
MEMORANDUM

To: Jake Brown/ Niko Grigoropoulos **Our Ref:** GEN3
From: Planning Policy **Your Ref:** 20/01238/OUTMAJ
Extn: **Date:** 17 September 2020

Sandleford Park, South of Monks Lane

Up to 1,000 new homes; 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 500 sq m); the formation of new means access onto Monks Lane, new space including the laying out of a new country park; drainage infrastructure; walking and cycling infrastructure and other associated infrastructure works.

This application is for part of the allocated strategic site at Sandleford Park, this part being submitted by Bloor Homes and Sandleford Farm Partnership. Previous applications, references 15/02300/OUTMAJ, 16/00106/OUTMAJ, and 16/03309/OUTMAJ were refused planning permission in November and December of 2017 for multiple reasons. Existing applications 18/00828/OUTMAJ and 18/00764/OUTMAJ are pending consideration.

Background and Policy Context

Sandleford Park is a strategic allocation in the adopted West Berkshire Core Strategy 2006-2026 (adopted 2012) for up to 2000 dwellings. Half this number was proposed to be delivered by 2026, but there is no upper limit on what can be delivered during this period. Policy CS3 of the adopted Core Strategy sets out the main principles for a sustainable and high quality mixed use development on the site. These principles include affordable housing, infrastructure, on-site renewables and the creation of country parkland and other open space.

Following the adoption of the Core Strategy, a Supplementary Planning Document (SPD) was produced by West Berkshire Council in collaboration with the landowners at Sandleford Park to form the framework for the future development of the allocated site. The primary purposes of the SPD are to:

- Guide future development and investment and to provide a framework for a planning application for the site.
- To assist in the delivery of a comprehensive and sustainable development across the site as a whole.
- To set out planning and design principles and requirements for the development of land and buildings at the site.
- To help inform the local community and other stakeholders regarding the potential future development of the site and to engage them in the process.

The original SPD was adopted in September 2013.

At the Examination into the Core Strategy, the Council placed particular emphasis on the benefit of long term planning beyond 2026 so as to give all parties some certainty about how Newbury would develop in the longer term, and to add some flexibility into the housing numbers. The Inspector's Report into the Core Strategy confirms, in paragraph 88 that this ensures *"that the optimum approach to development in this area is achieved, rather than development taking place over time in a series of smaller proposals, resulting in a more piecemeal approach"*.

To address some concerns that there was potential that the Sandford site may not come forward in a comprehensive manner, the SPD was then amended to reflect the need for a single planning application for the site to ensure that the site is comprehensively delivered, with timely and well planned provision of infrastructure. The amended SPD includes a development principle, S1, requiring a single planning application for the site. This will ensure a comprehensive development across the site which maximises its potential as a well planned and sustainable urban extension. The amended SPD was adopted in March 2015.

The SPD was produced in consultation with a wide range of consultees, and is accompanied by a Statement of Consultation that sets this out in some detail. The adopted SPD was subject to a formal 6 week period of consultation, from 22 March to 3 May 2013 in accordance with Regulations 12 and 13 of the Town and Country Planning (Local Planning) Regulations 2012. The amended SPD was subject to a further period of consultation for 7 weeks from 12th December 2014 to 30 January 2015.

The SPD is a material consideration in the determination of the planning application and its implementation. It sets out the environmental, social, design and economic objectives which are relevant to delivering the Sandford Park site as a well planned comprehensive development, building upon the key principles for the site which have been established through the Core Strategy.

In principle, the development of this site is acceptable. At this stage, as the application is in outline form only, it is not possible to fully assess the compliance with some elements of the adopted policy and the adopted SPD. Further policy comments will obviously be made on the reserved matters applications for the site.

Policy Context

The National Planning Policy Framework (NPPF) makes clear that the starting point for all decision making is the development plan, and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan for West Berkshire comprises the West Berkshire Core Strategy 2006-2026 (adopted 2012), the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), the Housing Site Allocations Development Plan Document (HSA DPD) (adopted May 2017), the Stratfield Mortimer Neighbourhood Development Plan (adopted June 2017), the Replacement Minerals Local Plan for Berkshire (incorporating alterations adopted in December 1997 and May 2001), and the Waste Local Plan for Berkshire (adopted December 1998).

The NPPF is a material consideration in the planning process. It places sustainable development at the heart of the planning system and strongly emphasises the need to support sustainable economic growth.

The first core planning principle set out in the NPPF is that planning should be genuinely planned, providing a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.

The Core Strategy was adopted after the introduction of the NPPF and provides an up to date framework for development planning in West Berkshire consolidated by the adoption in May 2017 of the Housing Site Allocations DPD.

In policy terms, development of the site is, in principle, acceptable, given its allocation in the Core Strategy as a strategic site for development.

The Council is due to consult on a draft version of its Local Plan Review this autumn. All sites previously allocated as part of the Core Strategy and HSA DPD are being reviewed in line with paragraph 120 of the NPPF which states:

“Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability.”

