

**PLANNING
STATEMENT OF COMMON GROUND
-Planning**

Prepared by

**Woolf Bond Planning LLP
for
CALA Homes (South) Ltd**

and

Basingstoke and Deane Borough Council

in relation to

**Land at Boundary Hall,
Aldermaston Road,
Tadley,
RG26 4QH**

PINS Ref. No. APP/ H1705/V/10/2124548

LPA Ref. No. BDB/67609

WBP Ref. No. WBP/DB/5037

SEPTEMBER 2010

CONTENTS

1. Introduction
2. Description of Application Site and Surrounding Area
3. Relevant Planning History
4. Relevant Planning Policy
 - The Development Plan
 - Basingstoke and Deane Borough Local Plan 1996-2011 adopted July 2006
 - Supplementary Planning Guidance (SPG)/Supplementary Planning Documents (SPD)
 - Other Material Considerations
 - National Guidance
5. Description of Proposed Application Scheme
6. Local Authority's Consideration of Application
7. Agreed Planning Matters

The extent to which the proposed development is in accordance with the development plan for the area, having regard in particular to Regional Spatial Strategy for the South East – South East Plan published 6 May 2009 and the Basingstoke and Deane Local Plan 1996-2011 (saved polices).

- Principle of development
- Commercial proposals
- Community Proposals
- Noise
- Biodiversity
- Nature Conservation
- Flood risk/ drainage
- Effective and efficient use of land
- Sustainability
- Design and Layout
- Housing Mix
- Affordable Housing provision
- Impact on Character and appearance
- Impact on neighbouring properties
- Public open space
- Pedestrian Accesses
- Landscaping Tree and Ecology

Highways Access and Parking
Sustainable Construction and Design

Whether any planning permission granted should be accompanied by any planning obligations under section 106 of the 1990 Act and, if so, whether the proposed terms of such obligations are acceptable.

Section 106 Contributions

The extent to which the proposed development is consistent with any emerging Development Plan Documents, including consideration of the weight to be attached to them.

Review of policies and weight.

Whether there are any other material planning considerations relevant to the Secretary of State's consideration

Housing Requirement and Delivery of Affordable Housing

Local Environment and visual benefits of the development.

Whether any permission granted for the proposed development should be subject to any conditions and, if so, the form these should take

Conditions

8. Agreement of Statement of Common Ground – Planning

APPENDICES:

APPENDIX 1 – List of approved plans APPENDIX 2 – List of recommended conditions.

APPENDIX 3 – List of core documents

APPENDIX 4 – Council's Planning and Infrastructure Overview & Scrutiny Committee on 17 December 2009.

APPENDIX 5 – Section 106 Agreement

APPENDIX 6 – Rebecca Fenn-Tripp's Proof of Evidence in respect of Planning Obligations on behalf of Basingstoke and Deane Borough Council

INTRODUCTION

- 1.1. Preparation of this document follows discussions between Mr. Douglas Bond of Woolf Bond Planning LLP on behalf of the applicant, CALA Homes (South) Ltd, Basingstoke and Deane Borough Council and relates to the broad 'planning' issues of the case and not to the issues related to the HSE's concerns that have resulted in their position to 'advised against' the planning application.
- 1.2. The application, dated December 2007, is submitted in detail and seeks planning permission for residential and commercial development on previously developed land at Boundary Hall, Aldermaston Road, Tadley (LPA Ref. No. BDB/67609). The proposal is described as follows:

“Redevelopment of the land to include the erection of a new building to provide 945sqm of B1 use commercial floorspace and erection of 115 no. dwellings, new public open space, car parking, new footpaths, landscaping and 2 no. new access roads off Almswood Road and improvement to existing access point off Aldermaston Road following demolition of existing hall and relocation of existing sub-station.”

