



APP/W0340/W/20/3265460

Sandleford Park, Newbury

Specifically in relation to Education

Bloor Homes and Sandleford Farm Partnership

Rebuttal Proof of Evidence

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(APP/39)

April 2021

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1.0 INTRODUCTION

- 1.1 My name is James Hinde. Full details of my qualifications and experience are contained in my main Proof of Evidence (APP/28).
- 1.2 This Rebuttal Proof of Evidence has been prepared in response to the evidence provided by Vincent Haines on behalf of West Berkshire Council in document ref 20/01238/OUTMAJ, and also the Proof of Evidence provided by Councillor Dr Chris Foster on behalf of Greenham Parish Council and Newbury Town Council.
- 1.3 This document is not intended to be an exhaustive rebuttal and instead focusses on certain points where it is considered appropriate or helpful to respond in writing at this stage. Where a specific point has not been addressed, this does not mean that it is accepted and it may be addressed further at the Inquiry.
- 1.4 I refer herein to correspondence and discussions held with the Local Education Authority following its response to the Wheatcroft Consultation on the 19th March 2021 and the meeting that Mr Haines was present at on the 25th March 2021. The agreed note of that meeting is at *Appendix 1*. Whilst it is no criticism of Mr Haines as his evidence was prepared on the basis of the material before him at the time, he was aware of the matters discussed at that meeting and presumably correspondence thereafter and the direction of travel and consensus that was being arrived at around the matters. This Rebuttal explains the up to date position.
- 1.5 The evidence which I have prepared and provide for this Appeal (ref: APP/W0340/W/20/3265460) herein is true and has been prepared and is given in accordance with the guidance of my professional institutions. I confirm that the opinions expressed are my true and professional opinions.

2.0 REBUTTAL NOTES – VINCENT HAINES - PRIMARY

2.1 Note on page 4 of document:

1.2a – ‘Early year’s provision has been omitted from the description of development and the draft UU but a 52-place nursery is included in the submitted Planning Statement, the requirement is for this provision to be made on site.’

2.2 IDP Response:

IDP confirm the 52 place Nursery was incorporated into the IDP Primary School RIBA Stage 01 Feasibility Report issued in July 2018. This was included at *Appendix 4* of the Planning Statement as part of the planning application to which this Appeal relates. Certainly not since I became involved in this project has the LEA had reason to question the Appellants’ intention in respect of the early years provision.

2.3 Note on page 4 of document:

1.2b – ‘In terms of the area of land to be transferred there are inconsistencies in the submitted plans and documents but the UU states it is to be no more than 2 hectares, the Council requires a site of 2.043 hectares.’

2.4 IDP Reponse:

At the meeting between WBC & the Appellants on 25.03.21 it was agreed that the area of 2.043 hectares would be included in the Unilateral Undertaking for the Primary School site sought by by WBC & in line with BB103 guidelines. Mr Jones advises me that this has been included in current version of the Unilateral Undertaking.

2.5 Note on page 4 of document:

1.2e – ‘No costings to inform the contributions have to date been tabled by the appellant, the council will expect these to take full account of its Employer’s Requirements Document (ERD) (Appendix 3 to this proof) for new build primary schools which draws together accepted widely used industry standards to create standardised primary school designs.’

2.6 IDP Response:

I am advised by Mr Jones that the financial contribution for the Primary School was [square bracketed] in the draft Section 106 Agreement submitted as part of the then Applicant in May 2020, reflecting the intention that this would be discussed during the determination of the Application. Those discussions are now being had in the context of this Appeal and the Unilateral Undertaking will be populated to reflect those discussions.

3.0 REBUTTAL NOTES – VINCENT HAINES - SECONDARY

3.1 Note on page 5 of document:

1.3 – *'The phasing arrangements set out in the draft UU are considered unreasonable and would prejudice the delivery of the secondary education mitigation. No costings have been provided for the provision of additional accommodation at Park House School and these in any event will need to take account of the poor condition of the existing sports hall'*

3.2 IDP Response: The phased payments of the Secondary School Contribution were discussed at the meeting on the 25th March 2021 and have been agreed in subsequently (schedule 1 part 4 of the draft Unilateral Undertaking). The CBRE produced 'Order of Cost Estimate' report was issued to WBC via an IDP email dated 01.04.21 and external consultants have been appointed by the LPA to review this. At the time of writing no response has been received in respect of this.

