

DRAFT SUGGESTED CONDITIONS – SANDLEFORD APPEAL

Appeal Ref:	APP/W0340/W/20/3265460
Site:	Sandleford Park, Newtown Road, Newbury.
Proposal:	Outline planning permission for up to 1,000 new homes; an 80 extra care housing units (Use Class C3) as part of the affordable housing provision; a new 2 form entry primary school (D1); expansion land for Park House Academy School; a local centre to comprise flexible commercial floorspace (A1-A5 up to 2,150 sq m, B1a up to 200 sq m) and D1 use (up to 500sq m); the formation of new means of access onto Monks Lane; new open space including the laying out of a new country park; drainage infrastructure; walking and cycling infrastructure and other associated infrastructure works. Matters to be considered: Access.
Application:	20/01238/OUTMAJ

West Berkshire Council suggest the following conditions in the event that the Inspector decides to allow the appeal. These suggested conditions are provided **without prejudice** to the Council's position and case in respect of the appeal proposal. The appellants' suggested conditions have been included alongside the respective conditions suggested by the Council.

PLEASE NOTE THAT THIS LIST IS PROVIDED IN OUTLINE DRAFT FORM ONLY AT THIS STAGE AS A RESULT ON ONGOING DISCUSSIONS AND SUBMISSIONS REGARDING STATEMENT/S OF COMMON GROUND, S106 PLANNING OBLIGATION (UNILATERAL UNDERTAKING), WHEATCROFT PROPOSALS AND EVIDENCE PREPARATIONSUBMITTED AND PRESENTED. THIS DRAFT LIST AND THE WORDING OF EACH SUGGESTED CONDITION IS TO BETHHEREFORE SUBJECT TO FURTHER REVIEW AND POSSIBLE ADJUSTMENT. [In certain instances below two alternative wording of conditions have been proposed by the two parties.](#)

In accordance with Planning Practice Guidance: 'It is good practice to list the conditions in the order that they need to be satisfied. A good structure is:

- 1.the standard time limit condition for commencement of development
- 2.the details and drawings subject to which the planning permission is granted
- 3.any pre-commencement conditions
- 4.any pre-occupancy or other stage conditions
- 5.any conditions relating to post occupancy monitoring and management

Paragraph: 024 Reference ID: 21a-024-20140306. Revision date: 06 03 2014

- [NB 1. No condition regarding the diversion of the public right of way has been suggested as this is controlled by other legislation](#)
- [2. Additional conditions suggested by the appellants in their rebuttal proofs have been incorporated into the table below](#)

Contents [UPDATED](#)

Pre-reserved Matters, Reserved Matters and Time Limit Conditions	5
1. Design Code	5
2. Phasing Plan (outline)	7
3. Primary School Site Area	9
4. Park House School Playing Field	10
5. Approval of Reserved Matters	12
6. Time Limit for Reserved Matters	12
7. Commencement of Development (phased outline)	13
8. Approved Plans	13
9. Secured by Design (reserved matters submission)	1517
10. Details of Renewables (as part of the first reserved matters submission)	1648
11. Ground Levels and Finished Floor Levels (reserved matters submission)	1719
12. Highways infrastructure s38 and s278 works	1820
13. Highway Infrastructure Design and Construction (reserved matters submission)	1921
14. Plot Access, Parking and Turning Arrangements and Electric Vehicle Charging Provision (reserved matters submission) 2024	
15. Primary School Parking (reserved matters submission)	2123
16. Submission of details of Local Centre Development as first reserved matters for DPC	2224
17. Country Parkland Parking (reserved matters submission)	2425
18. Sustainable Drainage Systems (SuDS) (reserved matters submission)	2526
19. Emergency Water Supplies (reserved matters submission)	2930

20. Woodlands and Woodland Buffers.....	3031
21. Details and Provision of LEAPs and LAPS (reserved matters submission)	3536
22. Hard and Soft Landscaping (reserved matters submission).....	3637
23. Residential and Non-residential Refuse Storage (reserved matters submission).....	38
24. Full Site Access Details, including pedestrian and cycle details (reserved matters submission)	3940
25. Country Parkland LGIDMP and delivery (reserved matters)	4041
26. Design and Delivery of Central Valley Crossing.....	4344
Pre-commencement Conditions	4445
27. Construction Access (pre-commencement)	4445
28. Construction Surface Water Drainage Measures (pre-commencement).....	4546
29. Construction Access to Park House School (pre-commencement).....	4647
30. Contaminated Land (pre-commencement by phase)	48
31. Construction and Environmental Management Plan (CEMP) (pre-commencement by phase).....	5051
32. Construction Traffic Management Plan (CTMP) (pre-commencement)	5253
33. Piling Method (pre-commencement by phase).....	5354
34. Landscape and Green Infrastructure Design and Management Plan (LGIDMP) (pre-commencement by parcel).....	5455
35. Ecological Mitigation and Management Plan (EMMP) (pre-commencement by parcel).....	5556
36. Tree and Woodland Protection (pre-commencement by parcel).....	5758
37. Arboricultural Supervision (pre-commencement by phase).....	5859
38. Advanced Structure Planting (pre-commencement).....	5960
39. Ecological Buffer Zones alongside watercourses, ponds and basins (pre-commencement by phase)	6162
40. Protection and Mitigation of Otters and Water Vole Habitats (pre-commencement)	6465
41. Badger Sett Buffers (pre-commencement).....	6667
42. Channel and Bank Works (pre-commencement of Country Parkland).....	6768

43. Lighting Scheme (pre-commencement by phase).....	6869
44. Details of Materials (by phase).....	70
45. Glazing Mitigation to Certain Dwellings (pre-commencement).....	7074
46. Archaeological Works (written scheme of investigation) (pre-commencement by phase).....	72
47. Minerals Exploration and Incidental Extraction (pre-commencement by phase).....	7374
48. Provision of pedestrian and cycle access from PROW along A339 to Service Crossing Opposite St Gabriel's School (pre-commencement).....	7576
49. Foul Water Drainage (pre-commencement).....	76
50. Water Infrastructure (pre-commencement).....	7677
51. Plant, Machinery and Equipment (pre-commencement).....	7778
Pre-occupancy or Other Stage Conditions.....	79
52. BREEAM (pre-occupation).....	7980
53. Restriction of Access to River Enborne.....	7980
Compliance Conditions.....	8084
54. Construction Hours of Work.....	82
55. Limit Number of Dwellings.....	8283
56. Extra Care Housing in Use Class C3.....	8384
57. Restriction of 'A Class' Uses Floorspace.....	84
58. Restriction of 'B1a Class' Use Floorspace.....	8485
59. Restriction of 'D1 Class' Use Floorspace.....	8586
60. Delivery/Collection Timings.....	8586
61. Occupation Restriction of Extra Care Housing.....	8687
62. Development outside of Settlement Boundary.....	8789

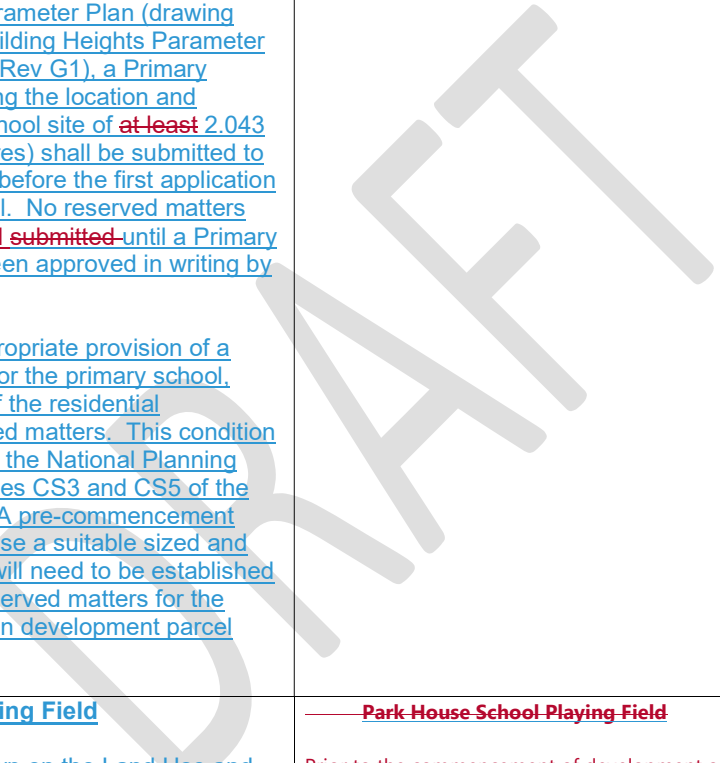
LPA Suggested Condition	Appellants Suggested Condition – <u>Revised where no agreement</u>	Comment
<u>Pre-reserved Matters, Reserved Matters and Time Limit Conditions</u>		
<p><u>1. Design Code</u></p> <p><u>Prior to the submission of the first reserved matters application, an Urban Design Code document for all built areas (residential, local centre and primary school) identified in the Phasing Plan approved pursuant to Condition 2 shall be submitted to the Local Planning Authority.</u></p> <p><u>The Urban Design Code document shall illustrate accord with the design requirements for the Key Design Principles specified in Section F of the Sandleford Park Supplementary Planning Document (March 2015). The following details for each of the character areas CA1, CA2, CA3, CA4, CA6, CA7 and CA8 identified within Section F of the Sandleford Park Supplementary Planning Document on page 69 of the Design and Access Statement (February 2020) shall be provided</u></p> <p><u>(a) the built form of the character area, namely the structure of blocks, key groupings or individual buildings, density, building form and depth, massing, scale, building heights (in accordance</u></p>	<p><u>Prior to the submission of the first reserved matters application, an Urban Design Code document for all built areas (residential, local centre and primary school) identified in the Phasing Plan approved pursuant to Condition X shall be submitted to the Local Planning Authority.</u></p> <p><u>The Urban Design Code shall illustrate the design requirements for the Key Design Principles specified in Section F of the Sandleford Park Supplementary Planning Document (March 2015). The following details for each of the character areas identified on page 69 of the Design and Access Statement (February 2020) shall be provided</u></p> <p><u>(f) the built form of the character area, namely the structure of blocks, key groupings or individual buildings, density, building form and depth,</u></p>	<p><u>WBC: Added this condition here as, in accordance with the PPG 'It is good practice to list the conditions in the order that they need to be satisfied' and this condition requires satisfaction before reserved matters.</u></p> <p><u>Page 69 of the DAS does not identify CA7 or CA8 which form part of the built areas (valley crossing, and, woodland buffers within the development as identified by them later in this condition) so have specified these.</u></p> <p><u>OJ: See Andy Williams' Evidence – WBC: Does not secure a design code for the whole of the SSSA to ensure comprehensive development across the whole SSSA. For the appeal site only this could</u></p>

<p><u>with the approved plan), orientation of buildings roofscape, including ridge lines and pitches, building elements such as eaves, openings (windows and doors) and porches, external materials, boundary treatment;</u></p> <p><u>(b) the street network, cycle routes, footpaths and public spaces, providing typical street cross-sections.</u></p> <p><u>(c) landscaping, areas of public realm, green links, woodland buffers, sustainable urban drainage, and open space within the areas of built development (excluding the area of Country Park), including enclosure, shading, natural surveillance, public art, materials, street furniture, signage [lighting].</u></p> <p><u>(d) the approach to vehicular and cycle parking including the amount of parking, location and layout of parking for all purposes, including but not restricted to parking for people with disability, visitor parking, parking for the Country Park and electric vehicle charging at the local centre.</u></p> <p><u>(e) Principles for ancillary infrastructure/buildings such as waste and recycling provision.</u></p> <p><u>No reserved matters applications shall be submitted approved prior to the LPA having first approved the an Urban Design Code in writing.</u></p> <p><u>Each reserved matter application shall accord with the details of the approved Urban Design Code document, and be accompanied by a statement which</u></p>	<p><u>massing, scale, building heights (in accordance with the approved plan), orientation of buildings roofscape, including ridge lines and pitches, building elements such as eaves, openings (windows and doors) and porches, external materials, boundary treatment;</u></p> <p><u>(g) the street network, cycle routes, footpaths and public spaces, providing typical street cross-sections.</u></p> <p><u>(h) landscaping, areas of public realm, green links, woodland buffers, sustainable urban drainage, and open space within the areas of built development (excluding the area of Country Park), including enclosure, shading, natural surveillance, public art, materials, street furniture, signage [lighting].</u></p> <p><u>(i) the approach to vehicular and cycle parking including the amount of parking, location and layout of parking for all purposes, including but not restricted to parking for people with disability, visitor parking, parking for the Country Park and electric vehicle charging at the local centre.</u></p>	<p><u>be acceptable subject to some tidying up of wording.</u></p> <p><u>WBC: Do not agree to this trigger as a RM application could be submitted and the LPA would not be able to</u></p>
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<p><u>demonstrates compliance with the approved Urban Design Code document.</u></p> <p><u>Reason: The application is not accompanied by sufficient design detail to ensure that a development of high quality design will be delivered. This condition is applied in accordance with the National Planning Policy Framework, and Policies ADPP2, CS3 and CS14 of the Core Strategy 2012 - 2026. A pre-commencement condition is necessary because the design code will need adhered to in subsequent detailed reserved matters applications.</u></p>	<p><u>(j) Principles for ancillary infrastructure/buildings such as waste and recycling provision.</u></p> <p><u>No reserved matters applications shall be approved prior to the LPA having first approved the Urban Design Code.</u></p> <p><u>Each reserved matter application shall accord with the details of the approved Urban Design Code, and be accompanied by a statement which demonstrates compliance with the Urban Design Code.</u></p>	<p><u>approve that RM application due to this condition not being discharged.</u></p> <p><u>OJ: The Design Code does not need to be approved before the Reserved Matters is submitted.</u></p>								
<p>1.2. Phasing Plan (outline)</p> <p>A phasing plan shall be submitted to the local planning authority for approval before or alongside the first application for reserved matters approval. The phasing plan shall identify all phases of development by which the development shall be undertaken, housing numbers, mix and tenure. In combination, the phases proposed in the phasing plan and subsequently sought through reserved matters applications shall provide the following mix of market housing:</p> <table border="0"> <tr> <td>2 bed flats</td> <td>10%</td> </tr> <tr> <td>2 bed houses</td> <td>20%</td> </tr> <tr> <td>3 bed houses</td> <td>42.5%</td> </tr> <tr> <td>4 bed houses</td> <td>27.5%</td> </tr> </table> <p>And the following mix of affordable housing (excluding extra care housing):</p>	2 bed flats	10%	2 bed houses	20%	3 bed houses	42.5%	4 bed houses	27.5%	<p>Before or alongside the first application for reserved matters approval a plan shall be submitted to the local planning authority identifying the phasing for the development and shall include the following:</p> <ul style="list-style-type: none"> - Residential phase(s) - Primary School - Local Centre phase - Country Park - Valley Crossing - Crooks Copse Link - Expansion of Park House School - Timing of delivery of other on-site highway works and infrastructure (including but not limited to on-site 	<p><u>WBC - Order of conditions 1, 2, 3 and 4 proposed by LPA in accordance with PPG and good practice to list in the order that they are to be satisfied (as followed for the remaining conditions below). Design Code is now condition 1 for the reason stated</u></p> <p><u>OJ: We do not agree that this structure is correct and believe the General Conditions and Time Limit Conditions should come first. We have not amended the order however.</u></p>
2 bed flats	10%									
2 bed houses	20%									
3 bed houses	42.5%									
4 bed houses	27.5%									