- 1.3. The application was subsequently called-in for determination by the Secretary of State by letter dated 4th March 2010.
- 1.4. Further SOCG submissions are proposed to deal with Health and Safety Issues, Demographics and Emergency Planning / Siting Issues as agreed by the Inspector at the pre inquiry meeting. The purpose of this document is to respond on the following 'reasons for call in' as set out by the Government Office for the South East:

Reason for call in 1:

The extent to which the proposed development is in accordance with the development plan for the area, having regard in particular to Regional Spatial Strategy for the South East – South East Plan published 6 May 2009 and the Basingstoke and Deane Local Plan 1996-2011 (saved polices).

Reason for call in 3:

Whether any planning permission granted should be accompanied by any planning obligations under section 106 of the 1990 Act and, if so, whether the proposed terms of such obligations are acceptable.

Reason for call in 4:

The extent to which the proposed development is consistent with any emerging Development Plan Documents, including consideration of the weight to be attached to them.

Reason for call in 5:

Whether there are any other material planning considerations relevant to the Secretary of State's consideration

Reason for call in 6:

Whether any permission granted for the proposed development should be subject to any conditions and, if so, the form these should take

- 1.5. Issues related to the following reason for call in will be dealt with, if possible, in separate Statement of Common Ground Documents:

Reason for call in 2:

The extent to which the proposed development is consistent with policies to ensure that any acceptable risks to human health are identified and properly dealt with;

1. **DESCRIPTION OF APPLICATION SITE AND SURROUNDING AREA**

- 2.1. The application site is situated within the defined settlement boundary of Tadley, [the second largest settlement in the borough](#) and is located on the south western side of Aldermaston Road (A340), adjoining Almswood Road and existing housing to the west and commercial property to the south east. The north eastern and northern boundaries of the application site form the edge of the settlement boundary and also form the boundary with the neighbouring Local Authority, West Berkshire District Council. The site has a total area of 2.78 hectares.
- 2.2. The application site, formerly occupied by MoD residential accommodation, currently comprises overgrown scrubland/low grade vegetation with a number of small groups of trees. The only existing buildings on the application site are a substantial dilapidated hall (south eastern part), originally a cinema (Class D2 use) and currently in use as a Scout Hut, and an electricity substation in the south western corner.
- 2.3. Substantial bands of mature tree planting define the application site along the north eastern, northern and southern boundaries with the remainder of the site, including the adjoining Almswood Road frontage, generally defined by a mixture of chain link and high-level security fencing. A copse of trees occupies the north eastern tip of the site. The site is predominantly level with some differences in ground levels as a result of the remaining slabs from the original structures which were demolished in approximately 1995. The site does not adjoin any listed structures or buildings of architectural or historic merit and does not fall within a Conservation Area.
- 2.4. The south western edge of the site, along the Aldermaston Road frontage and immediately adjacent to the Scout Hut, is adjoined by Barclays Bank and a car parking area (outside the application site area). This comprises a modern two-storey brick-built commercial building with partially rendered elevations surmounted by a flat roof.
- 2.5. Adjoining the south eastern boundaries, accessed via the site from the Aldermaston Road frontage, are two single-storey buildings of timber construction currently occupied by The Berks Army Cadet Force 12 Platoon Aldermaston.
- 2.6. To the west of the site, fronting Almswood Road, are a group of two-storey, post-war, semi-detached and terraced houses, many of which have adjoining single-storey flat-roofed

garages and are set back from the road behind open frontages laid out with lawns and driveways. The pairs of houses are of traditional construction with rendered elevations surmounted by tiled, pitched roofs.