3.3 Note on page 5 of document:

1.5 – *'The submitted Planning Statement, Appendix 3 (IDP Park House School Feasibility Study, CD 1.3) states that an 'all weather pitch' would be accommodated on the expansion land. However, this is at variance with the Council and the School Trusts requirement for a full adult size natural grass pitch.'*

3.4 IDP Reponse: In the LEA response to the submitted planning application there is no reference to the type of playing pitch that is referred to in the IDP Study. In its response to the Wheatcroft consultation the LEA set out on the 19th March 2021 that they are seeking provision of a natural turf pitch. This was discussed at the meeting on the 25th March 2021 where a revised plan was tabled C3289-001-25032021C Alternative Grass Pitch Sketch. This plan was sent to the LEA on the 1st April 2020 and then incorporated into my evidence (and that of Mr Jones) submitted on the 7th April 2021. IDP have provided an updated drawing, , within the IDP proof of Evidence Appendix issued on 07.04.21. The drawing confirms the size of the pitch and associated run off areas as 112x76m which Bloor Homes have confirmed meets the requirements for an adult size natural turf pitch and associated run off areas. This plan was shared with the LEA at the meeting on the 25th March 2021 and sent to them on the 1st April 2021. As the note of the meeting on the 25th March 2021 records, this size pitch and associated run off areas was agreed by WBC at that time. The revised pitch size, location and surface are incorporated into the revised IDP report, Summary of Proposals & Phasing Proposals, provided within the IDP proof of Evidence Appendix issued on 07.04.21.

3.5 Note on page 5 of document:

1.6 – *'The draft UU fixes the proposed area of the expansion land as not more than 1.62 hectares. This however is seen by the Council as the minimum requirement not a maximum. However, it is not just the quantum of land which is important but also the dimensions should accommodate a useable full size adult football pitch, taking full account of the requirement to retain and protect ancient and veteran trees, wildlife corridors and an ancient woodland buffer. The application and subsequent 'Wheatcroft' submission have failed to accommodate the provision of a natural turf adult size football pitch on the expansion land without significant impacts on, or loss of, veteran and ancient trees as well as wildlife habitats.'*

3.6 IDP Response: Mr Jones' evidence addresses this at Paragraph 4.36 and as is evident from our respective submission the Appellants propose to enlarge the area of land to be transferred for the expansion of Park House School such that it is to the satisfaction of the LEA. The overall area of expansion land is identified on Plan C3289-25032021c as 1.93Ha (19,342m²) as set out in the IDP Proof of Evidence points 4.6.3, 4.7.2, and 4.7.3 alongside the IDP Proof of Evidence Appendix D Alternative Pitch Location and Appendix E Summary of Proposals & Phasing Proposals both provided within the Proof of

Evidence Appendix issued on 07.04.21. The re-location of the proposed natural turf pitch has negated any impact on tree T34, trees T33 and T31, hedgerows to the adjacent boundary alongside any encroachment into the 15m buffer zone of the Barns Copse ancient woodland. This is set out within the IDP Proof of Evidence points, 4.7.1 and 5.2. In more recent correspondence from the Council they have sought a marginal increase in the area of land and a slight relocation of the pitch so as to be able to erect tree protection measures. At the time of writing, the Appellants are reviewing this.

3.7 Note on page 6 of document:

1.7 – The draft UU also only provides for the transfer of the land leaving the Council and School Trust facing costs of securing reserved matters approval, groundworks, construction and ongoing maintenance. This cost would be significant if a 3G pitch were to be provided and there are additional costs arising.'

3.8 IDP Response: Responsibility for laying out of playing pitch was discussed at the meeting held on the 25th March 2021 and it was agreed that Bloor Homes would undertake the necessary earthworks and ancillary works prior to the transfer of the land and the LEA/School will mark out the playing pitch following receipt of the land. The Appellants commitment to in this regard was set out both in the note of the meeting and in the draft Playing Field Statement prepared in respect of this and sent to the Council on the 1st April 2021. I am advised by Mr Jones that this is now being included either as a planning condition or a planning obligation. The associated costs for the aforementioned have been omitted from the 'Order of Cost Estimate' report which was also issued to WBC on the 01.04.21.

4.0 REBUTTAL NOTES – COUNCILLOR DR CHRIS FOSTER

4.1 Note on page 8 of document:

5.1 – ‘Almost all of the potential effect distances described are well in excess of the statutory minimum 15 metre buffer currently proposed. Mindful of the Woodland Trust’s view that “locating development further away from ancient woodland will reduce associated disturbance”, I support the Planning Authorities recommendation (in Reason for Refusal 8) that this development should be providing ‘appropriate and more generous buffers’. Although a case for a buffer of 50m was made out in our SoC and I would regard this as an absolute minimum, further examination has suggested that 100m would be more appropriate to mitigate most of the threats. Given the larger distances quoted in some research even this distance may not altogether remove the threat of ‘deterioration’(ref NTTP) of the ancient woodland habitat”. The extent of 50 and 100 metre buffers relative to the proposed development is shown in Figure 4.’

