

LRM Planning  
Owen Jones  
22 Cathedral Road  
Cardiff  
CF11 9LJ

**Applicant:**  
Bloor Homes and Sandleford  
Farm Partnership

## **PART I - DETAILS OF APPLICATION**

### **Date of Application**

6th December 2016

### **Application No.**

**16/03309/OUTMAJ**

### **THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:**

Outline planning permission for up to 1000 new homes (Use Class C3); an 80 bed care housing facility (Use Class C2) as part of the affordable housing provision; a new 2 form entry primary school (Use Class D1); a local centre to comprise flexible commercial floorspace (retail falling into use classes A1- A5 up to 2150 sq m and business falling into use class B1a upto 200 sq 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

Sandleford Park, Newtown Road, Newtown, Newbury Berkshire

## **PART II - DECISION**

**In pursuance of its powers under the Town and Country Planning Act 1990, West Berkshire District Council REFUSES OUTLINE planning permission for the development referred to in Part I in accordance with the submitted application form and plans, for the following reason(s):-**

1. The submission of this application for only part of the Sandleford Strategic Site Allocation is contrary to Development Plan Policy GS1 of the HSA DPD and the Sandleford Park SPD which require an appropriately masterplanned scheme which secures the delivery of a comprehensive development and ensures the timely and co-ordinated provision of infrastructure, services, open space and facilities.

The proposal to develop only part of the Strategic site fails to achieve overall coherence and a holistic outcome which ensures that the elements of the complete development combine to achieve the adopted policy requirements.

2. The provision of green infrastructure is considered to be necessary infrastructure in the Council's Infrastructure Delivery Plan (IDP). Policy CS3 requires infrastructure improvements to be delivered in accordance with the IDP. Elements of green infrastructure are considered necessary for the development of the whole of the allocated site to mitigate its impact, including that on views from

the A339 and historic assets, as well as conserving and enhancing ecology and biodiversity and providing sufficient play facilities.

The Sandleford Park SPD states a specific requirement for a single Strategic Landscape and Green Infrastructure Plan for the whole of the allocated site. The proposal does not secure a single Strategic Landscape and Green Infrastructure Plan for the whole of the allocated site, and thereby fails to secure the appropriate integration of each proposed character area and phase of development with the adjacent character area or phase across the whole of the allocated site. The lack of a single Strategic Landscape and Green Infrastructure Plan for the whole of the allocated site, together with inconsistencies between details which have been provided, results in a failure to provide a holistic approach to the landscape, visual impact and green infrastructure for development of the whole of the Sandleford Strategic Site Allocation. For those reasons, this application for only part of the allocated site is considered to prejudice the successful delivery of the development of the allocated site in accordance with Policies CS3, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the HSA DPD 2006-2026, the Sandleford Park SPD, PPG and NPPF.

3. The submitted Landscape and Visual Impact Assessment (LVIA) fails to appropriately assess the visual impact of the proposed development as seen from the public right of way running through the application site. The Assessment does not provide a consideration from a viewpoint from the public right of way, east of viewpoint 2, which would illustrate and allow assessment of the full visual impact of the development proposed on landscape. The lack of an adequate visual impact assessment of the development proposed is contrary to Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the HSA DPD 2006-2026, the Sandleford Park SPD, PPG and NPPF

4. The submitted ES refers to, and relies upon, a Heritage and Landscape study (ref: SLR 2016) which has not been submitted with this application. In the absence of this document there is no consideration, or definitive assessment and proposal, in relation to the important historic landscape considerations and impacts which arise from the proposed development. The lack of consideration and proposal is contrary to Policies ADPP2, CS14 and CS19 of the West Berkshire Core Strategy as well as the Sandleford Park SPD and the NPPF

5. Contrary to the submitted Design and Access Statement, the proposed development illustrates a lack of green links within the scheme, contrary to Policies ADPP2, CS14 and CS18 of the West Berkshire Core Strategy 2006 - 2026 and Policy GS1 of the HSA DPD 2006 - 2026 as well as the NPPF, PPG and the Sandleford Park SPD

6. The proposed piecemeal development within the allocated site fails to ensure the co-ordinated delivery of a well-planned, holistic network of green links throughout the whole of the allocated site, nor does it ensure the coordinated delivery of green links. The piecemeal approach to the allocated site prejudices the ability to achieve the necessary provision contrary to Policies ADPP2, CS13, CS14, CS17 and CS18 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the HSA DPD 2006-2026 and the Sandleford Park SPD, NPPF and PPG

7. A number of the submitted ecology surveys are out of date. In the absence of up-to-date surveys the presence of protected species at the site cannot be established with sufficient certainty. Therefore, this application fails to provide adequate information to ensure protection and enhancement of ecology and biodiversity within the application site. The lack of sufficient information is contrary to Policies CS3, CS14, CS17 and CS18 of the West Berkshire Core Strategy 2006 - 2026, Policy GS1 of the HSA DPD 2006 - 2026, the NPPF, PPG and Sandleford Park SPD as well as the statutory obligations of the Conservation of Habitats and Species Regulations (2010) (as amended), the Wildlife and Countryside Act (1981) (as amended).