- 2.7. Immediately adjoining the western boundary to the south west of the site is a group of two-storey, modern terraced dwellings of brick-built construction with low pitched tiled roofs. Elevations are clad with hanging tiles to the upper storey and are set back between approximately 14-18 metres from the site boundary behind rear gardens.
- 2.8. The application site currently has two accesses off Aldermaston Road, one of which provides access for the car parking area adjacent to Barclays Bank. The second access is to the north east of the site off the A340 (Aldermaston Road). There is also a third access point off Almswood Road, but concrete bollards currently prevent vehicular access at this point.
- 2.9. A series of informal footpaths run along the south western boundary of the site and connect to a footpath on the southern boundary of the site (which runs east to west). The footpath on the southern boundary links a Public Right of Way (Tadley 901) which provides a link through to Holmwood Health Centre and Franklin Avenue.
- 2.10. Tadley District Centre, containing a range of shops and a supermarket, adjoins the southern edge of the application site, whilst the site is served by a bus stop providing access to Basingstoke, Newbury and Reading. 2.11. In terms of sustainability, Tadley is the 2nd largest settlement to Basingstoke in the Borough and benefits from a good quality bus service to Basingstoke. In this regard the application site has direct access to a bus stop on this route (A340) Aldermaston Road. In this sense it represents the best site for sustainable development in Tadley. Its proximity to local employment including the District Centre, Calleva Business Park and the AWE, reinforce the sustainable location of the application site.
- 2.12. The previously developed land status of the application site reinforces the suitable form of residential development on it. Consistent with Local Plan paragraph 1.10, Saved Local Plan Policy D2, paragraph 1.18 and PPS3 paragraph 36 the priority for development should be previously developed land, in particular vacant derelict sites and buildings. This remains a key consideration in planning for housing (PPS3, paragraph 45).

Relationship with AWE Aldermaston Site

- 2.13. The application site lies due south of the Atomic Weapons Establishment (AWE) in Aldermaston, adjacent to the site boundary exclusion zone and within the 0-3km Detailed Emergency Planning Zone (DEPZ) which surrounds the AWE site.

2. RELEVANT PLANNING HISTORY

- 3.1. The Boundary Hall Site Development Brief was adopted in December 1996. This document acknowledged the appropriateness of the site for residential development. The introduction confirmed that the land had been released by the Ministry of Defence for redevelopment following the demolition of the former residential accommodation (Boundary Hall).
- 3.2. The remainder of the document factually sets out the principles of development for the site as envisaged at that time.
- 3.3. A Development Framework Document: Boundary Hall Site, Tadley (D4.20) was adopted in July 2004. The introduction confirms that this document is one of a series of background papers to the Local Plan, prepared to show the Borough Council's intention for development at the Boundary Hall site.
- 3.4. The introduction confirms that the Development Framework Document was made available for public consultation alongside the Revised Deposit Local Plan during November/December 2003 and was available online, in libraries, at exhibitions touring the Borough as well as copies being sent to statutory consultees (including the HSE at Priestley Road, Basingstoke). The document was then amended to reflect the comments received.
- 3.5. The adopted Local Plan formally allocated the site for mixed residential development under Policy D3.17 in July 2006. This policy was saved in June 2009. These documents acknowledge the appropriateness of the application site for residential development and factually set out the principles of development for the site as envisaged at the time they were adopted.
- 3.6. The following table details the previous planning applications submitted in relation to the site:

Application Reference Number	Application Description	Application Outcome
BDB 40975	Residential development on 2.79ha	Withdrawn 28/11/97
BDB 43241	Erection of 80 dwellings open space and associated highway works	Withdrawn 01/06/98
BDB 44400	Class A1 food store, new access and parking for 260 vehicles	Withdrawn

		09/08/00
BDB 48043	Erection of Class A1 food store, petrol filling station, new access, parking for 216 vehicles and associated improvements	Withdrawn 25/03/02
BDB 49348	Construction of new site access arrangement and associated highway improvements in connection with A1 food store – is this an application by West Berkshire	Raise no objections 23/08/01
BDB 50535	Erection of a Class A1 food store (2,561sqm gross), petrol filling station, new access, parking for 216 vehicles and associated improvements	Withdrawn 25/03/02
BDB 50831	Construction of a new site access arrangement and associated highway improvements in connection with an application made to Basingstoke and Deane Borough Council for Class A1 food store, petrol filling station, parking and other related improvements- is this an application by West Berkshire	Raise no objections 23/08/01
BDB 56287	Erection of 2.4m high fence around part of site boundary (retrospective application)	Application not proceeded with 03/11/03
BDB 65066	Outline planning application for the erection of 132 no. residential units and 1,952sqm of commercial floorspace to include Class B1 (business) and Class D1 (non-residential use) with 192 no. car parking spaces including access	Withdrawn 26/02/07
BDB 65256	Neighbouring Authority consultation for the access associated with planning application comprising 132 residential units and 1,952sqm of commercial floorspace to include Class B1 (business) and Class D1 (non-residential use) with 192 no. car parking spaces and public open space. Ref: 06/02821/OUTMAJ – West Berkshire Council	Raise objections 01/02/07

