an allowance for some of these dwellings being completed through conversions (rather than new house building, equivalent to 5,680 in 2016/17) plus an allowance of around 5,800 dwellings per annum for housing delivery in Wales (based on Welsh Government 2014-based household projections, in absence of a stated ambition by the Welsh Government).



Type of Economic Benefit		Annual Economic Footprint		
		Current Delivery <sup>39</sup>	Potential Uplift <sup>40</sup>	Total Potential Footprint <sup>41</sup>
Net Capital Expenditure	Acquiring or upgrading physical assets to support day-to-day operations	£1.1bn	+£411m	£1.5bn
Economic Output	Builders, their contractors and suppliers	£38bn	+£14.2bn	£52.2bn
Employment	Direct	239,000	+89,300	328,300
	Indirect	186,420	+69,700	256,100
	Induced	272,270	+101,800	374,000
	Total	697,690	+260,800	958,500
UK Public Finance Revenue	Stamp Duty Land Tax Receipts	£392m	+£147m	£539m
	Corporation Tax Incurred	£1.6bn	+£598m	£2.2bn
	NI and PAYE Contributions	£777m	+£290m	£1.1bn
Local Authority Revenue	New Homes Bonus payments <sup>42</sup>	£1.46bn	+£546m	£2.0bn
	Council Tax Receipts	£253m	+£95m	£348m
Local Community Benefits	S.106 Contributions	£841m	+£314m	£1.2bn
	Community Infrastructure Levy Payments	£188m	+£70m	£258m
	New Resident Expenditure	£7.1bn	+£2.7bn	£9.8bn
Affordable Housing	Value of Affordable Housing Sales	£4.2bn	+£1.6bn	£5.8bn

**Table 6.1:** Economic benefits of increasing housing supply (by 81,600 units per year).

**Source:** Summary of economic footprint analysis presented in Section 4/Lichfields (totals rounded).

<sup>39</sup> Based on 218,400 total net additional dwelling completions across England and Wales in 2016/17 (excluding conversions).

<sup>40</sup> Based on an extra 81,600 dwellings (to achieve the 300,000 dwelling completions target/ambition per annum).

<sup>41</sup> Delivering 300,000 dwellings per annum. Figures may not add due to rounding.

<sup>42</sup> England only.





# 7.0

## Summary and Conclusions



This report provides an up-to-date assessment of the house building industry's economic footprint across England and Wales by updating and replicating previous analysis undertaken in 2015 with the latest information, statistics and trends in house building and delivery. Back in 2015, many house builders were still suffering effects of the financial crisis and recession but for many the outlook has markedly improved and the overall rate of housing delivery has been increasing year-on-year. Across both England and Wales, house building has become even more of a policy priority for Government, recognising that for 30 or 40 years the supply of new homes has simply been too low.

The analysis demonstrates the significant contribution that house building makes to the economy and its ability to drive economic growth and maintain prosperous economies, as well as providing much needed housing to support sustainable communities. The report identifies some headline conclusions on the economic value of the c. 224,000 net additional homes completed across England and Wales<sup>43</sup> last year:

1. Annual capital investment and expenditure on new land for housing development amounts to nearly £12 billion;
2. £1.1 billion of net capital expenditure per year on acquiring or upgrading physical assets such as property, industrial buildings or equipment;
3. Official figures show that house building generated £38 billion of economic output to the Great Britain economy last year, including £19.2 billion of Gross Value Added (GVA);
4. The number of people directly employed in the industry is 239,000, equivalent to just under a fifth of total employment within the UK construction sector;
5. Annual expenditure on suppliers (i.e. providing goods, services and materials) of £11.7 billion, of which 90% is likely to stay in the UK;
6. Taking into account the supply chain and induced effects, up to 697,690 jobs are estimated to be supported across a range of organisations, operations and occupations. This is equivalent to 3.1 jobs per net additional dwelling;

<sup>43</sup> Net additional homes including conversions; Some data is only available for the UK so has been used instead as a proxy.