Single Planning Application

The Housing Site Allocations Development Plan Document (HSA DPD) was adopted in May 2017. The DPD contains a generic policy (policy GS1) which includes the following criteria which applies to all sites “Each allocated site will be masterplanned and delivered as a whole to achieve a comprehensive development that ensures the timely and coordinated provision of infrastructure, services, open spaces and facilities. A single planning application will be submitted for each allocated site, either an outline or full application, to ensure this comprehensive approach to development is achieved.” As an allocated site, Sandleford Park will need to comply with this policy.

As part of the reasons for refusal for the applications 16/00106/OUTMAJ and 16/03309/OUTMAJ concern was raised with the failure to deliver a comprehensive development, ensuring the timely delivery of infrastructure, services, open space and facilities. Such concern also related to a comprehensive drainage strategy, ecological enhancement, internal circulation routes, linkages to surrounding services and areas, pedestrian and cycle mitigation, and bus service provision. Without a masterplan there was no opportunity to secure design principles across the whole Sandleford Park site, nor any certainty on the total number of dwellings across the whole site. Ultimately, the piecemeal approach to development creates uncertainty and increases the burden of future development of the remainder of the site to provide key infrastructure and facilities, risking the delivery of the remainder of the allocated site being rendered economically or otherwise unviable.

This application has still come forward for only part of the allocated site, submitted by Bloor Homes/Sandleford Farm Partnership. A Memorandum of Understanding (MoU) has been submitted, signed by Donnington New Homes (DNH, the owners of and applicants for the development of the remainder of the allocated site) and Bloor Homes/Sandleford Farm Partnership. The MoU sets out the commitment of both sets of applicants to work together to deliver the comprehensive development of Sandleford Park, and lists a number of drawings and plans, and a table showing each applicant’s responsibilities for infrastructure. It was signed 6 May 2020 and refers to the pending applications 18/00828/OUTMAJ (by DNH) and 18/00764/OUTMAJ (Bloors). No explicit reference is made to this current 20/01238/OUTMAJ application in the MoU. In any event, officers would need to be convinced that the MoU provides the right mechanism for delivering the development in a comprehensive way, as required by Policy CS3 of the West Berkshire Core Strategy and Policy GS1 of the West Berkshire Housing Site Allocations Development Plan Document.

If the Council is satisfied that the MoU can be relied on, consideration would need to be given as to how the development can be undertaken in a comprehensive manner, delivering the housing, services, and associated infrastructure at the appropriate times.

It is noted that an illustrative masterplan for the entire site has been submitted, as well as drawings for building heights, green infrastructure, land use and access, and strategic landscaping and green infrastructure across the whole of Sandleford Park. No detail is provided to confirm that these are agreed between the developers.

Housing Land Supply

Paragraph 11 of the NPPF, supplemented by footnote 7, says that decisions should apply a presumption in favour of sustainable development and that for decision-taking this means:

“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

**This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”*

Local planning authorities are required to identify and maintain a continuous five year supply of sites to deliver the housing requirement. The Council published a five year land supply document setting out the position at December 2019. Using the standard methodology to calculate the Council’s Local Housing Need (LHN) and adding the appropriate buffer of 5%, the Council can demonstrate a housing supply of 7.67 years. The 2019 Housing Delivery Test measurement of percentage delivery over the previous three years for West Berkshire is 109%.

The Sandleford Park site has not been included in the five year supply until deliverability within the time frame can be more firmly evidenced. This has been the case since 2017. Despite this, as outlined above, the Council can still demonstrate a five year supply of housing.

The Council’s Annual Monitoring Report: Housing 2018 (published January 2020) comments that Sandleford Park was previously assumed to deliver 1000 units in the plan period. With the refusal of planning applications in November and December 2017 the timing of delivery was more uncertain and therefore a contribution of 200 units was assumed by the end of the current plan period to 2026. Time has elapsed since this publication and the period it covers: the Council’s AMR: Housing 2019 is due to be published very soon. It is unlikely to assume the delivery of any units at Sandleford Park by the end of the current plan period to 2026.

Housing Mix/Character Areas/Landscape character

An indicative housing mix is set out in the Planning Statement and states that the mix has been informed by the 2016 SHMA. This mix is not intended to be prescriptive for each site as

it relates to the assessed need over the District as a whole. The mix on a site will depend on the location and character of the area and is considered acceptable in this instance. Policy CS3 encourages the predominant mix of family sized homes.

The Design and Access Statement outlines that densities will generally be between 30 and 50 dwellings per hectare across the site. The variance will be guided by character of each area and surrounding areas. The densities are in line with Policy CS3 and the Sandford Park SPD. The [West Berkshire Density Pattern Book](#) was published in September 2019, reference should be made, and regard should be had, to this in the Design and Access Statement.