3. RELEVANT PLANNING POLICY

- 4.1. The principal Town Planning legislation is the Town and Country Planning Act 1990 (as amended). Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The Development Plan

- 4.2. Since the consideration of the planning application by the Development Control Committee, regional spatial strategies to include the South East Plan have been revoked. The Development Plan is now formed by the saved policies of the Basingstoke and Deane Borough Local Plan 1996-2011 (BDBLP), which was formally adopted in July 2006. Background evidence gathered or submitted as part of the formation of the South East Plan can be considered to be a material consideration. The revocation of the South East Plan is a material consideration.

Basingstoke and Deane Borough Local Plan 1996-2011 adopted July 2006

- 4.3. The Planning and Compulsory Purchase Act 2004 provides for policies of the adopted Local Plan to be saved automatically for a period of three years from the date of commencement of the Act (September 2004) or for three years from the date of their adoption (July 2006). Policies of the adopted Local Plan were therefore automatically saved until July 2009. In June 2009, the Secretary of State issued a Direction relating to certain policies of the adopted Local Plan to be saved beyond July 2009, pending the preparation of the various Local Development Framework (LDF) document for Basingstoke and Deane Borough. Those Local Plan policies not saved by the Direction ceased to have Development Plan status after July 2009.
- 4.4. Those saved policies which are relevant to the application scheme are listed below:

Location of Development

- Saved Policy D2 – Phasing of Residential Development to 2011

- Saved Policy D3.17 – Boundary Hall Site, Tadley
- Saved Policy D5 – Residential and Other Development within Settlements

Environment – The Built Environment

- Saved Policy E1 – Development Control
- Saved Policy E6 – Landscape Character
- Saved Policy E7 – Nature/Biodiversity Conservation

Social/Community

- Saved Policy C1 – S106 Contributions
- Saved Policy C2 – Affordable Housing
- Saved Policy C3 – Housing Mix
- Saved Policy C8 – Protection of Essential Services
- Saved Policy C9 – New Leisure Facilities or Open Spaces

Economy

- Saved Policy EC4 – Loss of employment opportunities

Accessibility and Infrastructure

- Saved Policy A1 – Car Parking
- Saved Policy A2 – Alternatives to the Car/Public Transport – Encouraging Walking, Cycling and the Use of Public Transport
- Saved Policy A7 – Water and Sewerage Infrastructure

Supplementary Planning Guidance (SPG)/Supplementary Planning Documents (SPD)

The relevant Local Authority SPGs/SPDs are as follows:

- Tadley Design Statement SPG (April 2004)
- Housing Mix and Lifetime Mobility Standards SPD (June 2007)
- Affordable Housing SPD (July 2007)
- Landscape and Biodiversity SPD (June 2008)
- Residential Parking Standards SPD (July 2008)
- Design and Sustainability SPD (September 2008)
- Basingstoke Environmental Strategy for Transport

Other Material Considerations

- RSS South East Plan
- PPS3 – Changes to Affordable Housing Thresholds Guidance Note (April 2007)
- Basingstoke and Deane Employment Land Review (January 2009)
- Annual Monitoring Report (AMR) 2008/2009 (December 2009)
- Government Circular 04/00 – Planning Controls for Hazardous Substances
- Circular 11/95: The Use of Conditions in Planning Permissions (July 1995);
- Circular 05/05: Planning Obligations (July 2005);
- Consultation on New Policy Document for Planning Obligations (March 2010);
- Hampshire County Council Transport Contributions Policy (September 2007);
- Basingstoke and Deane Interim Guidance Section 106 Planning Obligations and Community Infrastructure (Revised April 2010);
- Letter dated 6 July 2010 from SSCLG to Chief Planning Officers (revocation of RSS)
- Letter dated 15 June 2010 from SSCLG to Chief Planning Officers (changes to PPS3)
- Community Infrastructure Levy Regulations 2010
- Boundary Hall Framework (July 2004)