8. The delivery of the whole of the allocated Sandleford Strategic site relies on the provision of highway accesses onto the A343 via Warren Road and Kendrick Road. The existing landscape and ecology of the area (both on and off the application site), and the impact of the proposed development on that, necessitates attention and mitigation in the form of new landscaping and green infrastructure. The application has not established or proposed that such mitigation can be achieved. The

piecemeal approach to the delivery of development on the whole of the allocated site prejudices the delivery of the A343/Warren Road access and Kendrick Road access, required to serve the development of the whole of the allocated site and the protection and mitigation required in relation to ecology and landscape in that area of the site. This prejudices the delivery of the allocated site in accordance with Policies ADPP2, CS3, CS13, CS14, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the HSA DPD 2006-2026 and the Sandleford Park SPD, NPPF and PPG

9. The loss of playing field at Newbury Rugby Club and lack of suitable replacement, detrimentally impacts on access to high quality open spaces and opportunities for sport and recreation which make an important contribution to the health and well-being of communities. Therefore, this application conflicts with Policies ADPP2 and CS18 of the West Berkshire Core Strategy 2006 - 2026 and the NPPF

10. The application for a piecemeal development of only part of the Sandleford Strategic Site Allocation is considered to prejudice the delivery of sufficient, comprehensive, varied and maintained SuDS infrastructure across the whole of the allocated site. Policy CS3 requires infrastructure improvements to be delivered in accordance with the IDP and the provision of SuDS is considered as critical infrastructure in the IDP. The submitted FRA is based upon a masterplan for the whole of the allocated site, including land beyond the application boundary, the use of which has not been secured as part of the proposals and does not account for the surface water drainage flows from the rest of the allocated site outside this application boundary. Furthermore, significant lengths of swale channels and two large attenuation basins are proposed to be located within Country Parkland that is not to be delivered with the development proposed in this application. The proposal is therefore contrary to Policies ADPP2, CS3, CS5, CS16 and CS17 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the HSA DPD 2006-2026, as well as the Sandleford Park SPD, NPPF and PPG

11. A comprehensive drainage strategy for waste water cannot be secured as part of this application for only part of the Sandleford Strategic Site Allocation. It has not been sufficiently demonstrated that adequate waste water drainage can be provided for the detailed residential development proposed in this application without prejudicing the comprehensive delivery of waste water infrastructure for the whole of the allocated site.

This application for the development of only part of the allocated site would therefore prejudice delivery of this critical infrastructure identified in the IDP. As such, this application is contrary to Policies ADPP2, CS3 and CS5 of the West Berkshire Core Strategy 2006-2026 as well as Policy GS1 of the HSA DPD 2006-2026 and the Sandleford Park SPD, NPPF and PPG.

12. The comprehensive and holistic ecological enhancement of the allocated site as a whole will not be possible through the development of the allocated site in a piecemeal fashion. The ecological constraints and opportunities of the application site need to be viewed within the context of the whole site, and the principles of ecological survey, impact assessment, mitigation, compensation and enhancement should be consistent across such a large site in order that a coherent strategy is developed and delivered.

This application for only part of the Sandleford Strategic Site Allocation does not secure a strategic ecological plan for the whole of the allocated site. Development of the Sandleford Strategic Site Allocation in a piecemeal fashion, without securing a strategic site wide Ecological Mitigation Management Plan from which future ecological mitigation and management would be derived, would result in a fragmented approach to ecology. This piecemeal proposal therefore prejudices the strategic approach to ecology and the comprehensive delivery of strategic ecological mitigation and enhancement.

Therefore this proposal for part of the allocated site would prejudice the conservation and enhancement of ecology and biodiversity across the whole of the Sandleford Strategic Site Allocation, contrary to Policies CS3 and CS17 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the HSA DPD 2006-2026, as well as the NPPF, PPG, Sandleford Park SPD, the Conservation of Habitats

and Species Regulations (2010) (as amended) and the Wildlife and Countryside Act (1981) (as amended).