<p>1 bed flats 35%</p> <p>2 bed flats 8%</p> <p>2 bed houses 27%</p> <p>3 bed houses 25%</p> <p>4 bed houses 5%</p> <p>No development shall take place until the phasing plan has been approved by the local planning authority. Thereafter the development shall be carried out in accordance with the approved phasing plan.</p> <p>Reason: To facilitate the phasing of the development in the interests of timely and sufficient infrastructure delivery and secure the housing mix upon which the EIA has considered. This condition is applied in accordance with the National Planning Policy Framework, and Policies ADPP2, CS3, CS4, CS5, CS6, CS14, CS16 and CS18 of the Core Strategy 2012 - 2026. A pre-commencement condition is necessary because the phasing plan will need to be adhered to throughout the entire construction phase.</p>	<p>roads, footways, cycleway and green links)</p> <ul style="list-style-type: none"> - Timing of delivery of public open space including the NEAP, LEAPs and LAPs. <p>No development shall commence until the local planning authority has approved in writing the phasing plan and the development shall thereafter be constructed in accordance with the agreed phasing plan.</p> <p>The development shall be built out in general accordance with the submitted parcel plan 14-273/PP05 RevB. Prior to the commencement of development in each of these main development parcels a more detailed phasing plan identifying the sub-phases for that main development parcel shall be submitted to the Local Planning Authority.</p> <p>Each reserved matters application for the housing hereby permitted shall be accompanied by a statement defining the market housing mix proposed for that application and in combination with all other reserved matters approvals. In combination, the reserved matters</p>	<p><u>OJ: We do not agree that the phasing plan can identify number, mix and tenure at this stage, for example it would require layout to be designed and fixed for 2nd, 3rd phases etc at the outset. This is not necessary. WBC: This is not uncommon and was used for Newbury Racecourse for instance and is required to deliver the numbers and mix that has been assessed in the ES and relied upon to establish the necessary mitigation required.</u></p> <p><u>OJ: The affordable housing scheme is required to deal with tenure and this is secured as a planning obligation. WBC: Which will be used in the phasing plan and can be dealt with by condition rather than UU in accordance with PPG;</u></p> <p><u>OJ: Disagree, the affordable housing scheme is prepared on a phased basis.</u></p> <p><u>OJ: We have separated out Housing Mix from your suggested condition and have</u></p>
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	<p>applications for housing shall provide the following mix of market housing:</p> <p>2 bed flats 10% 2 bed houses 20% 3 bed houses 42.5% 4 bed houses 27.5%</p>	<p>a separate condition as originally proposed WBC: More appropriate to have it in this condition as it directly relates to the phasing: OJ: Disagree that housing mix relates to phasing.</p>
	<p>Proposals for the number and type of open market housing on any individual phase of the development shall be submitted to the local planning authority for approval either prior to or as part of any reserved matters application relating to Layout. In combination, the residential phases approved in the Phasing Plan (pursuant to Condition X) shall provide the following mix of market housing:</p> <p>2 bed flats 10% 2 bed houses 20% 3 bed houses 42.5% 4 bed houses 27.5%</p> <p>The development shall thereafter be implemented in accordance with the approved scheme.</p>	<p>OJ: We have adjusted the wording of our original condition but the effect is the same and controls the overall open market mix. WBC: A separate condition from the phasing condition provides insufficient certainty that when the last application arrives it will, in combination with those preceding it, achieve the housing mix.</p> <p>OJ: The mix for general affordable housing is set out in the Unilateral Undertaking and is not repeated here. WBC: More appropriate to have it as a condition as per ppg</p>
<p><u>3. Primary School Site Area</u></p>		<p><u>WBC: Included to ensure agreement of a defined, suitably sized area for the</u></p>

<p><u>Notwithstanding what is shown on the Land Use and Access Parameter Plan (drawing number PP02 Rev H1), Green Infrastructure Parameter Plan (drawing number PP03 Rev G1) or Building Heights Parameter Plan (drawing number PP04 Rev G1), a Primary School Site Area plan showing the location and boundaries of the primary school site of at least 2.043 hectares (20430 square metres) shall be submitted to the Local Planning Authority before the first application for reserved matters approval. No reserved matters application shall be approved submitted until a Primary School Site Area plan has been approved in writing by the Local Planning Authority.</u></p> <p><u>Reason: To ensure the appropriate provision of a defined, suitably sized area for the primary school, prior to the detailed design of the residential development through reserved matters. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS3 and CS5 of the Core Strategy 2012 - 2026. A pre-commencement condition is necessary because a suitable sized and located primary school site will need to be established prior to the submission of reserved matters for the residential development within development parcel north 1.</u></p>		<p><u>primary school, prior to the detailed design of the residential development through reserved matters as the existing area denoted on the parameter plans is smaller than is considered necessary as identified in the SoCG.</u></p>
<p><u>4. Park House School Playing Field</u></p> <p><u>Notwithstanding what is shown on the Land Use and Access Parameter Plan (drawing number PP02 Rev H1), Green Infrastructure Parameter Plan (drawing</u></p>	<p><u>— Park House School Playing Field</u></p> <p><u>Prior to the commencement of development a scheme for the Park House School expansion land shown on Plan [], shall be submitted to the LPA.</u></p>	

number PP03 Rev G1), Building Heights Parameter Plan (drawing number PP04 Rev G1) or Strategic Landscape and Green Infrastructure Plan (drawing number 04627.00005.16.632.13), a scheme for the Park House School expansion land showing the location and boundaries of the expansion land in accordance with drawing number BG-SP-001 Rev B and including the specification for the playing pitch to be provided, existing and proposed levels, tree protection measures, associated pedestrian routes and spectator space, means of enclosure, drainage, other hard and soft landscaping measures together with a programme for implementation shall be submitted to the Local Planning Authority before the first application for reserved matters approval. No reserved matters application shall be ~~approved submitted~~ until a Park House School Expansion Land Scheme plan has been approved in writing by the Local Planning Authority.

The expansion land shall be implemented in full in accordance with the approved details.

No external lighting within the Park House School Expansion Land will be installed unless an application has been made to the Local Planning Authority for that purpose.

Reason: To ensure the appropriate provision of a defined, suitably sized area for the expansion to Park House School prior to the detailed design of the residential development through reserved matters. This condition is applied in accordance with the

~~The scheme shall provide the specification for the playing pitch to be provided, existing and proposed levels, tree protection measures, associated pedestrian routes and spectator space, means of enclosure, tree protection measures, ancillary lighting, drainage, other hard and soft landscaping measures and a programme for implementation. The Appellants will implement the work to prepare the land and create a level surface in accordance with the approved playing field scheme.~~

~~**Reason:** To ensure that the Park House School expansion land is design and laid out to the satisfaction of the LPA in accordance with Policies CS3, CS5, CS14, CS15, CS17 and CS18 of the West Berkshire Core Strategy 2006-2026~~

<p>National Planning Policy Framework, and Policies CS3, CS5, CS14, CS15, CS17 and CS18 of the Core Strategy 2012 - 2026. A pre-commencement condition is necessary because a suitable scheme for the expansion land will need to be established prior to the submission of reserved matters.</p>		
<p>2-5. Approval of Reserved Matters</p> <p>Details of the appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) for each phase of development shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase takes place. The development shall be carried out in accordance with the approved details.</p> <p>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).</p>	<p>No development hereby permitted (other than main access road works required by Condition 7) shall be commenced on any main development parcel identified on the parcel plan 14-273/PP05 Rev B or sub-phase defined (hereinafter called “the reserved matters”) have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved plans.</p>	<p><u>OJ: We consider this should be Condition no.1</u> <u>WBC: Disagree</u></p>
<p>3-6. Time Limit for Reserved Matters</p> <p>Application for approval of the reserved matters for at least one of the phases shown on the phasing plan approved by condition 1 shall be made to the Local Planning Authority no later than the expiration of 3 years from the date of this permission and the last application for reserved matters approval shall be made no later than 7 years from the date of this permission.</p>	<p><u>LPA wording agreed</u></p>	<p><u>OJ: We consider this should be condition no.2</u> <u>WBC: Disagree</u></p>

<p>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).</p>		
<p>4.7. Commencement of Development (phased outline)</p> <p>The development of each phase permitted by condition 1 shall commence no later than 2 years from the date of approval of the last of the reserved matters to be approved for that phase.</p> <p>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).</p>	<p><u>LPA wording agreed</u></p>	<p><u>OJ: We consider this should be condition no.3</u> <u>WBC: Disagree</u></p>
<p>5.8. Approved Plans</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <ul style="list-style-type: none"> • Application Boundary Plan (drawing number 14.273/PP01 Rev B) received on 24th June 2020; • Land Use and Access Parameter Plan (drawing number 14.273/PP02 Rev H1) received on 24th June 2020 – <u>except for the areas of land identified within this plan to be provided for the primary school and the expansion to Park House School and the area of development footprint outside of the settlement boundary as designated by the HSA DPD;</u> 	<p>The development hereby permitted shall not be carried out except in substantial accordance with the details shown on the following plans:</p> <p>14.273/PP02 Rev H1 - Land Use and Access Parameters Plan</p> <p>14.273/PP03 Rev G1 Green Infrastructure Parameters Plan</p> <p>14.273/PP04 Rev G1 Building Heights Parameters Plan</p>	<p><u>OJ: We believe this should be condition no.4</u> <u>WBC: Disagree</u></p> <p><u>OJ: Reference to the dates is not necessary</u> <u>WBC: These references will need to be adjusted to whatever plans are going to be approved and dates submitted (if required) to ensure that where plans have the same references it is clear which ones are being approved, as revision versions are not always updated necessarily.</u></p>

<ul style="list-style-type: none"> Green Infrastructure Parameter Plan (drawing number 14.273/PP03 Rev G1) - <u>except for the areas of land within this plan to be provided for the primary school and the expansion of Park House School and the area of development footprint outside of the settlement boundary as designated by the HSA DPD</u>; Building Heights Parameter Plan (drawing number 14.273/PP04 Rev G1) received on 24th June 2020 - <u>except for the areas of land within this plan to be provided for the primary school and the expansion of Park House School and the area of development footprint outside of the settlement boundary as designated by the HSA DPD</u>; Strategic Landscaping and Green Infrastructure Plan (drawing number 04627.00005.16.632.13) received on 24th June 2020 - <u>except for the area of land within this plan to be provided for the expansion of Park House School and the area of development footprint outside of the settlement boundary as designated by the HSA DPD</u>; Eastern Site Access Plan (drawing number 172985/A/07.1 <u>Rev A</u>); Western Junction Access Plan (drawing number. 172985/A/08 <u>Rev A</u>); Access Road Plan (drawing number 14.273/928) received on 24th June 2020; Design and Access Statement ((February 2020, Issue 8) received on 24th June 2020. <p>Reason: For the avoidance of doubt and in the interest of proper planning. Outline planning</p>	<p>04627.00005.16.632.13 Strategic Landscaping and Green Infrastructure Plan</p>	<p>For the land Use and Access Parameter plan (PP02 Rev H1) add 'notwithstanding what is shown in relation to the primary school site' to be inserted, as discussed at SoCG stage.</p> <p>Access plans to be amended to reflect amended plans submitted as part of Wheatcroft proposals if accepted by the Inspector/SoS.</p> <p><u>OJ: We maintain that the term should be "substantial accordance" for the reasons given in our evidence. We note that para 7.72 of the planning evidence similarly refers to outline permission and flexibility. WBC: Disagree for reasons previously advised this would not be enforceable contrary to tests for conditions</u></p> <p><u>OJ: The purpose of the Access Road Plan is to identify Points A and B as the boundary of the Appeal Site for the purpose of constructing the main access</u></p>
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<p>permission is granted solely on the basis of the parameters within these approved details, against which the EIA has been carried out.</p>		<p><u>road (i.e. timings). This requires a separate planning condition. WBC: Removed</u></p> <p><u>OJ: Reference to the Design and Access Statement as a document isn't precise - it contains many Sections, not all of which are relevant to the design of the proposed development and certain other information is illustrative. WBC: Removed as a result of a design coding condition that is derived from the DAS</u></p> <p><u>OJ: Later we have proposed a Design Code Condition which would supersede this and cross refers to the DAS.</u></p>
<p><u>6-9. -WBC: Moved appellants' condition to condition 1 Secured by Design (reserved matters submission)</u></p> <p>The first reserved matters submission relating to layout, scale, appearance and landscaping for each phase of <u>the residential</u> development <u>hereby approved</u> submitted pursuant to Condition <u>1-2</u> shall be accompanied by details of measures to minimise the risk of crime in accordance with Secured by Design principles. All dwellings within each phase shall be designed to achieve Secured by Design accreditation</p>	<p><u>Agreed in Principle</u></p>	<p><u>OJ: the condition appears to relate only to the design of dwellings</u></p> <p><u>WBC: Agreed have amended to remove reference residential</u></p>

<p>(as awarded by Thames Valley Police) in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development within each phase shall be carried out in accordance with the approved details</p> <p>Reason: In the interests of reducing crime and disorder in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026 and the Sandford Park SPD.</p>		
<p>7.10. Details of Renewables (as part of the first reserved matters submission)</p> <p>The first reserved matters submission, relating to any or all of the reserved matters (namely layout, scale, appearance and landscaping) for each phase of residential development submitted pursuant to Condition 4.2 above, shall be accompanied by a full detailed scheme of energy generation on site from renewables, low carbon and/or zero carbon energy for the Local Planning Authority's consideration and approval, to ensure that the residential development hereby approved is carbon neutral.</p> <p>No development within each phase shall take place until approval of the above scheme of energy generation on site has been granted in writing by the Local Planning Authority.</p>	<p><u>Appellants suggested condition</u></p> <p><u>Applications for the approval of Reserved Matters for new residential dwellings shall include a detailed Energy Statement. The Energy Statement shall set out how the development, or phase of development, shall reduce its carbon dioxide emissions by a minimum of 19% against the requirements of Building Regulations Part L 2013. A proportion of this must be achieved through the use of low or zero carbon energy sources.</u></p> <p><u>In the event that changes to Building Regulations Part L come into effect requiring a reduction in carbon dioxide emissions of greater than 19% against the 2013 standard, the Energy Statement for subsequent Reserved Matters applications shall set out how the development or</u></p>	<p><u>OJ: See Chris Garratt's evidence</u></p> <p><u>WBC: The Council does not consider the appellants' suggested condition to be adequate as per the round table discussion. The second paragraph in the appellant's condition is unnecessary and amounts to an informative, as it would have to comply with BRs,</u></p> <p><u>WBS is seeking the residential development to be carbon neutral (i.e. net zero).</u></p>

<p>Thereafter the development within each phase shall be implemented in full accordance with the approved details.</p> <p>Reason: To ensure the delivery of adequate renewables, reduce the impact on climate change, contribute to the reduction of CO₂ emissions and deliver a carbon neutral residential development. This condition is imposed pursuant to the National Planning Policy Framework, Policy CS3, CS14 and CS15 of the West Berkshire Core Strategy 2006-2026, the Sandford Park SPD and the West Berkshire Environment Strategy 2020-2030.</p>	<p><u>phase of development shall comply with the prevailing Building Regulations, including the use of low or zero-carbon energy sources.</u></p> <p><u>The residential dwellings shall be constructed in accordance with the details set out in the submitted Energy Statement.'</u></p>	
<p>8.11. Ground Levels and Finished Floor Levels (reserved matters submission)</p> <p>The first reserved matters submission relating to layout, scale, appearance and landscaping for each phase of residential development submitted pursuant to Condition 4-2 shall be accompanied by details of existing and proposed ground levels, and finished floor levels of the dwellings and buildings to be constructed in that phase. No development within each phase shall take place until approval of the existing and proposed ground levels and finished floor levels has been received in writing from the Local Planning Authority as part of the reserved matters application.</p> <p>Thereafter the development within each phase shall be implemented in full accordance with the approved details.</p>	<p><u>LPA Wording Agreed</u></p>	

<p>Reason: To ensure a satisfactory relationship between the proposed development and the adjacent land. These details are required before development commenced because insufficient information accompanies the application, and the agreed details will affect early construction activities. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, and the Quality Design SPD (June 2006) and Sandford Park SPD.</p>		
<p><u>12. Highways infrastructure s38 and s278 works</u></p> <p><u>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 and the Developer shall enter into a S38 Agreement for the site and a S278 Agreement for all necessary Highway Improvement Works in order to ensure compliance with said standards and allow future adoption of the site under the terms of these agreements. This condition shall apply notwithstanding any indications to these matters which have been given in the current application.</u></p> <p><u>Reason: In the interest of road safety and flow of traffic and to ensure waste collection. This condition is imposed in accordance with the National Planning Policy Framework (March 2012), Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy</u></p>		<p><u>Additional highways condition</u></p> <p><u>OJ: References to S38 and S278 duplicate other legislation and should not be including as planning conditions. The remaining part of the condition (first sentence) would be a layout matter. – Condition can be deleted.</u></p>

[TRANS1 of the West Berkshire District Local Plan 1991-2006 \(Saved Policies 2007\).](#)

9.13. Highway Infrastructure Design and Construction (reserved matters submission)

The ~~first~~ reserved matters submission relating to layout, ~~scale, appearance and landscaping~~ for each phase of residential development submitted pursuant to Condition ~~24~~ shall be accompanied by details of the highway infrastructure design and construction within that phase.