The advice of the Council's landscape consultant will be important in the assessment of how the development will fit into the landscape.

Affordable Housing

Policies CS3 and CS6 of the Core Strategy seek an on-site provision of 40% affordable housing. The Planning Statement indicates that "planning permission is sought for up to 40% affordable housing". As the proposal does not purport non-viability, there is no reason why non-policy compliant affordable housing provision would be acceptable. A 40% policy compliant provision, would be 432 units. Appendix 2 in the Planning Statement indicates that this is the proposed level of provision, which is welcomed and needs to be secured via condition and/or S106 planning obligation.

Policy CS6 further expects that the affordable units will be appropriately integrated within the development. The Affordable Housing Statement outlines that pockets of affordable housing will be pepper potted across the development, and will be well integrated with linkages to key facilities and services in the development.

Also the Affordable Housing Statement and the submitted draft S106 propose that the tenure split of the affordable housing component is intended to be 70% social and affordable (combined) rented and 30% intermediate (shared ownership, shared equity and other intermediate) affordable units. This is contrary to the requirement in Policy CS6 and the Sandford Park SPD, which requires 70% of the affordable housing to be solely social rented. It is noted that the application submission does not assert that a policy compliant tenure mix would not be policy compliant.

The SPD also mentions that extra care housing could be provided as part of the affordable housing requirement and this would therefore be welcomed. It is understood that this has been discussed with the Council's Housing Officer.

Ultimately this site should make a positive contribution to the provision of affordable housing in the District, but the proposal as it stands is not policy compliant in respect of the inadequate and insufficient social rented component and it is therefore contrary to policy CS6 and unacceptable.

Renewable Energy

Policy CS3 of the Core Strategy is clear in that it requires the generation of on-site renewable energy at Sandford. The SPD also asserts that in view of the site's south facing orientation, greenfield status and scale, there is significant potential to deliver an exemplar site regarding carbon dioxide reduction in the form of renewable energy generation. These are fully supported by and compliant with the policies in Chapter 14 of the NPPF.

Policy CS15 of the Core Strategy requires that major developments achieve reductions in total CO₂ emissions from renewable or low/zero carbon energy generation on site, or in the locality, unless it can be demonstrated that such provision is not technically or economically viable. CS15 related such reductions to BREEAM in respect of non-residential developments and the Code of Sustainable Homes in respect of residential developments, setting zero carbon. Policy CS15 set zero carbon requirements from 2016 for residential developments and 2019 for non-residential developments. However, the 2016 Housing and Planning Act did not bring forward the Government's earlier aspiration to deliver zero-carbon homes through the planning process, relying on building regulations. Therefore, the residential and non-residential development would still need to achieve at least a 20% reduction in CO₂ emissions.

All non-residential elements of the proposal must meet BREEAM Excellent, unless it can be demonstrated that compliance would make the development not technically or economically viable. The BREEAM Statement for the primary school demonstrates that Excellent can be achieved, which is welcomed.

The Energy and Sustainability Statement outlines that the residential dwellings will be designed to meet the requirements of the prevailing Building Regulations.

In addition West Berkshire Council in 2019 has declared a Climate Emergency and has adopted a corporate Environmental Strategy for the District.

The proposal fails to grasp the opportunity presented by the circumstances of this site to provide an exemplar development in terms of sustainability and on-site renewable energy generation, contrary to Core Strategy policy CS3, the SPD development principles and Chapter 14 of the NPPF.

Highways and Access Issues

The comments of the Highway Authority will feed into the acceptability of the scheme.

The funding of the mitigation will need to be divided between the developer of this site and the other site which forms part of the allocation. The mechanisms for securing this for each application will be of utmost importance to ensure the comprehensive delivery of the development.

Country Parkland

The Country Parkland will be delivered in this part of the site. The Country Park phasing plan (04627.00005.16.306.12) illustrates the delivery of the Park as part of parcels 1 and 3. The previous comments are still applicable, as it is essential that the Country park is planned and delivered holistically rather than as separate parts linked to development phases. Suitable management of the Country Park is essential, to be agreed before housebuilding starts.

Other Issues

Surface water drainage methods (SuDS) are expected to be delivered in accordance with latest standards, and in line with the Sandford SPD. At this outline stage it is important to secure the general principles of providing and managing SuDS across the site.

Heritage

There are heritage assets in close proximity to the development. Advice should be taken from the conservation and archaeological teams in relation to the impact of development on such assets.

Conclusion

In policy terms, development of the site is currently, in principle, in accordance with policy, due to its allocation within the West Berkshire adopted Core Strategy. The Council is currently progressing its Local Plan Review.

The NPPF states that the planning system is plan-led. The Council can demonstrate an up to date five year housing land supply therefore, the Council's policies as set out in the development plan are considered to be up to date and relevant in terms of providing the framework for determining this application.

The application proposal is not policy compliant in respect of affordable housing and renewables provision.