Section 78 appeal against refusal of planning application 20/01238/OUTMAJ by West Berkshire Council

Appeal reference: APP/W0340/20/3265460

Site Address: Sandleford Park, Newtown Road, Newbury

Core Documents List

Ref	Document description
CD1	Planning application documents
1.1	Covering letter
1.2	Application form and certificates
1.3	Planning Statement
1.4	Affordable Housing Statement
1.5	Transport Assessment (incl. Travel Plan)
1.6	Environmental Statement Non-Technical Summary
1.7	Environmental Statement Main Text (Vol 1) (see documents in section CD20)
1.8	Environmental Statement A3 Figures (Vol 2) (Redacted) (see documents in section CD21)
1.9	Environmental Statement Appendices (Vol 3) (Redacted) (see documents in section CD22)
1.10	Design and Access Statement
1.11	Statement of Community Involvement
1.12	Draft Planning Conditions
1.13	Energy and Sustainability Statement
1.14	Draft S106 Agreement
1.15	Response to Reasons for Refusal 16/03309/OUTMAJ
1.16	Memorandum of Understanding May 2020
1.17	Application Boundary (red line/site plan) (14.273 PP01 Rev B)
1.18	Land Use and Access Parameter Plan (14.273 PP02 Rev H1)
1.19	Green Infrastructure Parameter Plan (14.273 PP03 Rev G1)
1.20	Building Heights Parameter Plan (14.273 PP03 Rev G1)
1.21	Strategic Landscape and Green Infrastructure Plan (04627.00005.16.632.13)
1.22	Country Park Phasing Plan (04627.000065.16.306.15)
1.23	Parcelisation Plan (04627.000065.16.306.15)
1.24	Main Access Road Plan (14.273 298)
1.25	Monks Lane Access (east) (172985_A_07.1)
1.26	Monks Lane Access (west) (172985_A_08)
1.27	Combined Land Use and Access Parameter Plan (14.273 PP02 Rev I)
1.28	Combined Green Infrastructure Parameter Plan (14.273 PP03 Rev H)
1.29	Combined Building Heights Parameter Plan (14.273 PP04 Rev H)
1.30	Combined Strategic Landscape and Green Infrastructure Plan (04627.00005.16.632.14)
1.31	Illustrative Masterplan (14.273 171)
CD2	Consultation responses
2.1	Adult Social Care response to application 27/7/20
2.2	Lead Local Flood Authority (LLFA) response to application 14/9/20
2.3	Landscape Consultant response to application 15/9/20
2.4	Landscape Consultant response to 'Wheatcroft' proposals 2/3/21
1	Archaeology response to application 4/8/20 Perkehira Puskinghamahira Oxfordahira Wildlifa Trusta (PROWT) reaponed to application 24/7/20
2.6	Berkshire, Buckinghamshire, Oxfordshire Wildlife Trusts (BBOWT) response to application 24/7/20
2.7	Berkshire, Buckinghamshire, Oxfordshire Wildlife Trusts (BBOWT) further response to application 4/8/20
2.8	Basingstoke and Deane response to application 15/7/20
2.9	Berkshire Gardens Trust response to application 22/7/20
2.9	Berkshire Gardens Trust response to application 22/1/20 Berkshire Gardens Trust additional comments to application 26/8/20
2.10	Binfield Badger Group response to application 11/8/20 (Redacted)
2.12	Canal & Rivers Trust response to application 29/6/20
2.12	Conservation and Design Officer response to application 15/7/20
2.14	Ecologist response to application 16/9/20 (Redacted)
2.15	Economic Development Manager response to application 14/7/20
2.16	Education Service response to application 31/7/20
2.17	Environment Agency response to application 4/8/20
4.11	Environment, igency response to application =1/6/20