No development within each phase shall take place until approval of the [highway infrastructure design and construction existing and proposed ground levels and finished floor levels](#) has been received in writing from the Local Planning Authority as part of the reserved matters application.

No dwelling shall be first occupied or unit brought into first use [in each phase](#) until the approved details have been implemented in full accordance with the details approved at reserved matters stage.

Reason: To ensure the provision of suitable and safe highway infrastructure for each phase of the development. 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 the Sandford Park SPD.

OJ: Please can you define what is meant by "highway infrastructure design and construction" – are these engineering details (i.e. vertical and horizontal alignment).
[WBC: Yes](#)

OJ: The highlighted text is not relevant to this condition – it might simply have been carried forward from condition 6 in error which it duplicates. [WBC: Amended accordingly](#)

OJ: The second paragraph is not acceptable – this appears to require all of the highway infrastructure to be implemented for the whole of that phase prior to any occupation – this isn't necessary. [WBC: Amended accordingly.](#) OJ: This still requires all of the highway infrastructure for a single

		<p><u>phase to be implemented prior to the occupation of the 1st unit in that phase. This isn't necessary. The phasing plan approved pursuant to [Condition 2] would set out the timings of highway infrastructure.</u></p>
<p>40-14. Plot Access, Parking and Turning Arrangements and Electric Vehicle Charging Provision (reserved matters submission)</p> <p>The first reserved matters submission relating to layout, scale, appearance and landscaping and landscaping for each phase of residential development submitted pursuant to Condition 4-2 shall be accompanied by details of the vehicular, pedestrian and cycle access to each dwelling/unit and the electric vehicle charging points and vehicle parking and turning spaces associated with each dwelling.</p> <p>No development within each phase shall take place until approval of the <u>vehicular, pedestrian and cycle access to each dwelling/unit</u> and the electric vehicle charging points <u>and vehicle parking and turning spaces associated with each dwelling/unit</u> existing and proposed ground levels and finished floor levels has been received in writing from the Local Planning Authority as part of the reserved matters application.</p>	<p><u>Agreed in Principle</u></p>	<p><u>OJ: This is a layout point and not related to scale, appearance and landscaping</u> <u>WBC: Could have an impact on landscaping</u></p> <p><u>OJ: The highlighted text is not relevant to this condition – it might simply have been carried forward from condition 6 in error which it duplicates. WBC: Amended accordingly</u></p> <p><u>OJ: The second paragraph is not acceptable – this appears to require vehicular, pedestrian and cycle access to each dwelling/unit and the electric vehicle charging points and vehicle parking and turning spaces for each dwelling to be implemented for the whole of that phase prior to any</u></p>

<p>No <u>individual</u> dwelling shall be first occupied or <u>individual</u> unit brought into first use until the approved details for each that dwelling/unit has been implemented in full accordance with the <u>approved details approved at reserved matters stage</u>.</p> <p>Thereafter the vehicle parking shall be kept available for the parking of private cars and/or private light goods vehicles and the cycle parking provision shall be kept available for the parking of cycles.</p> <p>Reason: To ensure the dwelling/unit is provided with safe and suitable access, parking and electric vehicle charging facilities. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 and CS14 of the West Berkshire Core Strategy 2006-2026 and Policy P1 of the Housing Site Allocations DPD 2006-2026 as well as the Sandford Park SPD.</p>		<p><u>occupation – this isn't necessary. Suggest: no dwelling shall be occupied unless the the approved details for that dwelling have been implemented in full WBC: Amended accordingly</u></p>
	<p><u>Electric Vehicle Charging:</u></p> <p><u>Prior to the occupation of any dwellings within a particular phase or sub-phase, infrastructure for electric vehicle charging points shall be installed in accordance with a scheme which has been submitted to and approved in writing by the local planning authority.</u></p>	<p><u>OJ: I have separated this out from Condition 14 for ease.</u></p>
<p>11.15. Primary School Parking (reserved matters submission)</p>	<p><u>Agreed in Principle</u></p>	<p><u>OJ: Details of vehicular, pedestrian and cycle access is a layout matter – not scale,</u></p>

<p>The first reserved matters submission relating to layout, scale, appearance and landscaping for the primary school shall provide details of the vehicular, pedestrian and cycle accesses. No development of the primary school shall take place until approval of the vehicular, pedestrian and cycle accesses has been received in writing from the Local Planning Authority as part of the reserved matters application.</p> <p>The primary school shall not be brought into first use until the vehicular, pedestrian and cycle accesses to the primary school have been implemented in full accordance with the details approved at reserved matters stage.</p> <p>Reason: To ensure the primary school is provided with safe and suitable access. 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 the Sandlesford Park SPD.</p>		<p><u>appearance or landscape.</u> <u>WBC: The layout will impact on the landscaping</u></p> <p><u>The second sentence of para 1 is superfluous – Condition 2 regulates implementation of development in accordance the approval of reserved matters</u> <u>WBC: Not if the details are insufficient at RM stage and we then attach another condition requiring those details again should the RM be approved. OJ: If details are insufficient at RM they should be requested from the Applicant for the school.</u></p>
<p>42-16. Submission of details of Local Centre Development as first reserved matters for DPC</p> <p>The first reserved matters submission relating to layout, scale, appearance and landscaping for the Local Centre shall be submitted prior to any other reserved matters application for a phase within Development Parcel Central. The reserved matters application shall include details of car parking and cycle parking, the operating and customer opening hours for the uses proposed within the Local Centre</p>	<p>Prior to the commencement of development at the local centre shown on plan 14-273 PP02 Rev H1, details of associated car parking and cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried</p>	<p><u>WBC: No local centre details are sought in appellants' proposed condition. Suggested appellants' condition unacceptable. It does not provide any certainty about delivery.</u></p> <p><u>OJ: It is not necessary or practicable for the RMA for the Local Centre to be the first</u></p>

<p>and provide an area measuring 15m x 7 m for a mini-waste recycling collection facility within the Local Centre.</p> <p>No development with in DPC shall take place until approval of the Local Centre has been received in writing from the Local Planning Authority as part of the reserved matters application.</p> <p>No more than 700 dwellings within the site shall be occupied until the Local Centre has been constructed in full accordance with the approved details.</p> <p>Reason: To ensure that the Local Centre is appropriately planned for at an early stage and provided in a timely manner to serve the community and to safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policies CS3, CS5 and CS14 of the West Berkshire Core Strategy 2006-2026 and the Sandford Park SPD.</p>	<p>out and thereafter retained in accordance with these approved details.</p> <p>Unless otherwise agreed in writing with the Council, an area measuring 15m x 7 m shall be laid out to house waste recycling collection facilities within the Local Centre as shown on Plan 14.273/PP02 Rev H1.</p>	<p><u>such application in DPC as the phasing plan would take precedence. WBC: The 700 dwellings trigger is very generous in a development of 1080 units. The development has to deliver a mixed use local centre and this condition provides an imperative for the applicant to provide it and some degree of certainty that it will be provided.</u></p> <p><u>OJ: To align with design process for the Valley Crossing the first reserved matters in DPC will need to be the residential parcel at the northern extent of DPC.</u></p> <p><u>OJ: We do not agree the development in DPC cannot commence until the RMA for the local centre is approved. We do not agree with the occupancy restriction of 700 dwellings. The Appellants intend to market the local centre and this will determine the programme for RMA and opening of the Local Centre.</u></p>
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13.17. Country Parkland Parking (reserved matters submission)

The first reserved matters submission relating to layout, scale, appearance and landscaping for the phase of the development with Development Parcel Central containing the Country Parkland parking (the indicative location of which is shown on plan 04627.00005.16.632.13), shall provide details of the vehicular, cycle and motorcycle parking arrangement and turning spaces. No development within that phase shall take place until approval of the Country Parkland parking has been received in writing from the Local Planning Authority as part of the reserved matters application.

The Country Parkland parking shall be implemented in full accordance with the approved details (including any surfacing arrangements and marking out) prior to the Country Parkland being brought into first use.

Thereafter the parking shall be kept available for the parking of private cars, motorcycles and cycles.

Reason: To ensure that the Country Parkland 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. This condition is applied in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy 2006-2026, and Policy P1 of the Housing Site Allocations DPD 2006-2026.

Agree in principle

OJ: The timing restriction doesn't work alongside the delivery of the Country Park as proposed by Condition 20.

WBC: As commented in condition 22 the country park is to be delivered in one phase (this is not yet agreed – SOCG refers to two phases) not in two phases if access to the NEAP (which is currently proposed in UU to be provided prior to 750 Dwellings in Development Parcel North (DPN1 & DPN2)). Conflict here with timings of NEAP provision in appellants UU.

The final sentence of para 1 is superfluous because Condition 2 regulates implementation of the Reserved Matters WBC: Parking could be conditioned as part of RM

OJ: Does this need to reference the Phasing Plan in Condition 1? WBC: No

OJ: The Country Park Parking is not associated with the NEAP.

		<p><u>The timing simply doesn't work as it would require the Valley Crossing and the roads with DPC to be constructed to service a Car Park. This can be addressed by the Phasing Plan suggested earlier.</u></p>
<p>14.18. Sustainable Drainage Systems (SuDS) (reserved matters submission)</p> <p>The first reserved matters application for each of the main development parcels shown on <u>the Phasing Plan approved pursuant to Condition X drawing number PP05-Rev-B</u> shall provide details of the sustainable drainage measures to manage surface water within <u>the catchment of</u> that development parcel. No development within each of the main development parcels shall take place until approval of the sustainable drainage measures has been received in writing from the Local Planning Authority as part of the reserved matters application.</p> <p>These details shall be in accordance with the principles of the Brookbanks Flood Risk Assessment (<u>dated February 2018</u>). These details shall:</p> <p>a) Incorporate the implementation of Sustainable Drainage methods (SuDS) in accordance with the Non-Statutory Technical Standards for SuDS (March 2015), the SuDS Manual C753 (2015) and West Berkshire Council local standards, particularly the WBC SuDS</p>	<p><u>Agree in Principle</u></p>	<p><u>WBC: Appellants' condition insufficient, not acceptable</u></p> <p><u>OJ: This is reverting to the Parcel Plan rather than the Phasing Plan which Condition 1 is seeking. WBC: To provide holistic planning of suds at the largest scale possible at least at parcel level rather than piecemeal by each phase, as suggested by the appellants.</u></p> <p><u>OJ: need to update references where highlighted WBC: Drainage strategies are illustrative and alternative options have been provided, all of which are not acceptable so removed highlight and have not reference them.</u></p>

Supplementary Planning Document December 2018.
This ~~may should~~ include a range of, but not be limited to, the following : green roofs and rainwater harvesting measures; localised bio-retention measures in built areas particularly as 'on-parcel SuDS'; trees planted in tree-pits incorporated into the built development as well as SuDS areas; ponds and wetlands; carriageway filter strips; roadside swales; attenuation basins as local source control with dry and wet areas;

b) Include and be informed by a ground investigation survey which establishes the soil characteristics, infiltration rate and groundwater levels. Any soakage testing should be undertaken in accordance with BRE365 methodology;

c) Include attenuation measures to retain rainfall run-off within the site and allow discharge from the site to an existing watercourse at no greater than 1 in 1 year Greenfield run-off rates;

d) Include detailed construction drawings, cross-sections and specifications of all proposed SuDS measures within the site;

e) Include run-off calculations, discharge rates, infiltration and storage capacity calculations for the proposed SuDS measures based on a 1 in 100 year storm + 40% for climate change;

f) Include flood water exceedance routes, both on and off site as well as low flow and overflow routes;

g) Include pre-treatment methods to prevent any pollution or silt entering SuDS features or causing any contamination to the soil or groundwater;

LW: If the Drainage Strategy is to be tied to the FRA, this takes precedent over the measures in a). WBC: Only the principles not the whole FRA

OJ: need to reference the correct FRA

C: this should be Qbar run-off not 1:1

N: is covered by separate legislation and is not necessary

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- h) Ensure any permeable paved areas are designed and constructed in accordance with manufacturers guidelines;
- i) Ensure any permeable areas are constructed on a permeable sub-base material such as Type 3 or reduced fines Type 1 material as appropriate;
- j) Include details of how the SuDS measures will be maintained and managed after completion. These details shall be provided as part of a handover pack for subsequent purchasers and owners of the property/premises; and
- k) Include a management and maintenance plan for the lifetime of the development. This plan shall incorporate arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a residents' management company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime;
- l) Include a Contamination Risk Assessment for the soil and water environment (assessing the risk of contamination to groundwater, develop any control requirements and a remediation strategy);
- m) Include measures to protect or enhance the ground water quality and proposals for habitat creation, ecological and landscape enhancement;
- n) **Apply for an Ordinary Watercourse Consent in case of surface water discharge into a watercourse (i.e. stream, ditch etc.);**
- o) Show that attenuation storage measures have a 300mm freeboard above maximum design water level.

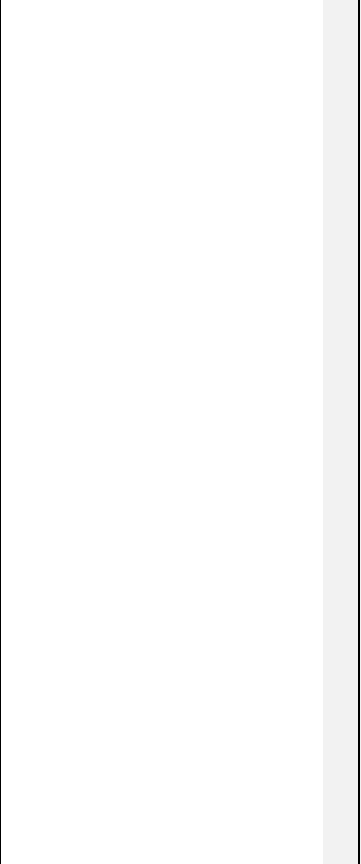
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Surface conveyance features must have a 150mm freeboard above maximum design water level;

- p) Include with any design calculations an allowance for an additional 10% increase of paved areas over the lifetime of the development;
- q) Provide details of catchments and flows discharging into and across the site including through existing areas identified as Ancient Woodland and Copse, how these flows will be managed and routed through the development and where the flows exit the site both pre-development and post-development must be provided;
- r) Provide details of the timetable for implementation of sustainable drainage measures.