13. The application fails to provide an appropriate access strategy that would provide additional pedestrian and cycle links and distribute traffic from the development appropriately, thereby reducing the traffic impact on locations such as, but not exclusive to, the A343 Andover Road / Monks Lane / Essex Street and the A339 within Newbury Town Centre. The submitted traffic modelling results reveal a severe impact at a number of locations, including the local transport network within West Berkshire and neighbouring Hampshire.. The traffic modelling provided is outdated due to recent additional committed developments in the relevant areas. The proposed development is therefore contrary to Policy CS13 of the West Berkshire District Core Strategy 2006 - 2026 as well as Policies K2 and K13 of the Local Transport Plan for West Berkshire 2011-2026, Policy GS1 of the HSA DPD, and the NPPF and Sandleford Park SPD.

14. The application fails to provide an appropriate scheme of works or off site mitigation measures to accommodate the impact of the development on the following junctions:

- A339 / B3421 Kings Road / Bear Lane
- A339 / A343 St Johns Road / Greenham Road
- A339 / Pinchington Lane / Monks Lane
- A339 / B4640
- A343 Andover Road / Monks Lane / Essex Street
- A343 Andover Road / St John's Road/ Newtown Road

The lack of appropriate works or mitigation would result in a severe impact in a number of locations. The traffic modelling provided is outdated due to recent additional committed developments in the relevant areas. The proposed development is therefore contrary to Policies ADPP2, CS3, CS5 and CS13 of the West Berkshire District Core Strategy 2006 - 2026 as well as, Policy GS1 of the HSA DPD 2006 - 2026, Policies K2 and K13 of the Local Transport Plan for West Berkshire 2011-2026 and the NPPF and Sandleford Park SPD.

15. The application fails to provide sufficient information to demonstrate that the development proposed would not result in a severe impact requiring mitigation on the A34 Strategic Road Network.

The proposal is therefore contrary to Policies ADPP2, CS3, CS5 and CS13 of the West Berkshire District Core Strategy 2006 - 2026 as well as the Policies K2 and K13 of the Local Transport Plan for West Berkshire 2011-2026, the NPPF and the Sandleford Park SPD.

16. The application fails to provide an appropriate scheme of works or off site mitigation measures to accommodate pedestrians, cyclists and public transport. Some proposed highway mitigation reduces the existing pedestrian and cyclist facilities. The proposal is therefore contrary to Policies ADPP2, CS3, CS5, CS13 and CS14 of the West Berkshire District Core Strategy 2006 - 2026, Policy GS1 of the HSA DPD 2006 - 2026, Policy TRANS.1 of the West Berkshire District Local Plan Saved Policies 2007, Policies K1, K2 and K3 of the Local Transport Plan for West Berkshire 2011-2026, the NPPF and the Sandleford Park SPD.

17. The piecemeal nature of the proposal fails to adequately integrate the layout of the proposed internal circulation routes with the access links needed to successfully deliver an appropriate access strategy and access locations associated with the development of the whole of the allocated strategic site.. The proposal is therefore contrary to Policies ADPP2, CS5, CS13 and CS14 of the West Berkshire District Core Strategy 2006 - 2026, Policy GS1 of the HSA DPD 2006 - 2026, Policy K13 of the Local Transport Plan for West Berkshire 2011-2026, the NPPF, Sandleford Park SPD and Quality Design SPD.

18. No comprehensive planning of the site has taken place through an agreed and acceptable masterplan for the whole of the Sandleford Strategic Site Allocation. Many of the necessary connections identified in the Sandleford Park SPD, as well as connections to the rest of the Sandleford site, cannot be properly planned for, or secured, as a result of the piecemeal development proposed. Subsequent parcels of development would have to adhere to access points set out in this

application to provide necessary direct linkages to Newbury College, Newbury Rugby Club or Park House School, improved linkages to the wider area and ensure a hierarchy of streets, spaces and routes which create a legible and permeable place across the whole of the allocated site. It has not been demonstrated that this can be achieved without impacting on the success and deliverability of subsequent development. Therefore, access points within the allocated site, fixed through the process of a piecemeal approach, may prejudice the delivery of the whole of the allocated site contrary to Policy CS3 of the Core Strategy. Furthermore, Policy CS13 of the Core Strategy requires applications to demonstrate good access to key services and facilities and improve and promote opportunities for healthy and safe travel. Policy CS14 of the Core Strategy expects development proposals to ensure environments are accessible to all and give priority to pedestrian and cycle access providing linkages and integration with surrounding uses and open spaces. This application is also considered to prejudice the legibility and permeability of later phases of development contrary to Policies CS13 and CS14 of the West Berkshire Core Strategy.