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7. The industry provides opportunities to over 4,300 Apprentices, 525 graduates and 2,900 other trainees each year, with many more in contractors and suppliers;
  8. Significant fiscal benefits, notably £392 million of Stamp Duty Land Tax, £1.3 billion of Corporation tax paid (the amount incurred is £1.6 billion), and National Insurance and PAYE contributions of over £777 million per year. Residents of the 224,000 additional dwellings built in 2016/17 alone will have contributed just under £253 million of Council Tax receipts;
  9. Affordable housing accounted for 19% of all new dwellings completed in England last year and 38% in Wales. House building firms built about £4.2bn of affordable homes last year, with a discount to market value (in effect, a subsidy) of around £3.4 billion;
  10. In 2016/17, approximately 50,000 affordable homes were agreed through S.106 agreements, with a total equivalent value of over £4 billion;
  11. In 2016/17, the value of developer contributions generated through house building was £6.0 billion; this included CIL contributions and a range of other types of contributions including open space, education, transport and travel;
  12. Over £841 million of S.106 contributions are made each year towards funding facilities and services, notably education facilities (£122.3m), public open space (£24.2m), sport and leisure (£15.2m) and healthcare facilities (£5.2m), with a further £669.3m contributing towards important areas such as transportation and highways;
  13. A further £188 million of Community Infrastructure Levy payments each year to fund local community infrastructure across England and Wales; and
  14. It is estimated that residents of new homes built last year generated £5.9 billion of spending in shops and services over the course of the year and a further £1.2 billion of one-off spending to make their new house “feel like home”.
- Analysis in this report shows that if annual house building output across England and Wales increases by around 81,600 units to achieve c. 300,000 homes (reflecting the broad ambition for dwelling completions per annum across England and Wales) there will be an economic as well as a housing dividend:
- An extra £411 million of capital expenditure;
  - £14.2 billion extra economic output in the England and Wales economy;
  - 260,800 extra jobs;
  - £1.1 billion of increased UK tax revenues;
  - £384 million of S.106 and CIL payments for local infrastructure improvements;
  - An additional £1.6 billion in affordable housing sales; and
  - Residents of these extra new homes could spend £2.7 billion on goods and services.



# APPENDIX 1: Glossary

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## Affordable Housing

Affordable housing is defined as social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

## Brownfield Land

Brownfield land is an area of land or premises that has been previously used, but has subsequently become vacant, derelict or contaminated. Brownfield sites typically require preparatory regenerative work before any new development can go ahead.

## Business Rates

Businesses and other non-domestic occupiers of property pay non-domestic rates (known as business rates) to contribute towards the cost of local authority services.

## Capital Investment and Expenditure

Funds used by a company to acquire or upgrade physical assets such as property, industrial buildings or equipment. This includes both capital expenditure (i.e. on-going asset management, upgrade, maintenance and refurbishment work) and capital investment (i.e. in a new building or extension).

## Community Infrastructure Levy (CIL)

The Community Infrastructure Levy is a levy that local authorities in England and Wales can choose to charge on new developments in their area. The charges are set by the local council, based on the size and type of the new development. The money raised from the CIL can be used to support development by funding infrastructure that the council, local community and neighbourhoods want, such as new or safer road schemes, park improvements or a new health centre.

## Concealed Households

Concealed households are family units or single adults living within “host” households.

## Corporation Tax

Corporation tax is a corporate tax levied in the United Kingdom on the profits made by companies.

## Gross Domestic Product (GDP)

Gross Domestic Product is one of the primary indicators used to gauge the health of a country’s economy. It represents the total value of all goods and services produced by a country over a specific time period.

## Gross Value Added (GVA)

Gross Value Added is the amount of wealth created by a company, calculated as net sales less the cost of bought-in goods and services. This information can be aggregated up to provide average GVA per employee by sector.

## Indirect and Induced

Impacts supported by additional spending effects in an area as contractors/suppliers and workers directly benefiting from an intervention purchase goods and services from local providers.

## Multiplier Effects

Further economic activity (jobs, expenditure or income) associated with additional local income, local supplier purchases and longer term effects.

## New Homes Bonus

The New Homes Bonus is a grant paid by central Government to local councils for increasing the number of homes and their use. It is based on the amount of extra Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use. A premium is payable on affordable units.





### **Pay As You Earn (PAYE)**

Pay As You Earn is the system by which an employer deducts income tax from an employee's wages before paying them to the employee and sends the deduction to the Government.

### **Registered Providers**

Registered providers (often known as social landlords) are the bodies that own and manage social housing. They tend to be non-commercial organisations such as local authorities or housing associations.

### **Section 106 Planning Obligation**

Planning obligations are legal contracts made under Section 106 of the 1990 Town and Country Planning Act. They are used to prescribe the nature of development to comply with policy, compensate for loss or damage created by a development, and mitigate a development's impact.

### **Stamp Duty Land Tax (SDLT)**

Stamp Duty Land Tax is charged on all purchases of houses, flats and other land and property in the UK over a certain price.

### **Town and Country Planning Act 1990**

The Town and Country Planning Act 1990 is an act of the United Kingdom Parliament regulating the development of land in England and Wales. It is a central part of English land law in that it concerns town and country planning in the United Kingdom.



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