The above sustainable drainage measures shall be implemented in full accordance with the approved details. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity and ensure future maintenance of the surface water drainage system can be, and is carried out in an appropriate and efficient manner. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design



<p>(June 2006), as well as the Sustainable Drainage Systems SPD and the Sandford Park SPD.</p>		
<p>15-19. Emergency Water Supplies (reserved matters submission)</p> <p>The reserved matters submission relating to layout, scale, appearance and landscaping for each phase of residential development submitted pursuant to Condition 1 shall be accompanied by details of private fire hydrant(s), or other suitable emergency water supplies. No development within each phase shall take place until approval of the private fire hydrant(s), or other suitable emergency water supplies has been received in writing from the Local Planning Authority as part of the reserved matters application.</p> <p>No dwelling shall be first occupied or unit brought into first use until the approved details for that phase have been implemented in full accordance with the details approved at reserved matters stage.</p> <p>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 & Rescue Service requirements, in the interests of public safety. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS5 of the West Berkshire Core Strategy 2006-2026.</p>	<p><u>No phase of the development hereby permitted shall be commenced until a scheme for the provision of adequate water supplies and fire hydrants necessary for fighting purposes for that parcel has been submitted to and approved in writing by the local planning authority. The scheme for each phase shall be implemented in accordance with the approved details.</u></p>	<p><u>OJ: Query the reference to the word "private" in paragraph 1. WBC: Private or other</u></p> <p><u>OJ: second paragraph doesn't work for the reasons given previously. WBC: Do not agree – need to have suitable emergency water supplies to be available before the dwellings or non-residential units they are to serve are occupied/brought into use.</u></p>

<p><u>20. Woodlands and Woodland Buffers</u></p> <p><u>Prior to or as part of the first reserved matters application on this site, a fully detailed scheme for the protection and management of all the woodlands and their respective woodland buffers on site, namely Crook's Copse, Slockett's Copse, Slockett's West, High Wood, Barn Copse, Dirty Ground Copse, Waterlease Copse or Gorse Covert, shall be submitted to and for the approval of the Local Planning Authority. The submitted detailed scheme for the woodlands and woodland buffers shall include the following:</u></p> <p><u>a) A detailed ecological and arboricultural assessment of all the woodland and boundary trees and the proposed buffer zones, to establish if there are any ancient/veteran trees or trees of note within or surrounding each woodland;</u></p> <p><u>b) A detailed assessment of the existing landscape, botanical and ecological value of all the woodland(s) and buffer zones;</u></p> <p><u>c) The detailed calculation of the necessary woodland buffer area required which should be at least 15 metres in width as measured from the edge of the woodland (i.e. as measured from the fixed physical woodland boundary such as a fence, ditch, stream or other physical demarcation) or at least 15 metres from the edge of Natural England's ancient woodland inventory Magic Map Application (defra.gov.uk),</u></p>	<p><u>Woodland Buffer</u></p> <p><u>Each reserved matters application for landscaping in a Phase that adjoins either Crooks Copse, Slockett's Copse, High Wood, Barn Copse, Dirty Ground Copse, Waterlease Copse or Gorse Covert shall include details of the proposed woodland buffer. The details of the proposed woodland buffer shall include the following:</u></p> <p><u>a) The calculation of the woodland buffer area which shall be at least 15m in width measured from the fixed physical woodland boundary such as a fence, ditch, stream or other physical demarcation;</u></p> <p><u>b) An assessment of the existing landscape, botanical and ecological value of the relevant woodland(s);</u></p> <p><u>c) Soft landscaping and planting specifications;</u></p> <p><u>d) Measures to control surface water run-off and sustainable urban drainage;</u></p> <p><u>e) Tree protection barriers, ground protection and methods for installation;</u></p> <p><u>f) Restrictions on lighting and methods of installation;</u></p>	<p><u>OJ: proposed by appellants in light of Statement of Common Ground</u></p> <p><u>OJ: We are considering the Council's suggested wording but do not believe it is necessary to design each woodland buffer prior to the submission of the first reserved matter – this can be undertaken in relation to the phase that adjoins the individual woodlands.</u></p>
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whichever is the greater. For all ancient/veteran trees or trees of note on the woodland edge or within the minimum 15 metres "rooting" area, the buffer zone width should be extended to measure at least 15 times the diameter of the tree or to at least 5 metres from the edge of the tree's canopy, whichever the greater. The exact full extent of the woodland buffer width at any point is to be identified as part of this submission.

d) A detailed scheme of enclosure to prevent all access and/or storage of materials at all times to the minimum 15 metre wide "rooting" areas of the woodland buffers;

e) Full details of soft landscaping and planting specifications of a habitat creation scheme, including locally indigenous and appropriate native species of trees, shrubs and characteristic woodland edge flora, within the buffer zones;

f) Full detailed impacts of any basins, conveyance channels and other infra-structure including outfall proposed to be located within the buffers, comprising the Sustainable Urban Drainage Systems (SuDS) effect on the hydrology or water table or rooting area of the ancient woodland or ancient/veteran tree. No SuDS are to be located within the minimum 15 metre buffer zone but SuDS may be permitted in the outer part of a more extensive buffer zone.

g) Details of tree protection barriers, ground protection and methods for installation;

g) Signage and interpretation boards where relevant and methods for installation;

h) No-dig permeable surfacing methods for any proposed footpaths;

i) Any means of enclosure, specifically fencing which will require special measures for installation of fenceposts;

j) Proposed management and maintenance regimes; and

k) Public access, if appropriate, and the means of control to avoid damage to the woodland and woodland buffer

h) Details of signage and interpretation boards where relevant and methods for installation;

i) Details of fencing or other forms of enclosure for the buffers ensuring retention for the duration of the Site construction period and in perpetuity following the onset of the operational phase of the development. Such details will include special measures for installation of fence posts and means of enabling continued wildlife transfer into the woodlands (including badger gates / gaps and hedgehog gaps), whilst minimising ingress of domestic pets.

j) Details of the locations of the access points and paths through buffers to footpaths within the woodlands.

k) Details of the extent of buffer zones, to be set out on site as 'no-go' Nature Conservation Areas prior to the onset of any enabling or construction works on Site together with an agreed programme of conservation management and monitoring to be undertaken by the Project Ecologist. These areas are to be fenced to an agreed specification prior to onset of works in accordance with part i) above. Contractor's access (plant and personnel) will only be permitted to allow the construction of access paths within buffer zones (but only where these are to allow direct access into the woodland).

m) Details of No-dig permeable surfacing and methods for installation of the proposed access provision along specified and agreed routes;

Unless specifically exempted and agreed with the Local Planning Authority as part of the details submitted in respect of this condition, the buffer zone habitat creation and fenced protection mechanisms, are to be installed within the first planting season following commencement of development at the beginning of the construction period.

Any public access to the woodland buffer zone is only permitted to allow direct access to paths within the woodland.

There is to be no access for construction of Site infrastructure (eg roads, bridges, drainage facilities) or other earthworks and no storage of materials, plant, no fires or other potentially damaging operations within any of the buffers unless otherwise approved as part of the details submitted above.

No works, including in relation to formal or mown footpaths as well as any SuDS, shall be carried out at any time within the minimum 15 metre "rooting" areas of the woodland buffers, with the exception of providing access to the woodland itself.

No lighting is to be erected or installed within buffer zones or directed towards buffer zones.

No development (other than those constructed in connection with the woodland buffers) shall take place on site, until the above full details have been submitted to and approved in writing by the Local Planning Authority and until the approved buffer schemes have been implemented.

Reason: This condition is required to ensure the protection of Ancient and other Woodlands (all of which are designated Local Wildlife Sites) and associated trees on site, allow successful establishment of the woodland edge habitat, prior to onset of operational use of the development and to fully mitigate against harmful 'edge effects' of the development on the ancient woodland and Local Wildlife Sites habitats. As SuDS are designed to channel rainwater away from developments, great care needs to be taken to ensure that they will not cause more water than is usual to enter ancient woodland or its buffer zones, or deprive the woodland of water, adversely affecting the characteristic woodland flora and dependant fauna. Both flooding and drought can cause stress to trees, which in turn can cause them to become more unstable and therefore potentially dangerous. Raising or reducing the water table can also cause soils either to become waterlogged, washed away, or desiccated and blown away detrimentally impacting on the woodlands. Woodland buffer zones are to be maintained as 'dark zones' to ensure no impact on biodiversity. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS3, CS17, CS18 and CS19 of the Core

[Strategy 2012 - 2026. A pre-commencement condition is necessary because the identified size of woodland buffers will need to be adhered to in subsequent detailed reserved matters applications.](#)

46.21. Details and Provision of LEAPs and LAPS (reserved matters submission)

The first reserved matters submission relating to layout, scale, appearance and landscaping for each phase of residential development submitted pursuant to Condition [4-2](#) shall be accompanied by details of any LEAPs or LAPS to be provided within that phase, including details of play equipment to be provided. No development within each phase shall take place until approval of any LEAPs or LAPS to be provided within that phase has been received in writing from the Local Planning Authority as part of the reserved matters application.

No dwelling shall be first occupied or unit brought into first use until the approved details have been implemented in full in accordance with the details approved at reserved matters stage. [The implemented details shall continue to be provided and be maintained thereafter.](#)

Reason: To ensure that the play facilities within each phase are planned and provided at the appropriate time. This condition is applied in accordance with the National Planning Policy Framework, Policies CS5 and

Prior to the occupation of any dwelling within each of the [Phase of main](#) development parcels shown on [the Phasing Plan approved pursuant to \[Condition 1\]plan 14-273/PP05-RevB,](#) details of the play equipment to be provided within that parcel shall be submitted to and approved in writing by the Local Planning Authority. Such details will include the specification of play equipment and timing of implementation.

[OJ: The second paragraph is not acceptable – this appears to require all of LEAPs and LAPS in each phase to be implemented in full prior to the occupation of any dwelling. This is not necessary. Timing of LEAPs are included in UU – duplication?.](#)

[WBC – Can amend to remove timing if trigger for delivery in UU is accepted](#)

[OJ: we believe this can be covered in the Hard and Soft Landscaping Details \(see following condition\). This condition could then be deleted.](#)

<p>CS14 of the West Berkshire Core Strategy 2006-2026, and the Sandford Park SPD.</p>		
<p>17.22. Hard and Soft Landscaping (reserved matters submission)</p> <p>All hard and soft landscape works shall be carried out in accordance with the details approved through reserved matters submissions. Each reserved matter submission for landscape shall include details of:</p> <p>i) the timing of implementation, which shall be no later than the end of the first planting season following the commencement of development;</p> <p>ii) planting plans;</p> <p>iii) written specifications;</p> <p>iv) a schedule of plants noting species, plant sizes and proposed numbers;</p> <p>v) existing landscape features such as trees, hedges and ponds to be retained accurately plotted (where appropriate);</p> <p>vi) existing landscape features such as trees, hedges and ponds to be removed accurately plotted (where appropriate);</p> <p>vii) existing and proposed finished levels (to include details of grading and earthworks where appropriate)</p>	<p>All hard and soft landscape works shall be carried out in accordance with the details approved through reserved matters submissions. Each reserved matter submission for landscape shall include details of:</p> <p>i) the timing of implementation, which shall be no later than the end of the first planting season following the commencement of development;</p> <p>ii) planting plans;</p> <p>iii) written specifications;</p> <p>iv) a schedule of plants noting species, plant sizes and proposed numbers;</p> <p>v) existing landscape features such as trees, hedges and ponds to be retained accurately plotted (where appropriate);</p> <p>vi) existing landscape features such as trees, hedges and ponds to be removed accurately plotted (where appropriate);</p>	<p><u>OJ: The first sentence now duplicates the first paragraph included after the bullet points - suggest it is deleted. WBC: Amended accordingly</u></p> <p><u>OJ: The details of levels in vii now duplicates the earlier condition in respect of this. WBC: Earlier condition was in respect of level of buildings, this condition is in relation to levels outside buildings as a result of landscaping</u></p> <p><u>OJ: Reference to timing of implementation appears twice – have suggested deleting second reference. WBC: Amended accordingly</u></p> <p><u>OJ: The final paragraph appears to require all of the landscaping or a phase to be implemented before occupation of the first dwellings – that is unnecessary WBC: Hard landscaping to be implemented before</u></p>

<p>viii) hard landscaping such as any boundary treatments (e.g. walls, fences) and hard surfaced areas (e.g. driveways, paths, patios, decking).</p> <p>ix) details of Locally Equipped Areas of Play, Local Areas of Play, and the Neighbourhood Area of Play where relevant to an individual phase and associated management and maintenance regimes.</p> <p>The soft landscaping works approved by all reserved matters submissions shall be completed in accordance with the approved details, within the first planting season following the first commencement of any part of the development on that parcel.</p> <p>Any planting that is removed, uprooted, severely damaged, destroyed or dies within five years of the date of planting shall be replaced by the approved type planting by the end of the first available planting season.</p> <p>No dwelling shall be first occupied or unit brought into first use until the approved hard landscaping works have been implemented in full in accordance with the details approved at reserved matters stage.</p> <p>Reason: Landscaping is an integral element of achieving high quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West</p>	<p>vii) existing and proposed finished levels (to include details of grading and earthworks where appropriate).</p> <p>The works approved by all reserved matters submissions shall be completed within the first planting season following the first commencement of any part of the development on that parcel.</p> <p>All hard and soft landscape works shall be carried out in accordance with the details approved through reserved matters submissions.</p>	<p>occupation of dwellings. Please suggest an alternative trigger</p> <p>OJ: we have added reference to equipped play as per comment on previous condition</p>
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<p>Berkshire Core Strategy (2006-2026), the Quality Design SPD and the Sandford Park SPD.</p>		
<p>18-23. Residential and Non-residential Refuse Storage (reserved matters submission)</p> <p>The first reserved matters submission relating to layout, scale, appearance and landscaping for each phase of residential development submitted pursuant to Condition 1 shall be accompanied by details of the location and design of recycling and refuse storage arrangements for residential properties and non-residential properties. No development within each phase shall take place until approval of the location and design of recycling and refuse storage arrangements for residential properties and non-residential properties has been received in writing from the Local Planning Authority as part of the reserved matters application.</p> <p>No <u>individual</u> dwelling shall be first occupied or <u>individual</u> non-residential unit brought into use until the approved details for each that dwelling/unit have been constructed in full accordance with the details approved at reserved matters stage.</p> <p>Thereafter the recycling and refuse storage shall be kept available and used for the storage of refuse and recycling receptacles.</p> <p>Reason: To ensure that there is adequate refuse and recycling storage facilities within the site and ensure</p>	<p><u>Agreed in Principle</u></p>	<p>OJ: the second sentence of paragraph 1 is unnecessary as Condition 2 regulates implementation of the proposed development in accordance with the approved reserved matters. <u>WBC: Refuse may be conditioned as part of RM application</u></p> <p><u>OJ: The second paragraph is not enforceable as it appears to require all of the recycling and refuse details for each dwelling to be implemented prior to the occupation of the first dwelling. WBC: Amended accordingly</u></p>