4.2 IDP Response:

IDP comments are only in relation to the proposed Park House Primary School site. The proposed natural turf sports pitch is located outside of the 15m buffer zone. The proposed location also closely reflects the area originally allocated within the ‘Proposed Masterplan, Addendum, Rev A’ issued in November 2016 by Corde, who were commissioned directly by WBC to provide an expansion of the Park House Secondary School.

Appendix 1

Notes of Meeting held 25th March 2021 with WBC Education



NOTES OF MEETING

Project number:	C3289
Project name:	Sandleford Park
Date:	25.03.2021
Location:	Zoom meeting
Circulation:	Attendees plus David Joseph Bloor Homes, Owen Jones LRM Planning

Attendee:	Initials:	Company:
Fiona Simmonds	FS	WBC Education
Mark Lewis	ML	WBC Education
Toby Gomm	TG	WBC Education
Vincent Haynes	VH	Haynes Planning
Rebecca Fenn-Tripp	RFT	Bloor Homes
James Cooper	JC	CBRE Cost Consultants
James Hinde	JH	IDP
Nicola Applebey	NA	IDP

	Notes:	Action:
1.0	RFT explained the purpose of the meeting – to review the Education proposals in the context of the refusal reasons, specifically Park House School, with a view to reaching agreement between parties.	note
2.0	JH presented the proposals to expand Park House School based on 4 delivery packages, an approach which provides incremental capacity at the school to meet the needs of the additional spaces generated by Sandleford Park. This includes 40 spaces required by West Berkshire Council, which will be mitigated through delivery package one, towards which West Berkshire will pay a pro rata contribution. Delivery package 1 provides capacity for 72 spaces, of which 40 spaces are for West Berkshire to mitigate existing capacity	note

A ARCHITECTURE

U URBAN DESIGN

E EDUCATION

PM PROJECT MANAGEMENT

C COST CONSULTANCY

R DEVELOPMENT RESEARCH &

L LANDSCAPE & ENVIRONMENT

H HEALTH

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NOTES OF MEETING

	and 32 spaces for the Sandleford Park development. It was agreed between parties that the mitigation set out in the report was agreed in the SoCG. For clarity delivery packages 1-3 mitigate the impact of the Bloor Homes application.	
3.0	In response to refusal reason 10, the layout for the sports pitch has now been amended to address the relationship with the existing trees / woodland buffer. The revised layout was tabled. The additional expansion land for PHS is proposed to be increased from 1.6Ha (as previously proposed) to 2.08Ha to accommodate the changes and provide an improved relationship for the pitch / school generally.	note
4.0	The pitch is shown as a senior pitch 112m x 76m, and it was agreed that a natural grass pitch of this size would be suitable to WBC requirements in place of a 3G pitch. FS wanted to review the detail of the pitch and provide a response. It was agreed that this would be undertaken informally, to include the Case Officer.	note
5.0	In terms of transfer, it was agreed that Bloor will prepare this land to suitable level specification for sports (i.e. levelled / drainage provided, to include fencing the veteran tree), and it would then be transferred to WBC (subject to an appropriate trigger) to set out the pitch markings.	note
6.0	FS queried if pedestrian access into the school site from the housing development is included via the pitch. This is to be made clear within the proposal drawing. RFT agreed that pedestrian connections would be provided.	note
7.0	Community use of the pitch was discussed, and it was agreed that the school / WBC would have control over any community use, which is a matter for them. Community use of the pitch is accepted in principle by all parties.	note
8.0	Phasing was discussed with regards primary and secondary education, and the trigger points for the different phases. It was agreed that Bloor would submit a proposal for this for WBC to review, for inclusion in the UU.	note
9.0	JC presented the cost report, which is based upon the IDP proposal, and follows the format of the cost report by Ridge for ease of comparison (included as part of the WBC commissioned feasibility report dated Nov 2016). Points of note: sprinklers are included in new build but not existing buildings, this also applies to CCTV, costs to be amended to reflect a grass pitch, bulk of work to be undertaken in normal working hours, inflation in applied up to 2025 thereafter assumptions are made; and the report utilises West Berkshire's Fixtures and Fittings Schedule. JC noted that the reports allows for increased standards in respect of build.	note
10.0	It was agreed that a pack of information including the updated proposal for the sports pitch, cost report, and Bloor response to the Unilateral Undertaking (re. triggers etc) would be issued to WBC for review and comment.	note
11.0	With regards primary education, RFT confirmed that the triggers for delivery were being reviewed but it was accepted that any transfer of land would be subject to the Council's specification, as appended to earlier consultation responses. RFT queried the 'no less than 2ha' quantum reference and it was agreed that the UU would be amended to confirm a specific figure, in the interests of clarity.	note



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