2.18	Environmental Health response to application 25/6/20
2.19	Forestry Commission response to application 21/8/20
2.20	Greenham Parish Council response to application 14/8/20
2.21	Hampshire Country Council response to application 31/7/20
2.22	Highways Officer response to application 8/9/20
2.23	Transport Policy Officer response to application 16/9/20
2.24	Tree Officer response to application 16/9/20
2.25	Waste Management Service response to application 25/6/20
2.26	Highways England response to application 4/9/20
2.27	Highways England further response to application 30/10/20 (post decision)
2.28	Historic England response to application 7/7/20
2.29	Housing Service response to application 5/8/20
2.30	Mineral and Waste Service response to application 26/6/20
2.31	Ministry of Defence response to application 14/7/20
2.32	Natural England response to application 20/7/20
2.33	Natural England further response to application 4/9/20
2.34	Natural England further response to application 16/11/20 (post decision)
2.35	Newbury Town Council response to application 7/7/20
2.36	Newbury Town Council response to application 11/8/20
2.37	Planning Policy response to application 17/09/20
2.38	Public Rights of Way Officer response to application 7/9/20
2.39	Public Rights of Way Officer attachment to response to application 7/9/20
2.40	Ramblers' Association response to application 29/7/20
2.41	Royal Berkshire Fire and Rescue Service response to application 10/7/20
	000/50
2.42	SPOKES response to application 19/8/20 part 1
2.43	SPOKES response to application 19/8/20 part 2
2.44	SPOKES response to application 19/8/20 part 3
2.45	Sport England 1st response to application 2/7/20
2.46	Sport England 2 nd response to application 7/7/20
2.47	Thames Valley Police response to application 23/7/20
2.48	Thames Water 1st response to application 10/7/20
2.49	Thames Water 2 nd response to application 10/7/20
2.50	The Woodland Trust 1st response to application 31/7/20
2.51	The Woodland Trust 2 nd response to application 14/9/20
CD3	Application correspondence
3.1	Email correspondence between Council and Applicants' agent during application (2 July to 29
	September 2020)
3.2	Email from Applicants' agent - Notification of intention to appeal against non-determination by Inquiry
3.3	Notification of intention to appeal against non-determination by Inquiry
CD4	Application decision
4.1	Officers' report October 2020
4.2	Decision notice 13 th October 2020
CD5	Statements of Case
5.1	Appellants' Statement of Case
5.2	Council Statement of Case
5.2.1	Council Statement of Case Appendix SoC1 (see Core Document CD4.1)
5.3	Newbury Town Council/Greenham Parish Council Statement of Case
5.3.1	Newbury Town Council/Greenham Parish Council Appendix 1 – Warren Road Junction Distance to Community Facilities
5.3.2	Newbury Town Council/Greenham Parish Council Appendix 2 – A339, Pinchington Lane, Monks Lane Junction
5.3.3	Newbury Town Council/Greenham Parish Council Appendix 3 – Ancient Woodland Buffer Zones
5.3.4	Newbury Town Council/Greenham Parish Council Appendix 4 – Variation in Woodland Buffer Width
5.5.4	Specified by LPAs
5.3.5	Newbury Town Council/Greenham Parish Council Appendix 5 – Housing Alignment and Solar Energy
5.4	'Say no to Sandleford' Statement of Case
CD6	Wheatcroft Documents
6.1	LPA/Appellants Joint Statement on Wheatcroft Consultation
6.2	Appellants' Response to Consultees' Comments on the (refused) planning
	application (20/01238/OUTMAJ) (inc. Appendices) (Sept 2020)
6.3	Valley Crossing Study (Appendix 4 of Appellants' SoC)