<p>safe and adequate collection in the interests of highway safety and local amenity. 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 the West Berkshire Quality Design SPD (Part 1, Section 2.13).</p>		
<p>19-24. Full Site Access Details, including pedestrian and cycle details (reserved matters submission)</p> <p><u>Notwithstanding what is shown on drawing numbers 172985/A/07.1 Rev A and 172985/A/08 Rev A, as a part of the first reserved matter application details of the vehicular, pedestrian and cycle accesses to the site from Monks Lane are to be provided. No development shall take place until approval of the vehicular, pedestrian and cycle accesses to the site from Monks Lane has been received in writing from the Local Planning Authority as part of the reserved matters application.</u></p> <p>The details shall include visibility splays for the proposed vehicular accesses onto Monks Lane of 2.4 metre x 43 metres. Thereafter the visibility splays shall be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level at all times.</p> <p>No dwelling within the site is to be occupied until the <u>Monks Lane Eastern Access has been implemented to</u></p>	<p>No dwellings shall be occupied until the access works (Monks Lane East) shown on drawing numbered 172985_A_07.1 have been completed to base wearing course standard.</p>	<p><u>OJ: This needs to reference the approved access drawings cited earlier.</u></p> <p><u>WBC: Added following inspector comment in highways roundtable</u></p> <p><u>OJ: Does this not overlap with Condition 9? WBC: No, this is the access which the appellant has not provided sufficient detail of despite access not being a matter reserved for consideration and this relates to access onto the public highway whereas condition previously numbered 9 relates to internal highways.</u></p> <p><u>OJ: It isn't necessary for both access (east and west) to be constructed prior to the occupation of a dwellings</u></p>

<p><u>base wearing course in full accordance with the approved details. No more than 100 dwellings within the site shall be occupied until the Monks Lane Western access has accesses from Monks Lane into the site have</u> been implemented to base wearing course standard in full accordance with the approved details.</p> <p>Reason: The access details submitted with the application provide insufficient detail on the provision of pedestrian and cycle accesses from the site onto Monks Lane or the necessary visibility splays required to be achieved for the vehicular accesses onto Monks Lane. The timely completion of the site accesses is necessary to ensure safe and suitable access for all. This condition is applied in accordance with the National Planning Policy Framework and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.</p>		<p><u>house. WBC: amended to accord with PG evidence.</u></p> <p><u>OJ: PG evidence refers to East and West at different times - amended</u></p> <p><u>OJ: I have omitted vehicular from para 1 because that is to the Council's satisfaction – it is additional details of pedestrian and cycle infrastructure that is sought.</u></p> <p><u>This condition cannot allow a new or different general arrangement</u></p>
<p>20-25. Country Parkland LGIDMP and delivery (reserved matters)</p> <p>The first reserved matters application for the site shall include a Country Parkland Landscape and Green Infrastructure Design and Management Plan (LGIDMP) detailing the design and management of the landscape and green infrastructure within the whole of the Country Parkland as denoted in drawing number 04627.00005.16.306.15 including details of woodland buffer zones, hard and soft landscaping, boundary treatments, SuDS, non-vehicular access, lighting,</p>	<p><u>Prior to the commencement of development, a Detailed Landscape and Green Infrastructure Design and Management Plan for the Country Park (referred to hereafter as the Country Park Design and Management Plan) shall be submitted to the local planning authority. The Plan shall (unless otherwise agreed in writing with the local planning authority) be in substantial accordance with the Strategic Landscape and Green</u></p>	<p><u>OJ: The trigger of 150 means that the Country Park would be laid out prior to the Valley Crossing(s) being constructed. This is not practical and is not reasonable. The Appellants proposal was to lay out the CP in two phases. WBC: The country park is to be delivered in one phase not in two phases if access to the NEAP (which is currently proposed by</u></p>

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<p>green links, works and alterations to PROW GREENHAM 9 and NEAP. No development shall take place until approval of the Country Parkland Landscape and Green Infrastructure Design and Management Plan (LGIDMP) has been received in writing from the Local Planning Authority as part of the reserved matters application.</p> <p>No more than 150 dwellings within Development Parcel North 1 (as depicted on drawing number PP05 Rev B) shall be occupied until the Country Parkland has been implemented in full accordance with the approved details.</p> <p>Reason: To ensure that the Country Parkland is appropriately planned for at an early stage and provided in a timely manner to serve the community. Delivery of the Country Parkland at an early stage is required by Natural England and the Local Planning Authority to ensure minimal impact on the SSSI at Greenham Common. This condition is applied in accordance with the National Planning Policy Framework, Policies CS3, CS5, CS17 and CS18 of the West Berkshire Core Strategy 2006-2026 and the Sandford Park SPD.</p>	<p>Infrastructure Plan (ref), the Landscape and Green Infrastructure Design and Management Plan (Environmental Statement March 2020, Appendix G7) as it relates to the areas of Country Park and Woodland, the Ecological Mitigation Management Plan ([April 2021]). The Plan shall set out Design Principles to be adhered to in Reserved Matters applications for the Country Park pursuant to Condition X and shall include the following:</p> <p>(a) A Design Statement that explains the design rationale for the Country Park based on Section 3.2 of the Landscape and Green Infrastructure Design and Management Plan referred to above</p> <p>(b) The location and type of new woodland, hedgerow and tree planting to reflect the Parkland Features specified in Section 7.1 of the Landscape and Green Infrastructure Design and Management Plan referred to above</p> <p>(c) The location and type of new habitat creation including receptor sites for protected species to reflect Section 8.0 of the Landscape and Green Infrastructure Design and Management Plan referred to above</p>	<p>appellants to be provided prior to 750 Dwellings in Development Parcel North (DPN1 & DPN2). Conflict here with timings of NEAP provision in appellants UU. Do not see how the valley crossings need to be constructed in order to provide country park (at least the majority of it excluding the crossings).</p> <p>OJ: The reference to 750 in Development Parcel North is not correct. Phasing of the NEAP would be addressed in Condition 2</p> <p>OJ: Parkland East (pink) prior to occupation of 150 dwellings in DPN?</p> <p>OJ: Parkland West (green) prior to occupation of 150 dwellings in DPC?</p>
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	<p><u>[and the Biodiversity Net Gain Calculation]</u></p> <p><u>(d) Design principles for the improvement to the surfacing of PROW GRE/9 and its connection to NEW/5 and the A339 and the associated cycleway</u></p> <p><u>(e) Design principles for formal and informal routes within the Country Park and their connections with the development areas</u></p> <p><u>(f) Design principles for the sustainable urban drainage features including swales, conveyance channels and detention basins</u></p> <p><u>(g) The location and design principles for areas of public realm, green links, woodland buffers, shading, natural surveillance, public art, materials, street furniture, signage, interpretation boards and where necessary lighting.</u></p> <p><u>(h) Management principles for items (b) – (g) above prepared in accordance with the Management Objectives in Section 6.0 of the Landscape and Green Infrastructure Design and Management Plan referred to above and the Ecological Mitigation and Management Plan ([April 2021])</u></p>	
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	<p><u>No Reserved Matters Application for the Country Park shall be approved unless and until the Country Park Design and Management Plan has first been approved in writing by the Local Planning Authority.</u></p> <p>Prior to the commencement of the development hereby approved a scheme for site works, details of hard and soft landscape proposals, design principles and implementation of the areas of the Country Park shown in the Strategic Landscape and Green Infrastructure Design and Management Plan (Appendix G7 of the Environmental Statement March 2020) shall be submitted to and approved by the LPA. The Country Park shall be laid out in accordance with the approved scheme.</p>	
<p><u>26. Design and Delivery of Central Valley Crossing</u></p> <p><u>Prior to, or as part of, the reserved matters submission relating to any one of the following: layout, scale, appearance and landscaping for the phase of the development established through condition 2 that is to be located directly to the north of, and adjoining, the central valley, full details including the design, appearance, lighting and method of construction of the Central Valley Crossing will be submitted to the Local Planning Authority for its approval.</u></p>		<p><u>OJ: we are reviewing this but anticipate the timing for the construction of the Valley Crossing would be addressed in the Phasing Plan required by Condition 1.</u></p>

<p>No development within that phase shall take place until approval of the Central Valley Crossing details have been granted in writing by the Local Planning Authority.</p> <p>The Central Valley Crossing shall be implemented in full accordance with the approved details prior to the occupation of any dwellings within Development Parcel Central.</p> <p>Reason: The Central Valley Crossing is an essential item of infrastructure located in a sensitive area of biodiversity required to serve as a vehicular access for emergency vehicles as well as residents of development parcel central and users of the local centre and country park car parking facility. The Central Valley Crossing is also located in a sensitive landscape. This condition is applied in accordance with the National Planning Policy Framework, Policies CS3, CS5, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 and the Sandford Park SPD.</p>		
<u>Pre-commencement Conditions</u>		
<p><u>24-27. Construction Access (pre-commencement)</u></p> <p>No development shall take place until details of site access for use during all demolition/construction activities has been submitted to and approved in writing by the Local Planning Authority. The details shall include a plan showing the layout, surfacing</p>	<p>Agreed in Principle</p>	<p>OJ: This needs to reference the Construction Traffic Management Plan.</p> <p>WBC Not necessarily as there is a separate CTMP condition</p>

arrangements, visibility splays, and any adjoining gates and means of enclosure.

Thereafter no demolition and/or construction activities other than those directly related and necessary to construct the access(es) shall take place until the construction of the access(es) has been completed in accordance with the approved details. The access(es) shall be maintained in their approved condition at all times during demolition and/or construction activities. Visibility splays shall be kept free of all obstructions to visibility above a height of 0.6 metres above carriageway level at all times.

Reason: To ensure that safe access arrangements are provided and maintained during all demolition/construction activities, in the interests of highway safety. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because the access(es) must be provided at the start of the demolition/construction phase.

22-28. Construction Surface Water Drainage Measures (pre-commencement)

No development shall commence until details of sustainable drainage measures for the construction period to manage surface water within the site during construction have been submitted to and approved in

LPA wording agreed

writing by the Local Planning Authority. Those details shall include timings of when the measures are to be implemented and the decommissioning of those measures.

Thereafter the construction of development shall be undertaken in accordance with the approved details.

The sustainable drainage measures shall be implemented in accordance with the approved details. The sustainable drainage measures shall be maintained and managed in accordance with the approved details thereafter.

Reason: To ensure that surface water during the construction of the development will be managed in a sustainable manner; to prevent the increased risk of flooding; to improve and protect water quality, habitat and amenity. This condition is applied in accordance with the National Planning Policy Framework, Policy CS16 of the West Berkshire Core Strategy (2006-2026), Part 4 of Supplementary Planning Document Quality Design (June 2006), as well as the Sustainable Drainage Systems SPD and the Sandford Park SPD. A pre-commencement condition is necessary because the surface water drainage measures must be provided at the start of the construction phase.

23-29. Construction Access to Park House School (pre-commencement)

OJ: It isn't necessary for this to be a condition precedent.
WBC: We need to have sufficient certainty that a

No development shall commence until details of a haul road to provide construction access to Park House School Expansion Land as shown on drawing number PP02 Rev H1 shall submitted and approved in writing by the Local Planning Authority. Such details shall include adequate surface treatment, crossing of watercourses including a temporary bridge across the central valley, an ecological appraisal including any necessary mitigation measures and the timing for those, tree and woodland protection and timescales for laying out, location and size of site compound(s) and decommissioning.

The construction access to Park House School shall be implemented in full and in accordance with the approved details prior to the occupation of [100](#) dwellings within the site.

Reason: Construction access to implement the necessary proposed mitigation works to the secondary school via the existing Park House School access would not be possible due to safety reasons. No details have been included within the application documents to provide for the safe and suitable access for construction traffic whilst the school is operating. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS13 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is necessary because the access must be provided at an early stage of development.

Within six months of the commencement of development hereby approved details of a haul road to provide construction access to Park House School Expansion Land as shown on Plan 14.273 PP02 Rev H1 shall be provided to the Local Planning Authority for approval. Such details shall include surface treatment, crossing of watercourses, tree protection and timescales for laying out, location and size of site compound(s) and decommissioning.

[suitable construction access could be achieved within the necessary time frames as there is concern that it is not possible. This and all conditions are provided without prejudice and there is concern that this will result in two valley crossings detrimentally impacting on trees/ecology/landscape and drainage and not acceptable to the LPA but if the SoS is minded to approve the Council would suggest this and other conditions are attached.](#)

[OJ: Timing is a subject being discussed with the LEA presently. WBC: Will need to be updated to reflect UU discussions](#)

[OJ: ParkHouse School Statement of Common Ground refers to 200 dwellings \(para 8\)](#)

24.30. Contaminated Land (pre-commencement by phase)

No development within each phase of the development permitted by condition 24 shall take place until a scheme to deal with contamination within that phase has been submitted to and approved in writing by the Local Planning Authority. The above scheme shall:

(a) Include an investigation and risk assessment. A report of the findings shall: identify the nature and extent of any contamination on the site (irrespective of its origin); include an assessment of the potential risks to human health, property, and the environment; and include an appraisal of remedial options, and proposal of preferred option(s) if required.

(b) If required, iInclude a remediation scheme which ensures that, after remediation, as a minimum, the land shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

(c) If required, iInclude a monitoring and maintenance scheme to ensure the long-term effectiveness of the proposed remediation, and the provision of reports on the same that shall be submitted to and approved in writing by the Local Planning Authority.

(d) Be prepared by a competent person (a person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or

LPA wording agreed

~~Prior to the commencement of development in each main development phase shown on Plan 14-273/PP05 RevB, a Phase 1 desktop study for that parcel shall be submitted to and approved in writing by the local planning authority in respect of potential ground contamination. Thereafter if further site investigations or remediation works are deemed to be required these shall be undertaken in full and validation reports submitted to the local planning authority for approval. The development shall take place in full accordance with any recommendations (including agreed timescales) set out within the approved remediation strategies. If during development, contamination not previously identified is found to be present within a development parcel, then no further development shall be carried out in the affected area out until a remediation strategy has been submitted to and approved in writing by the local planning authority, detailing how this contamination shall be dealt with. Thereafter the approved remediation strategy shall be implemented and the development completed accordingly.~~

OJ: We maintain that the approach suggested is appropriate as this applies a logical and reasonable approach towards the consideration of contamination.

OJ: The LPAs position assumes there is contamination present in the first instance and requires investigation and remediation schemes at the outset. This is not necessary. WBC: Amended accordingly

land instability, and membership of a relevant professional organisation), and conducted in accordance with current best practice.

Thereafter, any approved remediation scheme and/or monitoring and maintenance measures [if required](#) shall be carried out in accordance with the approved details. Two weeks written notice shall be given to the Local Planning Authority prior to the commencement of any remediation scheme.

If any previously unidentified land contamination is found during the carrying out of the development, it shall be reported immediately in writing to the Local Planning Authority. Appropriate investigation and risk assessment shall be undertaken, and any necessary remediation measures shall be submitted and approved in writing by the Local Planning Authority. Thereafter, any remediation measures shall be carried out in accordance with the approved details.