National Guidance

The relevant national planning guidance is as follows:

- PPS1: Delivering Sustainable Development (and Supplements)
- PPS3: Housing (June 2010)
- PPS4: Planning for Sustainable Economic Growth
- PPS9: Biodiversity and Geological Conservation
- PPG13: Transport
- PPG17: Planning for Open Space, Sport and Recreation
- PPS23: Planning and Pollution Control
- PPG24: Planning and Noise
- PPS25: Development and Flood Risk

- Consultation on a Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate (March 2010)
- Manual for Streets
- By Design: Urban Design in the Planning System. DETR
- By Design: Better Place to Live. A Companion Guide to PPG3. DETR/CABE
- The Urban Design Compendium. English Partnership/The Housing Corporation

4. **DESCRIPTION OF PROPOSED APPLICATION SCHEME**

5.1. The application scheme can be described in the following brief terms:

- Demolition of existing Scout Hut (former cinema building) on site and relocation of existing electricity substation on site to an area of informal open space to the south west of the site, adjacent to Almswood Road.

Residential:

- 115 units, including 40% affordable housing provision (46 units).
- Density = 41 dwellings per hectare approximately.
- Mix of residential units:
 - 31 x 4-bed houses (terraced and detached)
 - 36 x 3-bed houses (terraced and detached)
 - 36 x 2-bed apartments
 - 12 x 1-bed apartments
- Mix of affordable units:
 - 4 x 4-bed houses
 - 11 x 3-bed houses
 - 21 x 2-bed apartments
 - 10 x 1-bed apartments
- 185 car parking spaces

The proposed residential development will have a population of 268 people.

Commercial:

- 945sqm of commercial (Class B1 use) floorspace, comprising two 3-storey linked blocks.
- 26 car parking spaces (12 undercroft and 14 open spaces).

Access:

- Two new proposed access roads off Almswood Road to serve the residential development and improvements to the existing access point off Aldermaston Road, adjacent to Barclays Bank, to serve the commercial unit, 3 no. apartment blocks and the existing car park and Army Cadet Force buildings adjacent to the site.

Open Space

- Provision of new area of public open space in central part of site (1,600sqm) and a local area for play (400sqm).

Footpath

- Existing footpath along the southern boundary of the site to be upgraded as part of proposal.

5.2. The Appellant and the Council agree that the application documents listed in **Appendix 1** are the documents / drawings which were relied upon for determination by the Development Control Committee.

5.3. The following documents were submitted in support of the planning application:

- Supporting Planning Statement
- Transport Assessment
- Noise Assessment
- Archaeology Assessment
- Ecology Assessment
- Arboricultural Reports
- Flood Risk Assessment
- Renewable Energy Assessment
- Statement of Community Involvement
- Hazardous Installation Assessment
- Design and Access Statement