Therefore, this application for only part of the Sandleford Strategic Site Allocation is considered to prejudice the delivery of the site in accordance with Policies ADPP2, CS3, CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the HSA DPD 2006-2026 as well as the NPPF, PPG, Sandleford Park SPD and Quality Design SPD.

19. The piecemeal approach to the development of the allocated site is considered to prevent the holistically planned and comprehensive delivery of pedestrian and cyclist mitigation, bus service provision, Framework Travel Plan and Travel Plan Coordinator. Therefore, this application would prejudice the delivery of the whole of the Sandleford Strategic Site Allocation in accordance with Policies ADPP2, CS3, CS5, CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the HSA DPD 2006-2026 well as the NPPF, PPG and Sandleford Park SPD.

20. The submitted Air Quality Assessment (AQA) is based upon traffic data which has since been superseded and is based on outdated traffic modelling. Therefore, the submitted AQA is considered to be out of date and cannot be relied upon to sufficiently assess the impact on air quality. As such, insufficient information has been submitted to demonstrate the likely significant impacts of the development in respect of air quality. Furthermore, in the absence of the proposed mitigation measures in the AQA, the development fails to accord with the relevant policies as identified in the AQA.

The lack of sufficient information is contrary to Policy OVS.5 of the West Berkshire District Local Plan Saved Policies (2007) as well as Policy CS13 of the West Berkshire Core Strategy, the NPPF and PPG and Sandleford Park SPD.

21. The Noise Assessment is based upon out-of-date traffic data which, as well as not being based upon the Transport Assessment submitted with this application, has since been superseded with traffic modelling that is now outdated. As such, an informed decision regarding the impact on existing surrounding properties from operational noise generated by the development proposed cannot be reached. The lack of sufficient information is contrary to Policy OVS.6 of the West Berkshire District Local Plan Saved Policies (2007) as well as Policy CS13 of the West Berkshire Core Strategy, the NPPF and PPG and Sandleford Park SPD.

22. The provision of suitable facilities for a warden/ranger are required to serve the whole of the Country Parkland as a result of the development of the whole of the allocated site. Such facilities (office and storage accommodation) cannot be secured through a planning obligation or condition for this application for only part of the allocated site as this would run contrary to the CIL Regulations 2010 (as amended) or NPPF respectively.

As such, the piecemeal approach would prejudice the delivery of necessary facilities required to provide adequate management and maintenance of the proposed Country Parkland in accordance with Policies ADPP2, CS3, CS5, CS17 and CS18 of the West Berkshire Core Strategy 2006-2026 as well as Policy GS1 of the HSA DPD 2006-2026 and the Sandleford Park SPD

23. The application submissions indicate that the dwelling mix proposed in this development would not be 'typical', with a greater emphasis on the delivery of 3-5 bedroom houses. This is likely to increase the numbers of children generated by the development proposed, which could affect the impact, and thus the mitigation necessary as a result of the development proposed. In the absence of further information to clarify the dwelling mix proposed, it cannot be established with any certainty that the contribution toward Early Years and Primary provision would sufficiently mitigate the impact of up to 1000 dwellings.

Furthermore, no satisfactory proposals for Secondary education provision or evidence to demonstrate how the development proposed can be adequately mitigated have been submitted by the applicants. As a result of the piecemeal approach to proposals for the allocated site, there are no proposals which demonstrate that Secondary education provision can be achieved without prejudicing the future Secondary mitigation necessary for the development of the remainder of the Sandleford Strategic Site Allocation.

Therefore, further information is required to identify the appropriate Early Years, Primary and Secondary mitigation necessary (land and contributions) as a result of the proposed development of only part of the Sandleford Strategic Site Allocation. Such information must ensure that any mitigation identified to address the impact of up to 1000 dwellings proposed in this application would not prejudice the future Secondary mitigation necessary when the remainder of the allocated site is developed.

The lack of sufficient information is contrary to Policies ADPP2, CS3 and CS5 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the HSA DPD 2006-2026, the Sandleford Park SPD and Planning Obligations SPD, the NPPF and PPG.

24. The piecemeal approach to the allocated site places greater uncertainty on the likely total dwelling numbers to be achieved across the whole of the allocated site. In addition, the piecemeal approach to the development creates greater uncertainty with regard to the timing of housing provision. This uncertainty jeopardises the ability to ensure efficient and sufficient education provision, is in place when it is needed and is appropriately located in relation to the distribution of housing within the allocated site.