The development within each phase shall not be occupied until all approved remediation measures [if required](#) have been completed and a verification report to demonstrate the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that

<p>the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is applied in accordance with paragraphs 170, 178, 179 and 180 the National Planning Policy Framework, and Policy OVS.5 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required to ensure that adequate investigation and a suitable remediation and/or monitoring is agreed before it may be implemented throughout the demolition and/or construction phase.</p>		
<p>25-31. Construction and Environmental Management Plan (CEMP) (pre-commencement by phase)</p> <p>No development (including demolition, ground works, vegetation clearance) within each phase of the development permitted by condition 24 shall take place until a Construction and Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be based upon the outline Construction and Environment Management Plan submitted at Appendix D1 of Environmental Statement (March 2020) and include the following:</p> <ul style="list-style-type: none"> (a) Risk assessment of potentially damaging construction activities including any updated ecological survey reports where necessary. (b) Identification of “biodiversity protection zones”. (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce 	<p><u>LPA wording agreed</u></p>	

impacts during construction (may be provided as a set of method statements).

- (d) The location and timing 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 (ECoW) or similarly competent person together with their contact details.
- (h) Use of protective fences, exclusion barriers and warning signs.
- (i) A scheme or works for the retention and reuse of the best and most versatile soils in accordance with best practice as set out in the Code of Practice for the Sustainable Use of Soils on Construction Sites.
- [\(j\) working method statement to cover channel and bank works.](#)

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: The environmental management of construction activities for each phase of development, including the retention and reuse of the soil resources, is a necessary mitigation measure identified by the Environmental Impact Assessment submitted with the application to mitigate the impact on landscape, soils, water resources, transport and biodiversity. This condition is applied in accordance with the National

<p>Planning Policy Framework, Policies CS13, CS14, CS17, CS18 and CS19 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). A pre-commencement condition is required because the CEMP will need to be adhered to throughout construction.</p>		
<p>26-32. Construction Traffic Management Plan (CTMP) (pre-commencement)</p> <p>No development (including demolition, ground works, vegetation clearance) shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall be based upon Appendix G of the Transport Assessment (March 2020).</p> <p>The approved CTMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.</p> <p>Reason: The management of traffic during construction is a necessary mitigation measure identified by the Environmental Impact Assessment submitted with the application to mitigate the impact the highway network, to safeguard the amenity of adjoining land uses and occupiers, and in the interests of highway safety. This condition is applied in accordance with the National Planning Policy</p>	<p><u>Agreed in Principle</u></p>	<p><u>OJ: Consider alongside Condition 21.</u></p>

<p>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). A pre-commencement condition is required because the CTMP will need to be adhered to throughout demolition and construction.</p>		
<p>27-33. Piling Method (pre-commencement by phase)</p> <p>No development within each phase of the development permitted by condition 4-2 shall commence until a piling method statement for each phase (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise: noise, vibration, dust, potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>Reason: To safeguard the amenity of adjoining land uses and occupiers. Furthermore, this condition is requested by Thames Water as the proposed works will be in close proximity to underground water utility infrastructure which piling has the potential to adversely impact. This condition is applied in accordance with the National Planning Policy Framework, Policy CS5 of the West Berkshire Core</p>	<p>Prior to the commencement of development in each phase a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise noise, vibration and dust and the programme for the works) will be submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p>	<p>OJ: We are reviewing the need for this condition. WBC: This was proposed by the appellants in their application and its inclusion was confirmed as necessary by Environmental Health and Thames Water in their consultation response to the application.</p>

<p>Strategy 2006-2026, and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007). A pre-commencement condition is required because the piling activities will need to be adhered to during construction.</p>		
<p>28-34. Landscape and Green Infrastructure Design and Management Plan (LGIDMP) (pre-commencement by parcel)</p> <p>No development (including any site clearance and any other preparatory works) within each phase of the development permitted by condition 1 (<u>excluding the Country Park</u>) shall commence until a Landscape and Green Infrastructure Design and Management Plan (LGIDMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. Each Landscape and Green Infrastructure Design and Management Plan (LGIDMP) shall detail the design, implementation and management of the landscape and green infrastructure within the developed areas of the site and how each phase will be integrated in to the adjacent phase. The LGIDMP will also include <u>a schedule of works to all trees and hedgerows within that phase together with</u> details of the woodland buffer zones (where applicable), soft and hard landscaping, boundary treatments, sustainable drainage systems, non-vehicular access, lighting, green links, <u>works and alterations to PROW GREENHAM 9 (where applicable)</u> and open space provision.</p>	<p><u>Agreed in Principle</u></p>	<p><u>OJ: we have added excluding the Country Park to distinguish between the areas of built development and the Country Park – the Country Park Management Plan is addressed in Condition 20</u> <u>WBC: Now condition 21</u></p> <p><u>WBC: Added to cover request from Inspector on 12.5.21</u></p> <p><u>OJ: not all trees will be subject to work</u></p> <p><u>OJ: there is a separate tree works condition later</u></p>

<p>Each Landscape and Green Infrastructure Design and Management Plan (LGIDMP) shall cover a 30 year period in accordance with best practice for Biodiversity Net Gain including and an initial 5 year Establishment Period.</p> <p>All measures and works shall be completed in accordance with the approved details and programme.</p> <p>Reason: To ensure adequate retention of existing green infrastructure and provision of landscape and green infrastructure within the public areas of the development and their suitable management and maintenance. This condition is applied in accordance with the National Planning Policy Framework, Policies CS3, CS14 and CS18 of the West Berkshire Core Strategy 2006-2026, and the Sandleford Park SPD. A pre-commencement condition is required to ensure appropriate planning and implementation of landscape and green infrastructure.</p>		<p><u>OJ: alterations o the PROW is covered under separate legislation</u></p>
<p>29. Landscape and Ecological Management Plan (LEMP) (pre-commencement by parcel)</p>		<p>Suggest deletion as LGIDMP and EMMP conditions proposed.</p> <p><u>OJ: this is agreed in principle</u></p>
<p>30-35. Ecological Mitigation and Management Plan (EMMP) (pre-commencement by parcel)</p>	<p><u>Agreed in Principle</u></p>	<p><u>OJ: Should this reference the Phasing Plan in Condition 1?</u> <u>WBC: Prefer parcel level as</u></p>

Notwithstanding the provisions of any Ecological Mitigation and Management Plan submissions by the Appellants to date, nNo development (including any site clearance and any other preparatory works) within any main development parcel shown on parcel plan 14-273/PP05 Rev B shall commence until an Ecological Mitigation and Management Plan for that parcel has been submitted to and approved in writing by the Local Planning Authority. Each Ecological Mitigation and Management Plan shall include;

(1) Measures for the establishment, enhancement and management of new and existing habitats within the site, including artificial habitats (e.g. bat roosts and barn owl boxes) and mitigation measures (e.g. dormouse crossing structures) as well as planting schedules and details of ongoing management.

(2) A programme and timetable for the implementation of the works and for subsequent management activities as well as a monitoring schedule for habitats and species, including bat, badger, dormouse, reptile and barn owl and purple moor grass monitoring post completion.

Each Ecological Mitigation and Management Plan shall cover a 30 year period, including a 5 year Establishment Period and recommendations for ongoing, longer term management.

All measures and works shall be completed in accordance with the approved details and programme.

For each of the main development parcels shown on Plan 14-273/PP05 RevB, an Ecological Mitigation and Management Plan (parcel specific EMMP) comprising a schedule of avoidance, mitigation and management measures shall be submitted to the Local Planning Authority. The parcel specific EMMP shall be prepared in accordance with the site wide EMMP (Appendix F19 of the Environmental Statement march 2020), and informed by the recommendations arising from any updated ecology surveys completed to inform the Reserved Matters Applications in that parcel. Each parcel specific EMMP shall accord with the Surface Water Drainage Strategy, the Detailed Landscape and Green Infrastructure Design and Management Plan Environmental Management Plan, and the Construction Environment Management Plan prepared for phase of the each main development parcel pursuant to Conditions 14, 18 and 40. No plant, machinery or equipment shall be brought on to any of any of the main development parcels until the parcel specific EMMP relevant to that main development parcel has been approved by the Local Planning Authority and the parcel specific EMMP's measures shall thereafter be implemented in accordance with the

proposed by the appellants to ensure holistic consideration of mitigation and delivery at as large a scale as possible

OJ: Need to consider overlap with Detailed Landscape and Green Infrastructure Design and Management Plan WBC: In what way

OJ: Does reference to EMMP need to reflect DW Appendix WBC: None of the EMMPs have been acceptable to date.

<p>Reason: To protect and enhance the biodiversity of the site as identified in the EIA (Chapter 6). This condition is applied in accordance with the National Planning Policy Framework, Policies CS3 and CS17 of the West Berkshire Core Strategy 2006-2026, and the Sandford Park SPD. A pre-commencement condition is required to ensure adequate protection of biodiversity before construction commences and timely delivery of mitigation measure in tandem with the development of the site.</p>	<p>agreed details, unless otherwise agreed in writing by the Local Planning Authority.</p>	
<p>34-36. Tree and Woodland Protection (pre-commencement by parcel)</p> <p>No development (including any site clearance and any other preparatory works) within any main development parcel shown on parcel plan 14-273/PP05 Rev B shall commence until a scheme for the protection of trees, woodlands and hedges to be retained on that main development parcel has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing. The protective fencing should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012, or in the case of ancient and veteran trees and woodland boundaries, to accord with Natural England Standing Advice, or alternatively as agreed with the Local Planning Authority. All such fencing shall be erected prior to any development works taking place and at least 2 working days' notice</p>	<p><u>Agreed in Principle</u></p> <p>No part of any main development parcel shown on parcel plan 14-273/PP05 RevB shall be commenced or equipment, machinery or materials brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on that main development parcel has been submitted to and approved in writing by the Local Planning Authority and has been put in place.</p> <p>The scheme must include details of the erection of protective fencing in accordance with British Standard 5837 (Trees in relation to design, demolition and construction). Fencing shall be shown on a plan and installed to the extent of the tree</p>	<p><u>OJ: Should this reference the Phasing Plan in Condition 1.</u> <u>WBC: Agreed with scale in appellants' suggested condition</u></p>

<p>shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works 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.</p> <p>Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of West Berkshire Core Strategy 2006-2026 and the Sandford Park SPD. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation measures may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>	<p>protection areas as calculated using the British Standard. Nothing shall be stored or placed in these fenced areas or the ground levels altered without the prior consent in writing of the Local Planning Authority.</p> <p>The development shall be carried out in accordance with the approved scheme which shall be kept in place until development within that development main development parcel has been completed and all equipment, machinery and surplus materials have been removed.</p>	
<p>32.37. Arboricultural Supervision (pre-commencement by phase)</p> <p>No development (including site clearance and any other preparatory works) shall take place within any main development parcel shown on parcel plan 14-273/PP05 Rev B until the applicant has secured the implementation of an arboricultural watching brief in accordance with a written scheme of site monitoring for</p>	<p><u>Agreed in Principle</u></p> <p>No works or development within any main development parcel shown on parcel plan 14-273/PP05 RevB shall take place until a scheme of supervision for the arboricultural protection measures have been submitted to and approved in writing by the Local</p>	<p><u>OJ: Should this reference the Phasing Plan in Condition 1?</u> <u>WBC: Agreed with scale in appellants' suggested condition</u></p>

<p>that main development parcel, which has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the protection of trees identified for retention at the site in accordance with the National Planning Policy Framework, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026 and the Sandleford Park SPD. A pre-commencement condition is necessary because insufficient detailed information accompanies the application; tree protection installation, other measures and works may be required to be undertaken throughout the construction phase and so it is necessary to approve these details before any development takes place.</p>	<p>Planning Authority for that main development parcel. This scheme shall include details of:</p> <ul style="list-style-type: none"> i) induction and personnel awareness of arboricultural matters; ii) identification of individual responsibilities and key personnel, including the qualified arboriculturalist responsible for administering the scheme; iii) statement of delegated powers; iv) timing and methods of site visiting and record keeping, including updates; v) procedures for dealing with variations and incidents. <p>The scheme of supervision shall be carried out as approved.</p>	
<p>33. Details and Provision of NEAP (pre-commencement)</p>		<p>Delete as now included within proposed Country Park LGIDMP condition</p>
<p>34-38. Advanced Structure Planting (pre-commencement)</p> <p>No development shall commence until a scheme for the Advanced Structure and Woodland Planting, the locations of which are shown on the Country Park:</p>	<p>Agree LPA wording</p>	

Phasing Plan 04627.00005.16.306.15, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:

i) the timing of implementation, which shall be no later than the end of the first planting season following the commencement of development;

ii) planting plans;

iii) written specifications;

iv) a schedule of plants noting species, plant sizes and proposed numbers;

v) existing landscape features such as trees, woodlands, hedges and ponds to be retained accurately plotted (where appropriate);

vi) existing landscape features such as trees, hedges and ponds to be removed accurately plotted (where appropriate);

vii) existing and proposed finished levels (to include details of grading and earthworks where appropriate).

The planting scheme approved as part of this condition shall be completed and thereafter maintained in accordance with the approved timing details.

<p>Any trees, shrubs, plants or hedges planted in accordance with the approved scheme which are removed, die, or become diseased or become seriously damaged within 15 years of completion of the approved soft landscaping scheme shall be replaced within the next planting season by trees, shrubs or hedges of a similar size and species to that originally approved.</p> <p>Reason: Landscaping is an integral element of achieving high quality design and the early provision and retention of this strategic planting is necessary to protect and enhance views from the Grade I listed Sandleford Priory and the A339, as identified in the EIA. This condition is applied in accordance with the National Planning Policy Framework, Policies CS3, CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and the Sandleford Park SPD. A pre-commencement condition is necessary because insufficient detailed information accompanies the application and the implementation of advanced strategic planting must take place when development commences to ensure that sufficient time is provided for the planting to mature before the later stages of the development are constructed.</p>		
<p>35-39. Ecological Buffer Zones alongside watercourses, ponds and basins (pre-commencement by phase)</p> <p>No development shall take place until a scheme for the provision and management of a minimum 10 metre</p>	<p>A scheme for the provision and management of a buffer zone (at least 8m</p>	<p><u>OJ: Various references to what can / cannot be provided in the buffers need to be discussed.</u> <u>WBC: The Council considers its suggested condition is acceptable.</u></p>

wide buffer zone adjacent to the River Enborne and a minimum 8 metre wide buffer zone adjacent to both banks of the ordinary watercourses and conveyance channels and around the ponds/basins, has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme.

The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:

- i) plans showing the extent and layout of the buffer zones;
- ii) details demonstrating how the buffer zones will be protected during the construction phases;
- iii) details of any proposed planting scheme, which should be true native species of UK provenance and preferably local provenance;
- iv) details of ecological enhancements to the River Enborne, ordinary watercourses, conveyance channels, basins and ponds;
- v) details demonstrating how the buffer zones will be managed over the longer term including adequate financial provision and named body responsible for this management;

~~wide on one bank) alongside watercourses within the development site and of buffers around ponds and ditches present shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority.~~

~~The scheme shall include:~~

- ~~i) plans showing the extent and layout of the buffer zones;~~
- ~~ii) details of the planting scheme;~~
- ~~iii) details demonstrating how the buffer zones will be protected during development and managed/maintained thereafter~~

OJ: Note the EA consultation response refers to 5m buffer adjacent to the ordinary water courses and ponds within this (CD2.17)

Formatted: Highlight

vi) details of any proposed footpaths, fencing, lighting, etc. with the buffer zones.

The buffer zones should be free from all built development including lighting that could impact on the behaviour of nocturnal animals such as bats. To reduce light spill into the river corridor outside the buffer zone, all artificial lighting should be directional and focused with cowlings.