5. LOCAL AUTHORITY'S CONSIDERATION OF APPLICATION

- 6.1. The application was submitted to the Local Authority on 28th November 2007 and registered as valid on 11th December 2007 under reference number BDB/67609.
- 6.2. The application was reported to the Local Authority's Development Control Committee on 1st July 2009. The application was recommended for refusal by the Planning Officer for the following reasons:
1. The application site is situated within the (0-3) km Detailed Emergency Planning Zone (DEPZ) surrounding the Aldermaston Atomic Weapons Establishment (AWE). The use of the DEPZ in this context, provides an area for development control consistent with the zone defined originally for emergency planning purposes. The proposed development, if allowed, would further contribute to a long term net positive increase in the extant residential population density within the DEPZ. Such a situation would potentially increase the overall risk to the public in the event of an off-site release of radioactive material following a significant plant fault. Furthermore, the proposed development would adversely impact upon the maintenance of a controlled low population zone around the AWE nuclear facility. A controlled low population zone serves to both mitigate against the consequences of an off-site release, and facilitates emergency preparedness which are key elements of the defence-in-depth philosophy adopted by the nuclear community worldwide. As such the proposal would be contrary to the requirements of Policies E1 and D5 of the Basingstoke and Deane Borough Local Plan 1996-2011, advice contained in Planning Policy Statement 23: Planning and Pollution Control and within Circular 04/00 - 'Planning Controls for Hazardous Substances'.
 2. In the absence of a secure legal agreement to secure financial contributions and affordable housing, the proposal would result in additional pressures upon open space, play areas/recreation, playing fields, community facilities and the highway (Basingstoke Environmental Strategy for Transport) and would fail to make provision for affordable housing. The proposal would therefore be contrary to Policies C1, C2 and C9 of the Basingstoke and Deane Borough Local Plan 1996-2011, the Council's Planning Guidance note 'Section 106 Planning Obligations and Community Infrastructure' and the advice contained within Circular 05/2005.
- 6.3. However, at the meeting of 1st July 2009, the Development Control Committee determined to be minded to approve the application. In accordance with procedures (Circular 04/00) and due to the outstanding position to 'advise against' the development from the Health and Safety Executive (HSE), notice was given to the HSE of the intention to approve the application. The HSE subsequently approached the Secretary of State for Communities and Local Government who issued an Article 14 letter (dated 24th July 2009) instructing the Council that it may not approve the planning application without further communication from the HSE.

- 6.4. Following consideration of the planning application in July 2009 and the concerns raised by the HSE, the application was reported back to the Committee for further consideration in January 2010 (although this meeting was postponed and all items deferred to the February 2010 meeting as a result of adverse weather). This decision was based on the health and safety implications of the development and consideration of public safety and protection issues.
- 6.5. The Planning Officer's Report to the Development Control Committee, dated 13th January 2010, addresses the events that have occurred since the original consideration of the application in July 2009. The January 2010 Officer's Report reflects that of July 2009 and recommends that the application be refused for the same two reasons (see above), with an additional reference to the UK's draft Nuclear National Policy Statement at the end of Reason No. 1.
- 6.6. The Committee determined to be minded to approve the application on 10th February 2010, subject to the completion of a S106 agreement. The Committee determined that:

“The application be granted subject to Officers giving the HSE 21 days’ written notice to confirm whether they require Communities and Local Government (formerly The Department for Environment, Transport and the Regions) to ‘call in’ the application for determination in accordance with Circular 04/00 – ‘Planning Controls for Hazardous Substances’. Following expiration of 21 days of this notice, conditional planning consent will be granted subject to the completion of a Section 106 Agreement to secure the following:

- **BEST contribution (part payable towards West Berkshire District Council).**
- **Landscape Management Plan.**
- **Implementation of the scout hut granted under BDB/71012 or other subsequently granted planning consent with appropriate phasing and trigger/or off site contribution.**
- **Secure S278 works required.**
- **Requirement for the roads to be built to adoptable standards but maintained thereafter as private.**
- **Commuted sums towards the maintenance of the open space and play areas adopted by the Council.**
- **Requirement for the applicant to include the appropriate Emergency**
- **Response Requirement under the REPIR Regulations within an overall resident pack which will be provided to every resident via the on-site Management Company.**
- **Percent for art.**
- **Playing fields contribution.**

- **Affordable housing.**
- **To secure a bonded or ESCROW account managed Travel Plan. (and any other identified matters as applicable)."**