Therefore, this application for only part of the allocated site prejudices the ability to holistically plan for, and comprehensively deliver, education provision. This would prejudice the delivery of the allocated site in accordance with Policies ADPP2, CS3 and CS5 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the HSA DPD 2006-2026, the Sandleford Park SPD and Planning Obligations SPD, the NPPF and PPG.

25. The piecemeal approach to the allocated site places greater uncertainty on the likely total dwelling numbers to be achieved across the whole of the allocated site. In addition, the piecemeal approach to the development creates greater uncertainty with regard to the timing of housing. This uncertainty jeopardises the ability to ensure there is sufficient healthcare provision in place when it is needed.

Therefore, this application for only part of the allocated site prejudices the ability to holistically plan for, and comprehensively deliver, healthcare provision. This would prejudice the delivery of the allocated site in accordance with Policies ADPP2, CS3 and CS5 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the HSA DPD 2006-2026 as well as the Sandleford Park SPD, the NPPF and PPG.

26. Without an agreed and approved masterplan for the whole of the allocated site, or the ability to secure design principles for the remainder of the allocated site through a site wide Design and Access Statement, holistic planning of the whole of the allocated site cannot be achieved. The piecemeal approach prejudices the comprehensive planning necessary to ensure that the development of the whole of the allocated site enhances the character of the area and responds sensitively to its context across the whole of the allocated site, including how different elements would relate to each other. Furthermore, the piecemeal approach also prejudices the ability to comprehensively plan suitable

connections from and within the allocated site. Therefore, this application is considered to prejudice the successful delivery of the allocated site in accordance with Policies CS3, CS13 and CS14 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the HSA DPD 2006-2026 as well as the NPPF, PPG, Sandleford Park SPD and Quality Design SPD.

27. The application fails to secure the necessary infrastructure, facilities and services (Education, Public Open Space including play areas and Country Parkland, SuDS, Healthcare, Highways and Transport). These are considered necessary to mitigate the impact of the development proposed in accordance with the CIL Regulations 2010 (as amended) and the NPPF.

Therefore, this application is contrary to Policies ADPP1, ADPP2, CS3, CS5, CS13, CS14, CS16, CS17, CS18 and CS19 of the West Berkshire Core Strategy 2006-2026, Policy GS1 of the HSA DPD, Policy RL.1 of the West Berkshire District Local Plan Saved Policies (2007), the Sandleford Park SPD (March 2015), the Planning Obligations SPD (December 2014) and the NPPF and PPG as well as the statutory obligations of the Conservation of Habitats and Species Regulations (2010) (as amended), the Wildlife and Countryside Act (1981) (as amended).

28. The piecemeal approach to the development of the Sandleford Strategic Site Allocation creates uncertainty and increases the burden on 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 for only part of the allocated site is considered to result in a high risk of this occurring. The application for part of the Sandleford Strategic Site Allocation would therefore prejudice the delivery of housing, including affordable housing over the plan period. Policy ADPP1 of the Core Strategy seeks the delivery of at least 10,500 net additional dwellings and associated infrastructure within West Berkshire over the plan period. Policy ADPP2 of the Core Strategy requires Newbury to accommodate approximately 5,400 new homes over the plan period, which Sandleford would contribute towards. Policy CS3 of the Core Strategy seeks the phased delivery of up to 2,000 dwellings within the Sandleford Strategic Site Allocation, at least half of which is planned to be delivered by 2026.

Therefore, this application for part of the Sandleford Strategic Site Allocation only is considered to be contrary to Development Plan Policies ADPP1, ADPP2 and CS3 of the Core Strategy.

**If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.**

#### **INFORMATIVE:**

1 In attempting to determine the application in a way that can foster the delivery of sustainable development, the local planning authority has approached this decision in a positive way having regard to Development Plan policies and available guidance to try to secure high quality appropriate development. In this application there has been a need to balance conflicting considerations, and the local planning authority has also attempted to work proactively with the applicant to find a solution to the problems with the development, however; an acceptable solution to improve the economic, social and environmental conditions of the area could not be found.

Decision Date :- 14th December 2017

A handwritten signature in black ink, appearing to read 'Gary Lugg', with a stylized, cursive script.

**Gary Lugg**  
Head of Development and Planning

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions**

#### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against the local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online using the Planning Portal at [www.planningportal.co.uk](http://www.planningportal.co.uk).
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

#### **Purchase Notices**

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.