6.4	Alternative Playing Pitch Scheme (Appendix 5 of Appellants' SoC)
6.5	Arboricultural Impact Assessment (Oct 2020)
6.6	Appellants' Wheatcroft Statement with Appendices 2/3/21 (redacted)
CD7	S.106 Planning Obligation / Planning Conditions
7.1	Draft Unilateral Undertaking submitted 21st April 2021
7.2	Explanatory Note to accompany Draft Unilateral Undertaking
7.3	CIL Compliance Statement
7.4	Draft Planning Conditions submitted 21st April 2021
CD8	Policy / guidance documents
8.1	National Planning Policy Framework (2019) Planning Practice Guidance
8.3	National Planning Policy Framework (2012)
8.4	National Design Guide
8.5	West Berkshire Core Strategy (2006-2026) adopted 2012
8.6	West Berkshire Housing Site Allocations DPD (2006-2026) adopted 2017
8.7	West Berkshire Local Plan 2005 (Saved Policies 2007 as updated 2012 and 2017))
8.8	Replacement Minerals Local Plan for Berkshire
8.9	Waste Local Plan for Berkshire
8.10	Core Strategy Inspector's Report
8.11	National Planning Policy Framework (draft text for consultation) 2021
8.12	National Model Design Code January (2021)
8.13	West Berkshire Local Plan Review: Emerging Draft (2020-2037) Regulation 18 December 2020
8.14	WBC Sandleford Park SPD (2015)
8.15	WBC Planning Obligations SPD (2015)
8.16	WBC Sustainable Urban Drainage Systems (2018)
8.17	WBC Quality Design (2006)
8.18	WBC Strategic Housing Market Assessment (2016)
8.19	WBC Updated Housing Needs Evidence (2020)
8.20 8.21	WBC Infrastructure Delivery Plan (2016) WBC Landscape Character Assessment (2019)
8.22	WBC Landscape Character Assessment (2019) WBC Landscape Character Sensitivity Study: Newbury (2009)
8.23	WYG Sandleford Park Landscape and Visual Assessment (2009)
8.24	Newbury Town Design Statement (2018)
8.25	West Berkshire Environment Strategy (2020-2030)
8.26	West Berkshire Local Transport Plan (2011-2026)
8.27	West Berkshire CIL Charging Schedule
8.28	West Berkshire CIL Governance Arrangements
8.29	Manual for Streets (DFT, 2007)
8.30	Government Response to the Future Homes Standards Consultation (2021)
8.31	Ancient Woodland, ancient trees and veteran trees: protecting them from development (Forestry
	Commission / Natural England, 2018)
CD9	Statement(s) of Common Ground
9.1 CD10	Statement of Common Ground (SoCG) dated 25.2.2021
10.1	Appellants' evidence APP/1 Owen Jones Proof of Evidence (Planning)
10.1	APP/2 Owen Jones Appendices
10.2	APP/3 Owen Jones Summary
10.4	APP/4 Julian Cooper Proof of Evidence (Landscape and Visual)
10.5	APP/5 Julian Cooper Appendices
10.6	APP/6 Julian Cooper Summary
10.7	APP/7 David Bird Proof of Evidence (Access and Transportation)
10.8	APP/8 David Bird Appendices
10.9	APP/9 David Bird Summary
10.10	APP/10 Chris Allder Proof of Evidence (Trees)
10.11	APP/11 Chris Allder Appendices
10.12	APP/12 Chris Allder Summary
10.13	APP/13 David West Proof of Evidence (Ecology)
10.14	APP/14 David West Appendices
10.15	APP/15 David West Summary
10.16 10.17	APP/16 Lee Witts Proof of Evidence (Drainage) APP/17 Lee Witts Appendices
10.17	ALLITE LEG VVIIIS APPENDICES