6.6. The following reasons were given as the 'reasons for approval'

- 1 The proposed development respects the character of its surroundings in terms of street pattern, plot size, layout and form and as such complies with PPS1: Delivering Sustainable Development, PPS3: Housing and Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 2 Adequate parking would be provided to serve the proposed development and there would be no adverse highway safety implications, as such the proposal complies with Policy A1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 3 The proposed development would not result in an undue loss of privacy or cause undue overlooking, overbearing, overshadowing or noise and disturbance to neighbouring/future properties or land uses and as such complies with Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 4 The proposed development would be of an appropriate design and relates to surrounding development in a sympathetic manner and as such complies with PPS1: Delivering Sustainable Development and Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 5 The proposal would not cause harm to biodiversity/wildlife and would retain significant trees which contribute towards the character of the area, as such the proposal complies with Policies E6 and E7 of the Basingstoke and Deane Borough Local Plan 1996-2011 and advice contained in Planning Policy Statement 9.
- 6 The proposal would not cause adverse flooding and would not place undue pressure on water resources/drainage mechanisms in accordance with Policies E8 of the Basingstoke and Deane Borough Local Plan 1996-2011 and Planning Policy Statement 25.
- 7 The additional population created by the development would not materially add to the risks associated with an on site emergency and the off-site emergency plan would not be materially prejudiced by the proposal. As such the development would accord with the requirements of Policies E1 and D5 of the Basingstoke and Deane Borough Local Plan 1996-2011, advice contained in Planning Policy Statement 23: Planning and Pollution Control and within Circular 04/00 - 'Planning Controls for Hazardous Substances'.
- 8 The proposal would provide a redevelopment proposal within the Settlement Policy Boundary of Tadley in accordance with Policy D5 and D3.17 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 9 On completion of a Legal Agreement, the proposal would provide financial contributions, affordable housing and provide for other community/infrastructure improvements in accordance with Policies C1, C2 and C9 of the Basingstoke and Deane Borough Local Plan 1996-2011, the Council's Planning Guidance note 'Section 106 Planning Obligations and Community Infrastructure' and the advice

contained within Circular 05/2005.

- 5.7. Following the notification to the HSE concerning the Local Planning Authority's decision to approve the application, the Secretary of State, through the Government Office of the South East (GOSE) determined that the application should be considered by the Secretary of State.

6. **AGREED PLANNING MATTERS**

- 7.1. Matters forming part of the development that are commonly agreed between the parties, having regard to the Development Plan policies and other material considerations, are set out below. The relevant issues are set out under each 'reason for call in'.

Reason for call in 1:

The extent to which the proposed development is in accordance with the development plan for the area, having regard in particular to Regional Spatial Strategy for the South East – South East Plan published 6 May 2009 and the Basingstoke and Deane Local Plan 1996-2011 (saved polices).

Principle of Development

- 7.2. The application site is located within the Settlement Policy Boundary of Tadley and is an allocated, mixed use site under Saved Policy D3.17 of the adopted Local Plan. As such, the principle of redevelopment of this site has been established and is acceptable.
- 7.3. Saved Policy D3.17 states that the application site is suitable for a mixed residential development of a minimum of 100 dwellings, together with associated open space and landscaping and employment uses.
- 7.4. In addition, the application site is identified in the Local Authority's 5-year housing land supply and draft Strategic Housing Land Availability Assessment (SHLAA). At the time of writing this document the council were preparing a final SHLAA document – the Boundary Hall site continues to form part of this document – identifying the site as a brownfield site. Further information on the council's housing position is set out elsewhere on this document.

Commercial Proposals:

- 7.5. The development proposes a total of 945m² of B1 use which would amount to 10% of the total floor space of the development. As referred to above, the principle of the provision of employment generating use is acceptable in this location in accordance with PPS4, Policies EC4 and D3.17 of the BDBLP. The provision of 10% of the total floor space to be provided on the site, for employment purposes is deemed acceptable on the basis of the completion of a report on Employment Land by consultants on behalf of the Borough Council and from the conclusions of work undertaken on behalf of the applicant.
- 7.6. It is agreed that there needs to be a control via a planning condition to restrict the use of the premises to B1 only in the interests of highway safety.
- 7.7. The commercial buildings are located in a highly accessible position and will enhance the existing provision of commercial property in Tadley.