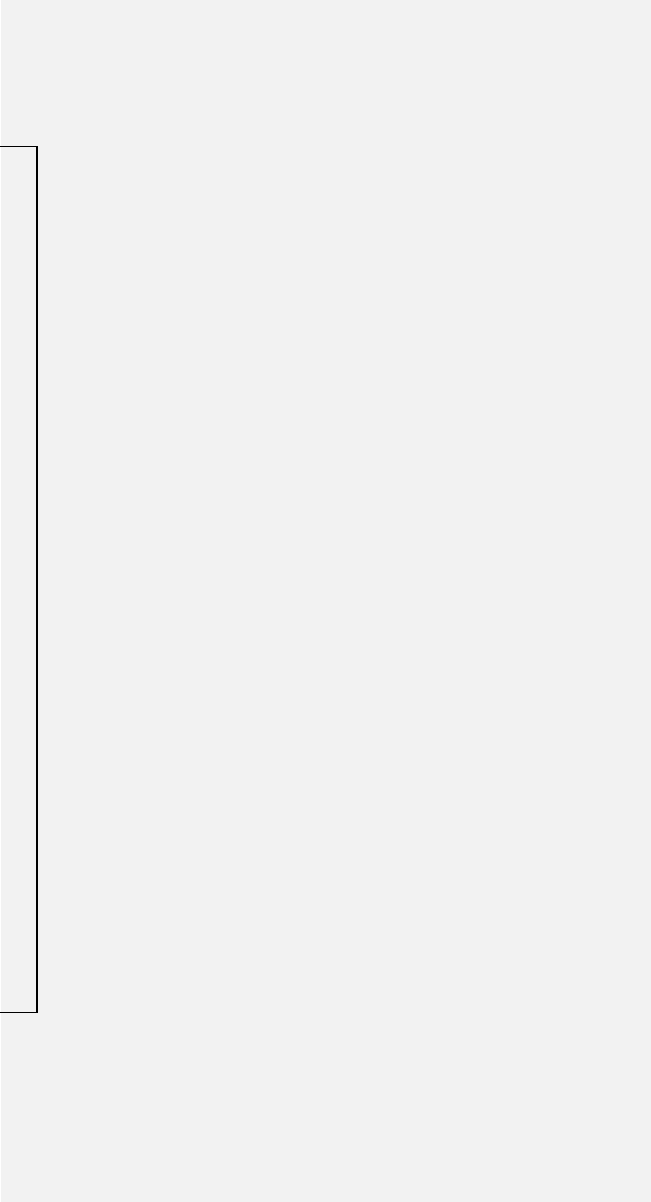
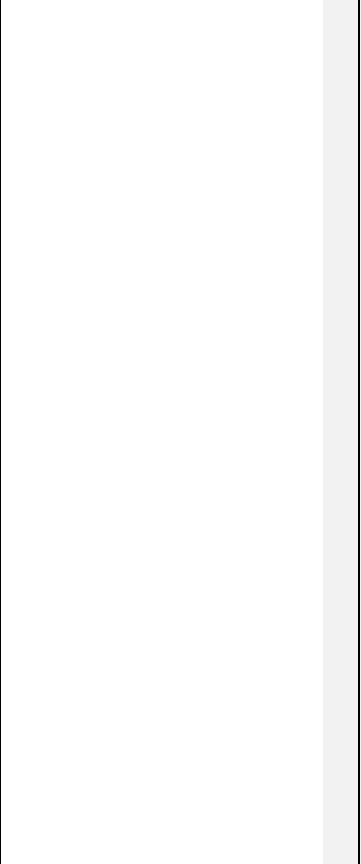
Reason: Land alongside watercourses and ponds is particularly valuable for wildlife and it is essential this is protected. Development that encroaches on watercourses and ponds can have a potentially severe impact on their ecological value. In this development site there are a number of watercourses and ponds. The former include the River Enborne (designated a main river) that forms the southern boundary of the site and some unnamed streams (ordinary watercourses) flowing through the centre of the site southwards to the River Enborne together with new proposed watercourses and basins/ponds. There is no built development immediately adjacent to the River Enborne, but due to the nature conservation value of the river, including supporting Otters and Water Voles, this condition is necessary to protect the river, including from disturbance. The streams and ponds should also be subject to buffer zones to protect their nature conservation value including the potential to support Water Voles.

<p>Networks of undeveloped buffer zones also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the Thames River Basin Management Plan. This approach is supported by paragraphs 170 and 175 of the National Planning Policy Framework which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. This condition is required by the Environment Agency and the Lead Local Flood Authority and identified as necessary within the EIA. This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. This condition is applied in accordance with the National Planning Policy Framework, Policies CS3, CS14 and CS17 of the West Berkshire Core Strategy (2006-2026), and the Sandlesford Park SPD. A pre-commencement condition is necessary because insufficient detailed information accompanies the application and the buffer zones must be protected during construction.</p>		
<p>36.40. Protection and Mitigation of Otters and Water Vole Habitats (pre-commencement)</p> <p>No development shall take place until a plan detailing the protection and mitigation of damage or disturbance</p>	<p><u>Agreed in Principle – wording to be discussed</u></p>	

to Otters and Water Voles and their habitats, has been submitted to the Local Planning Authority. The plan must be based on an updated otter and water vole survey to be included with the plan and must consider the whole duration of the development, including the construction phase and after the development is completed, including ongoing population surveys and monitoring for a 10 year period. Any change to operational responsibilities, including management, shall be submitted to and approved in writing by the Local Planning Authority.

The Otter and Water Vole protection plan shall be carried out in accordance with a timetable for implementation as approved.

The scheme shall include all of the recommendations and proposed enhancements for these species, as detailed in the Appendix F15: Otter and Water Vole Survey Report of the Environmental Statement (WYG, February 019), as well as a timetable for implementation of the approved plan and enhancements to the River Enborne that forms the southern boundary of the site and other watercourses and waterbodies, for the benefit of Otters and Water Voles and other riparian species. It should also include mitigation measures detailing how the River Enborne in particular will be protected from disturbance through sensitive design of the Country Park that limits access to the river bank.



Reason: To protect the Otter and Water Vole and their habitats within and adjacent to the development site, and to avoid damaging the site's nature conservation value. To protect Otters and Water Voles from disturbance. The European Otter is protected under national and international legislation including Schedule 5 of the Wildlife & Countryside Act, 1981 (as amended) and Annexes IIa and IVa of the European Habitats Directive, 1992. The Water Vole receives full protection under Schedule 5 of the Wildlife & Countryside Act, 1981 (as amended). Both species are listed as species of principal importance under Section 41 of the Natural Environment and Rural Communities Act, 2006. This condition is required by the Environment Agency Authority and identified as necessary within the EIA. This condition is applied in accordance with the National Planning Policy Framework, Policies CS3, CS14 and CS17 of the West Berkshire Core Strategy (2006-2026), and the Sandford Park SPD. A pre-commencement condition is necessary because insufficient detailed information accompanies the application and these species and their habitats must be protected during construction.

37.41. Badger Setts Buffers (pre-commencement)

No development shall take place until an updated badger survey has been undertaken and a report submitted to and approved in writing by the Local Planning Authority. The survey shall be undertaken no more than three months prior to the commencement of development and submitted for review to the Local

Agreed in Principle – wording to be discussed

Planning Authority no less than two months prior to the commencement of development. The report shall detail the methods, results and a discussion on the survey, and include recommendation measures for any working practices or other mitigation measures that might include strategic fencing and defensive screen planting, to ensure that a buffer of at least 30 metres is maintained between the setts and any development. The development shall be implemented in accordance with the approved details.

Reason: To ensure that any working practices or other mitigation measures are informed by up-to-date survey information in the interests of protecting local badger populations. To provide a sufficient buffer between development and badger setts as identified in the EIA. This condition is applied in accordance with the National Planning Policy Framework, Policy CS17 of the West Berkshire Core Strategy (2006-2026) and the Sandford Park SPD. A pre-commencement condition is required for updated surveys given the mobile nature of badgers and the need to protect badgers setts during construction.

38.42. Channel and Bank Works (pre-commencement of Country Parkland)

No development within the Country Parkland area, as identified in drawing number 04627.00005.16.306.15, shall take place until a working method statement to cover channel and bank works has been submitted to and approved in writing by the Local Planning

Agreed in Principle – discussion of wording

Prior to the commencement of development within the Country Park shown on the Strategic Landscape and Green Infrastructure Plan (Plan 04627.00005.16.632.13), a working

QJ: this can be included in the CEMP

<p>Authority. Thereafter the development of the Country Parkland shall be carried out in accordance with the approved scheme. The method statement shall cover the following requirements:</p> <ul style="list-style-type: none"> i) timing of works; ii) methods used for all channel and bank side water margin works; iii) machinery (location and storage of plant, materials and fuel, access routes, access to banks etc.); and iv) protection of areas of ecological sensitivity and importance. <p>Reason: To protect the integrity of these important ecological features within the site. This condition is applied in accordance with the National Planning Policy Framework, Policy CS17 of the West Berkshire Core Strategy (2006-2026) and the Sandford Park SPD. A pre-commencement condition is required because the method statement will need to be adhered to throughout construction.</p>	<p>method statement to cover channel and bank works shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The method statement shall cover the following requirements:</p> <ul style="list-style-type: none"> i) timing of works; ii) methods used for all channel and bank side water margin works; iii) machinery (location and storage of plant, materials and fuel, access routes, access to banks etc.); and iv) protection of areas of ecological sensitivity and importance. 	
<p>39-43. Lighting Scheme (pre-commencement by phase)</p> <p>No development within each phase of the development permitted by condition 1 shall take place until a Lighting Scheme for that phase has been submitted to and approved in writing by the Local Planning</p>	<p><u>Agreed in Principle</u></p>	<p><u>OJ: Lighting for Country Park addressed in Condition 20</u> <u>WBC: No lighting is proposed in country park as per ES (CD22.42) submitted</u></p>

Authority. The details of the lighting scheme shall accord with the lighting principles set out in the Appendix C of the Lighting Assessment (Appendix F20, Environmental Statement March 2020) and shall:

- i) Identify those areas within that phase of development that are particularly sensitive for bats and other nocturnal animals, including dormice, owls and badgers, that are likely to cause disturbance.
- ii) 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.
- iii) Include an isolux diagram of the proposed lighting.

No external lighting or other external means of illumination of the site shall be provided, installed or operated in the development, except in accordance with the approved detailed lighting scheme.

Reason: To ensure the conservation and enhancement of the biodiversity assets of the site. This condition is identified as necessary in the EIA. This condition is applied in accordance with the National Planning Policy Framework, Policies CS3 and CS17 of the West Berkshire Core Strategy 2006-2026 and the Sandford Park SPD. A pre-commencement condition is required to ensure that an acceptable lighting scheme is adequately planned for prior to development commencing.

40.44. Details of Materials (by phase)

No development within each phase of the development permitted by condition 1 shall take place until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. Samples of materials shall be made available upon request. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the external materials respect the character and appearance of the area and achieve quality design. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, the Sandford Park SPD and Supplementary Planning Document Quality Design (June 2006). A pre-commencement condition, by phase, is required to ensure the phase of development as a whole provides for a coherent design and appearance that integrates with the character and appearance of the area and the approved materials will be used throughout construction of that phase.

OJ: Is this not required in order to discharge "appearance"?
Agree that samples can be provided but that is a separate point. WBC: Not if insufficient or unacceptable information is submitted at RM stage
OJ: if insufficient information is provided with the RM that should be requested by the LPA at that time rather than have an additional condition.

41.45. Glazing Mitigation to Certain Dwellings (pre-commencement)

No development within each phase of the development permitted by condition 1 shall take place until a scheme of works for the protection of occupants of the

OJ: Needs to cross refer to drawing A106825-1 SK05. The operational effect of the second paragraph needs to be reviewed – is it referred to the dwellings subject to those

proposed dwellings from external noise sources has been submitted to and approved in writing by the Local Planning Authority. The scheme of works shall include measures identified in Chapter 14 and Appendix N1 of the submitted Environmental Statement [for dwellings in the broad locations shown on drawing number SK05 of Appendix N1 of the submitted Environmental Statement.](#)

~~The Any~~ dwellings [requiring such works](#) ~~hereby approved~~ shall not be occupied until the noise mitigation measures have been implemented [for those dwellings in full](#) in accordance with the approved scheme.

The noise mitigation measures shall be retained and maintained thereafter in accordance with the approved scheme.

Reason: To protect future occupiers of the development from excessive noise levels identified through the EIA, and to ensure a good standard of amenity. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026, Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), and Quality Design SPD. A pre-commencement condition, by phase, is required because insufficient information has been submitted with the application and the mitigation measures will need to be implemented during the construction of the dwellings.

[measures or any dwellings hereby approved?](#). WBC: [Have done so, but that layout is only illustrative and so not sure how relevant this drawing is.](#)

<p>42.46. Archaeological Works (written scheme of investigation) (pre-commencement by phase)</p> <p>No development including site clearance, within each phase of the development permitted by condition 1 or within the Country Parkland as identified on drawing number 04627.00005.16.306.15, shall take place until a Stage 1 Written Scheme of Investigation (WSI) for that phase or Country Parkland has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the Stage 1 WSI no demolition or development shall take place other than in accordance with the agreed Stage 1 WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.</p> <p>If heritage assets of archaeological interest are identified by the Stage 1 WSI, then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For land that is included within the Stage 2 WSI, no site clearance work or development shall take place other than in accordance with the approved Stage 2 WSI, which shall include:</p> <p>a) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a</p>	<p><u>LPA Wording Agreed</u></p>	
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<p>competent person(s) or organisation to undertake the agreed works.</p> <p>b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material.</p> <p>This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.</p> <p>Reason: To ensure that any significant archaeological remains that are found are adequately recorded in accordance with the EIA. This condition is applied in accordance with the National Planning Policy Framework and Policy CS19 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition, by phase, is required to ensure that archaeological remains that are found are adequately recorded during the construction works.</p>		
<p>43-47. Minerals Exploration and Incidental Extraction (pre-commencement by phase)</p> <p>No excavations associated with the erection of the buildings within each phase of the development permitted by condition 4-2 shall take place until a statement of mineral exploration and associated development management plan for that phase of development has been submitted to and approved in writing by the Local Planning Authority. This statement shall include:</p>	<p><u>LPA wording agreed</u></p>	<p><u>OJ: This updates the proposed condition to reference the phasing plan in Condition 1.</u></p>

- i. The methods to be used for investigating the extent and viability of the construction aggregate mineral resource beneath the areas of the application site proposed for built development.
- ii. Details of the necessary operations to be carried out to ensure that incidental extraction of construction aggregates that can be viably recovered during construction operations are extracted and put to beneficial use, such use to be agreed in writing with the Local Planning Authority.
- iii. Details of the timing of the investigative and extraction works, together with the timing of any further detailed submissions required during the construction operations.
- iv. A method to record the quantity of recovered mineral (for use on and off site) and the reporting of this quantity to the Local Planning Authority.
- v. The approved scheme shall be implemented in full and complied with throughout the duration of the construction operations.