10.18	APP/18 Lee Witts Summary
10.19	APP/19 Chris Garratt Proof of Evidence (Sustainability and Energy)
10.20	APP/20 Chris Garratt Appendices
10.21	APP/21 Chris Garratt Summary
10.22	APP/22 Andrew Williams Proof of Evidence (Urban Design)
10.23	APP/23 Andrew Williams Appendices
10.24	APP/24 Andrew Williams Summary
10.25	APP/25 Nigel Mann Proof of Evidence (Air Quality)
10.26	APP/26 Nigel Mann Appendices
10.27	APP/27 Nigel Mann Summary
10.28	APP/28 Proof of Evidence James Hinde
10.29	APP/29 Appendices James Hinde
10.29	APP/30 Summary James Hinde
10.31	APP/31 Owen Jones Rebuttal Proof of Evidence
10.32	APP/32 Julian Cooper Rebuttal Proof of Evidence
10.33	APP/33 David Bird Rebuttal Proof of Evidence
10.34	APP/34 Chris Allder Rebuttal Proof of Evidence
10.35	APP/35 David West Rebuttal Proof of Evidence
10.36	APP/36 Lee Witts Rebuttal Proof of Evidence
10.37	APP/37 Chris Garratt Rebuttal Proof of Evidence
10.37	APP/38 Nigel Mann Rebuttal Proof of Evidence
10.39	APP/39 James Hinde Rebuttal Proof of Evidence
CD11	Council's evidence
11.1	Planning Proof of Evidence (Niko Grigoropoulos)
11.2	Planning Appendix NG1 to Proof of Evidence (Niko Grigoropoulos)
11.3	Planning Appendix NG2 to Proof of Evidence (Niko Grigoropoulos)
11.4	Landscape and Visual Issues Proof of Evidence (Mark Flatman)
11.5	Landscape and Visual Issues Appendices to Proof of Evidence (Mark Flatman)
11.6	Highways and Transport Proof of Evidence (Paul Goddard)
11.7	Highways and Transport Appendices to Proof of Evidence (Paul Goddard)
11.8	Trees Proof of Evidence (Andrew Giles)
11.9	Trees Appendix to Proof of Evidence (Andrew Giles)
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11.10	Ecology Proof of Evidence (Susan Deakin)
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13.4	18/00764/OUTMAJ Notice of Application being Disposed of
13.5	17/00158/COMIND Decision Notice – Approved
13.6	17/03434/COMIND Decision Notice - Approved
13.7	14/02416/FUL Decision Notice - Approved
13.8	19/02707/FUL Scheme Drawing (Application Withdrawn 18/9/20)
13.9	20/03041/FUL Scheme Drawing (pending decision)
CD14	New Warren Farm 18/00828/OUTMAJ Outline Planning Application submitted by Donnington
	New Homes
14.1	Planning Statement
14.2	Land Use Parameter Plan A090455 PP-01 B
14.3	Access and Movement Plan A090455 PP-02 C
14.4	Green Infrastructure Plan A090455 PP-06 F
14.5	Concept Masterplan A090455 CMP-01 E
14.6	Design and Access Statement
14.7	Design and Access Statement Addendum
14.8	Site Location Plan A090455 SLP-01
14.9	Combined Strategic and Green Infrastructure (SLGI) Plan 04627.00005.16.633.15
14.10	Building Heights Parameter Plan A090455 PP-03 Rev C
14.11	Density Parameter Plan A090455 PP-04 Rev B
14.12	Indicative Phasing Parameter Plan A090455 PP-05 Rev C
14.13	Memorandum of Understanding (dated 10 th June 2020)
14.14	Environmental Statement – Main Text - Chapter 9 – Landscape and Visual Impact Assessment
14.15 CD45	Arboricultural Impact Assessment 9219_AIA.004 Rev C
CD15	Legislation, Court judgements and appeal decisions
15.1	Suffolk Coastal / Cheshire East [2017] UKSC 37
15.2	East Staffordshire (Barwood) [2017] EWCA Civ 893
15.3 15.4	Planning (LB &CA) Act 1990 s.66 (extract)
15.4	Highways Act 1981 s.130 (extract) Appeal Decision PINS Ref 3153899 22/08/2017 Land South of Garden Close Lane, Newbury.
15.6	Appeal Decision PINS Ref 3247977 10/02/2012 Land at Gate Farm, Hartley Road, Cranbrook
CD16	Miscellaneous documents Appellant
16.1	IAQM's A guide to the assessment of air quality impacts on designated nature conservation sites April 2019
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17.28	The Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the South East) Order
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17.30	PINS Post Conference Note of CMC 5 th March 2021
17.31	WBC Five Year Housing Land Supply at December 2019 (published January 2020)
17.32	WBC Five Year Housing Land Supply at December 2020 (published March 2021)
CD18	Miscellaneous documents Rule 6 Parties
18.1	Andrews, et al. (2019) 'Introducing the 'Derived Root-system Radius'
18.2	Basingstoke and Deane (2018) 'Landscape, Biodiversity & Trees SPD'
18.3	Coventry (2020) 'Trees & Development Guidelines for Coventry, SPD'
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18.7	South Oxfordshire District Council (2021) 'South Oxfordshire Local Plan 2035, Sustainability
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18.8	WBC (2021c) 'Local Cycling & Walking Infrastructure Plan (LCWIP)'
18.9	Wiltshire Council (2015) 'Wiltshire Core Strategy Adopted January 2015'
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. 5.25	15.02300.OUTMAJ)
CD19	Other Documents

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20.1.	ES Vol. 1 Cover Sheet
20.2.	ES Vol. 1 Contents
20.3.	ES Vol. 1 Sign Off Sheet (Redacted)
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20.5.	Figure 1.1 Site Location
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20.8.	Chapter 2 EIA Approach and Methodology
20.9.	Chapter 3 Site and Surroundings
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20.13.	Figure 4.6 Sandleford Park West
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20.15	Chapter 5 Socio Economics
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