Reason: To secure the incidental prior extraction of viable underlying mineral deposits as part of the proposed development, as the application does not provide sufficient information in respect of the potential mineral resources located beneath the application site. This condition is applied in accordance with the National Planning Policy Framework and Policies 1, 2

<p>and 2A of the Replacement Minerals Local Plan for Berkshire. A pre-commencement condition, by phase, is required to ensure that any suitable aggregate mineral resource is identified prior to construction and, if found, used during the construction of the development.</p>		
<p>44-48. Provision of pedestrian and cycle access from PROW along A339 to Service Crossing Opposite St Gabriel's School (pre-commencement)</p> <p>No development shall commence until a scheme for the pedestrian and cycle access <u>on-route</u> to the A339 in the location shown on drawing number 81311-041-108 <u>within the site</u> has been submitted to and approved in writing by the Local Planning Authority. No more than 150 dwellings within Development Parcel North 1 shall be occupied until the pedestrian and cycle access has been implemented in full accordance with the approved scheme and is available for pedestrian use.</p> <p>Reason: To ensure the timely provision of suitable pedestrian and cycle access to and from the site and Country Parkland. 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 the Sandford Park SPD. A pre-commencement condition is required to ensure that the access is provided for during the construction of the development.</p>		<p><u>OJ: This is covered in the S278 works references in PG evidence (page 18) and is addressed in the UU. Different time trigger – 200 dwellings.</u></p> <p><u>WBC: That is for the Swan roundabout and crossing opposite St Gabriel's. The path element from the prowl I understood was on appeal site not highway land and therefore would not be s278 works whereas the crossing point within the road is S278. Amended to be more precise.</u></p>

<p>45-49. Foul Water Drainage (pre-commencement)</p> <p>No development shall commence until details of permanent foul drainage proposals for the site, to include phasing, have been submitted to and approved in writing by the Local Planning Authority. The details shall include a development and foul water network infrastructure phasing plan (on and off site) together with a timetable of the implementation of the foul water infrastructure to be installed and the corresponding number of dwellings that can be occupied.</p> <p>The foul drainage proposals will be implemented in accordance with the approved details.</p> <p>Reason: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents as identified in the EIA and required by Thames Water. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS5 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because insufficient information accompanies the application and such measures may need to be incorporated into early building operations.</p>	<p>LPA wording agreed</p>	
<p>46-50. Water Infrastructure (pre-commencement)</p>	<p>LPA wording agreed</p>	

No development shall commence until details of a development and water infrastructure plan, to include phasing, have been submitted to and approved in writing by the Local Planning Authority. The development and water infrastructure plan shall include a timetable of the implementation of the water infrastructure and the corresponding number of dwellings that can be occupied.

The development and water infrastructure plan will be implemented in accordance with the approved details.

Reason: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid provide sufficient water pressure to the development and existing users, as identified in the EIA and required by Thames Water. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS5 of the West Berkshire Core Strategy 2006-2026. A pre-commencement condition is required because insufficient information accompanies the application and such measures may need to be incorporated into early building operations.

47.51. Plant, Machinery and Equipment (pre-commencement)

Development shall not commence on any non-residential building until details of any externally mounted plant or equipment (and their enclosure if

LPA wording agreed

provided) or any internal equipment which vents externally, including any extraction ventilation system for a cooking area, have been submitted to, and approved in writing, by the Local Planning Authority.

All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall not exceed at any time a level of 5dB[A] below the existing background noise level, or 10dB[A] if there is a particular tonal quality when measured in accordance with BS4142:2014 at a point one metre external to the nearest residential or noise sensitive property.

Development shall be carried out in accordance with the approved details.

No plant, machinery or equipment shall be installed, other than in accordance with the approved details, unless permission has been granted by the Local Planning Authority as a result of an application being submitted for that purpose.

Reason: To protect the occupants of nearby residential properties from noise and odours. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026, and Policies OVS.5 and OVS.6 of the West Berkshire Local Plan 1991-2006 Saved Policies 2007.

Pre-occupancy or Other Stage Conditions

<p>48. Retention and Reuse of Best and Most Versatile Soils within the Development</p>		<p>Delete condition as incorporated into CEMP condition</p>
<p>49. Protection of breeding birds during construction</p>		<p>Delete condition as incorporated into CEMP condition</p>
<p>50-52. BREEAM (pre-occupation)</p> <p>The non-residential buildings hereby permitted shall achieve Excellent under BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme). No non-residential building shall be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating of Excellent has been achieved for that building, has been issued and a copy has been provided to the Local Planning Authority.</p> <p>Reason: To ensure the development contributes to sustainable construction. This condition is imposed in accordance with the National Planning Policy Framework, Policy CS15 of the West Berkshire Core Strategy 2006-2026, Quality Design SPD and the Sandford Park SPD.</p>	<p><u>LPA Wording Agreed</u></p> <p>The non-residential buildings hereby permitted shall be constructed in accordance with the appropriate Building Research Establishment Environmental Assessment Method (BREEAM) assessment methodology and shall achieve a post construction rating of at least 'Excellent'. No part of an appropriate non-residential building hereby permitted shall be occupied until a copy of a post-construction completion report, verifying that the building has achieved an 'Excellent' rating, has been submitted to the Local Planning Authority.</p>	
<p>53. Restriction of Access to River Enborne</p>		<p><u>WBC: No access is shown on the Land Use and Access</u></p>

<p>Notwithstanding the provisions for public access to the River Enborne shown on the Strategic Landscape and Green Infrastructure Plan (drawing number 04627.00005.16.632.13), prior to the occupation of 100 dwellings in Development Parcel North 1 details of the methods in which public access to the River Enborne will be restricted and prevented will be submitted to and approved in writing by the Local Planning Authority.</p> <p>Prior to the occupation of 150 dwellings within Development Parcel North 1 and subsequent provision of Parkland East shown on drawing number 04627.00005.16.306.15, the approved methods for the prevention and restriction of public access to the River Enborne will be implemented in full accordance with the details approved.</p> <p>At no time shall public access be allowed to the River Enborne.</p> <p>Reason: To protect the sensitive ecological site and the habitats and species within it. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS3 and CS17 of the Core Strategy 2012 - 2026.</p>	<p>Notwithstanding the approved land use and access parameter plan [ref] no means of public access shall be provided to the Enborne River.</p>	<p>Parameter Plan their additional conditions document submitted 21/4/21 refers to SLGI plan</p>
<p>Compliance Conditions</p>		
<p>Main Access Road (A339 Access Connection)</p>	<p>Main Access Road (A339 Access Connection)</p>	

No more than 300 homes hereby approved shall be occupied prior to the Main Access Road having been built from the Eastern and Western access points onto Monks Lane to Point B at the boundary of the Site shown on drawing number 14.273/928.

Reason: To ensure the timely and necessary delivery of the road network within the site and access to the A339 to achieve appropriate distribution of the traffic generated by the development. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.

Main Access Road (New Warren Farm Connection)

The Main Access Road shall be built to Point C at the boundary of the Site being the boundary of the neighbouring property known as New Warren Farm, shown on drawing number 14.273/928, within 72 months (six years) of the commencement of development.

Reason: To ensure the timely and necessary delivery of the road network within the site and access to the remainder of the allocated site to ensure appropriate distribution of the traffic generated by the development. This condition is imposed in accordance with the National Planning Policy Framework and Policies CS13 and CS14 of the West Berkshire Core Strategy 2006-2026.

No more than 300 homes hereby approved shall be occupied prior to the Main Access Road having been built to the boundary of the Site (denoted by Point B on Plan 14.273/928). For the avoidance of doubt, the alignment of the Main Access Road shall be determined pursuant to Condition X (Reserved Matters Approval – Layout)

Main Access Road (New Warren Farm Connection)

The Main Access Road shall be built to the boundary of the Site (denoted by Point C on Plan 14.273/928) within 72 months (six years) of the commencement of development. For the avoidance of doubt, the alignment of the Main Access Road shall be determined pursuant to Condition X (Reserved Matters Approval – Layout)

51-54. Construction Hours of Work

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

7:30 to 18:00 Mondays to Fridays;

8:30am to 13:00 Saturdays;

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

In addition, piling operations or vehicle/equipment maintenance shall not be carried out on the site outside of the following hours and at no time on Saturdays, Sundays or Bank Holidays:

Monday to Fridays 07:30 to 18:00 hours

Reason: To safeguard the amenities of adjoining land uses and occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026 and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

Construction works, construction related works or construction related deliveries shall not be carried out on the site outside of the following hours and at no time on Sundays or Bank Holidays: Monday to Fridays 07:30-18:00 hours; Saturdays 08:30-13:00 hours.

52-55. Limit Number of Dwellings

The development hereby permitted shall not exceed 1080 dwellings.

Reason: To ensure that no more than the number of dwellings proposed and considered under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 are constructed. In addition, the necessary mitigation to make the development acceptable in planning terms has been determined on the basis of up to 1080 dwellings being constructed. This condition is imposed in accordance with the NPPF, Policies ADPP2, CS3, CS5, CS13 and CS18 of the West Berkshire Core Strategy 2006-2026.

53-56. Extra Care Housing in Use Class C3

The 80 Extra Care Housing Units to be provided shall be used for C3 purposes only and for no other purpose, including any other purpose in Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). This restriction shall apply notwithstanding any provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To define the permission and for the avoidance of doubt and to ensure that the provision of Extra Care Housing Units as part of the affordable housing provision for the development of the site. This

<p>condition is applied in accordance with the National Planning Policy Framework, Policy CS6 of the West Berkshire Core Strategy (2006-2026).</p>		
<p>54-57. Restriction of 'A Class' Uses Floorspace</p> <p>The 'A Class' uses (A1, A2, A3, A4, A5) hereby permitted in the Local Centre shall not exceed a total of 2,150 sq.m. (gross internal floorspace).</p> <p>Reason: To ensure that no more than the floor space of Class A uses proposed and considered under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 is constructed. In addition, the necessary mitigation to make the development acceptable in planning terms has been determined on the basis of up to 2,150 sq.m. of Class A uses being constructed. This condition is imposed in accordance with the NPPF, Policies ADPP2, CS3, CS5, CS13 and CS18 of the West Berkshire Core Strategy 2006-2026.</p>	<p>The 'A Class' uses (A1, A2, A3, A4, A5) hereby permitted in the Local Centre shall not exceed a total of 2,150 sq.m. (gross internal floorspace).</p>	<p><u>OJ: Use Class references are now different? WBC: What do you propose as a result for this and the following conditions? Transition Arrangements – no change necessary</u></p>
<p>55-58. Restriction of 'B1a Class' Use Floorspace</p> <p>The B1a use class hereby permitted in the Local Centre shall not exceed a total of 200 sq.m. (gross internal floorspace).</p> <p>Reason: To ensure that no more than the floor space of Class B1a use proposed and considered under the</p>	<p>The 'B1a Class' employment use hereby permitted in the Local Centre shall not exceed a total of 200 sq.m. (gross internal floorspace).</p>	<p><u>OJ: Use Class references are now different? WBC: What do you propose as a result for this and the following conditions? Transition Arrangements – no change necessary</u></p>

<p>Town and Country Planning (Environmental Impact Assessment) Regulations 2017 is constructed. In addition, the necessary mitigation to make the development acceptable in planning terms has been determined on the basis of up to 200 sq.m. of Class B1a use being constructed. This condition is imposed in accordance with the NPPF, Policies ADPP2, CS3, CS5, CS13 and CS18 of the West Berkshire Core Strategy 2006-2026.</p>		
<p>56-59. Restriction of 'D1 Class' Use Floorspace</p> <p>The D1 use class hereby permitted in the Local Centre shall not exceed a total of 500 sq.m. (gross internal floorspace).</p> <p>Reason: To ensure that no more than the floor space of Class D1 use proposed and considered under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 is constructed. In addition, the necessary mitigation to make the development acceptable in planning terms has been determined on the basis of up to 500 sq.m. of Class D1 use being constructed. This condition is imposed in accordance with the NPPF, Policies ADPP2, CS3, CS5, CS13 and CS18 of the West Berkshire Core Strategy 2006-2026.</p>	<p>The D1 Class uses hereby permitted in the Local Centre shall not exceed 500sq.m (gross internal floorspace)</p>	<p><u>OJ: Use Class references are now different? WBC: What do you propose as a result for this and the following conditions? Transition Arrangements – no change necessary</u></p>
<p>57-60. Delivery/Collection Timings</p> <p>No deliveries or collections shall be taken at or despatched from any non-residential buildings outside</p>	<p>There shall be no deliveries to or collections from any non-residential</p>	<p><u>OJ: For the avoidance of doubt this relates to servicing deliveries / collections and not operational issues. Review</u></p>

<p>the hours of 07:30 to 19:00 Monday to Saturday or at any time on Sundays or Bank or Public Holidays.</p> <p>Reason: To safeguard the living conditions of surrounding occupiers. This condition is applied in accordance with the National Planning Policy Framework, Policy CS14 of the West Berkshire Core Strategy 2006-2026 and Policy OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).</p>	<p>building outside the hours of 07:00-19:00 Mondays-Saturdays or at any time on Sundays or Bank or Public Holidays.</p>	<p><u>wording. WBC: Require clarification on difference between servicing and operational deliveries/collections. OJ: does this restrict collection of for example hot food takeaway outside of these hours</u></p>
<p>58. Operating Hours (use/activity)</p>		<p>Deleted as included as details to be submitted as part of reserved matters application for Local Centre.</p>
<p>59. Customer Opening Hours</p>		<p>Deleted as included as details to be submitted as part of reserved matters application for Local Centre.</p>
<p>60-61. Occupation Restriction of Extra Care Housing</p> <p><u>The 80 Extra Care Housing Units to be provided shall not be occupied other than by persons who have attained the age of 55 years, or the spouse or partner of such persons including a widow or widower(s), or, by exception and as agreed in writing by the Local Planning Authority prior to occupation, for people below the age of 55 years who are not able to live independently without assistance.</u></p>		<p>Possible deletion - Proposed in appellant's draft UU <u>WBC – Not proposed in appellants' UU and so have reinstated condition.</u></p>

<p><u>Reason: To restrict the occupation of the Extra Care provision for those in the community that require such accommodation. This condition is applied in accordance with the National Planning Policy Framework, Policy CS4 of the West Berkshire Core Strategy (2006-2026) and the Sandleford Park SPD.</u></p>		
<p>61. Primary School Site Area</p>		<p>Delete — to be secured by UU as discussed in relation to SoCG</p>
<p>62. Provision of Space for Mini Waste Recycling Centre in Local Centre</p>		<p>Deleted as included as details to be submitted as part of reserved matters application for Local Centre.</p>
<p>63. Securing Market Housing Mix for Development</p>		<p>Deleted as included in Phasing condition 1.</p> <p><u>OJ: We have proposed a new condition in respect of this</u></p>
<p>62. Development outside of Settlement Boundary</p> <p><u>No Reserved Matters application for Development Parcel North 1, shown on drawing number PP05 Rev B, shall include proposals for residential or other development of land outside of the designated Settlement Boundary as defined by the Housing Site Allocations Development Plan Document (HSA DPD.</u></p>	<p><u>[The Reserved Matters application for residential development hereby approved in Development Parcel North 1 shown on plan parcel plan 14-273/PP05 Rev B, shall not be permitted to the west of the line annotated on Plan APP2..14.1] delineating the Newbury Town Settlement Boundary within the northern valley.</u></p>	<p><u>OJ: The reference to “other development” is unnecessary and potential precludes non-residential development which is not the purpose of Policy C1. Disagree that any subsequent amendment applies after the date of the permission if granted.</u></p>

2017) or any subsequent document adopted that amends the Settlement Boundary.

Reason: The development proposed includes land outside of the settlement boundary contrary to Policy C1 of the HSA DPD (2017).

Additional Conditions WBC: these have been incorporated into the main table

Notwithstanding the approved land use and access parameter plan [ref] no means of public access shall be provided to the Enborne River.

[The Reserved Matters application for residential development hereby approved in Development Parcel North 1 shown on plan parcel plan 14-273/PP05 Rev B, shall not be permitted to the west of the line annotated on Plan APP2..14.1 [delineating the Newbury Town Settlement Boundary within the northern valley.