Community Proposals

- 7.8. The former cinema building (as existing) within the site falls under Use Class D2 of the BDBLP and is currently utilised by the scouts, this building is therefore an existing community facility, albeit of a relatively poor quality given its condition. Policy C8 of the BDBLP states that the Council will not grant planning permission for a development which would result in the loss of essential local services and facilities unless there is adequate alternative local provision, it is demonstrated that it is no longer practical or desirable to retain them or it is a part of changes by a public service provider which will improve the overall quality or accessibility of public services in the Borough.
- 7.9. Whilst the loss of an essential local facility would normally be resisted by the Council in accordance with Policy C8 of the BDBLP, there is an extant permission for the construction of a new Scout Hut to the south west of the Boundary Hall site. This new community facility is proposed within a residential area to the east of Southdown Road under planning application ref. BDB 58871 and renewed by planning application BDB/ 71012 (expires 20 September 2012). The applicant proposed, as part of the application, to implement this extant planning consent prior to the demolition of the existing building within the site, in order to address the issue with regards the loss of the existing community facility. Should this not happen and in order to mitigate against the loss of the existing facility, the applicant will be required to pay a

financial contribution towards a replacement facility as an alternative to implementing the extant consent under BDB 71012. It is considered that this is in accordance with Policy C8 of the Local Plan as the provision of contributions towards a new facility would be more beneficial to the community than the retention of the existing building, which is unsightly and of relatively poor quality.

- 7.10. It is agreed that this matter would be secured through a Section 106 agreement.

Noise

- 7.11. Planning Policy Statement 24 (PPS24), 'Noise provides guidance regarding the suitability of sites for residential development. The guidance states that Local Planning Authorities, when assessing proposals for new residential development near a source of noise should determine which of the four noise exposure categories (NECs) the site falls within. A Noise Assessment, submitted as part of the planning application (NA) sets that during the day the NEC band C extends into the site by 15m from the kerb side of the Aldermaston Road on the northern boundary of the site and by 21m on the eastern boundary. During the night the NEC C bands are narrower at 9 and 17m respectively. It is agreed that mitigation is recommended for noise sensitive rooms facing the road and for gardens for all dwellings within the NEC C band to which planning conditions are recommended in the interests of the amenities of future occupiers.

Biodiversity/Nature Conservation/EIA

- 7.12. Whilst a screening opinion was carried out in respect of this application and the council determined that an Environmental Impact Assessment was not required under the 1999 Regulations, it is accepted that following the screening opinion set out by the Government Office for the South East of England an EIA is required for the proposed development. Natural England has been consulted in respect of this application submission and consulted on the EIA confirming that no objections be raised and setting out that the recommendations of the Ecological Assessment submitted as part of this application should form planning conditions to the granting of any planning consent in the interests of biodiversity/nature conservation. The development is considered to comply with PPS9 and Policy E7 of the Local Plan.

Flood Risk/Drainage Issues

- 7.13. The Environment Agency (EA) Flood Map shows the site to be within Flood Zone 1 (an area with a flood risk of less than 0.1% or 1 in 1000 years) and, through the planning application consultation process, the EA has confirmed that it does not consider the site to be at direct risk of flooding from the 1 in 100 year event. However, aside from the lack of risk of direct flooding on the site itself, it has been identified that the proposed development could potentially increase the total surface water runoff and increase the risk of flooding on neighbouring land. This potential risk resulted in an initial holding objection from the EA to the application. However, following the submission of further information a series of mitigation measures that are to be put in place as part of the development. These measures include soakaways, infiltration trenches and pervious paving and, in those parts of the development where infiltration is not feasible, surface water will be directed and discharged at a limited rate (no matter what intensity the storm) to the existing drainage system in Franklin Avenue. This “source control” will retain considerable amounts of surface water within the site boundary and will actually result in a substantial reduction from the existing unrestricted runoff rates. In light of the proposals, the EA has confirmed that it has no objection with regards the application subject to the imposition of conditions. With regards to water, a Capacity Study was carried out by Thames Water in January 2007 which identified a number of off-site issues and flooding events resulting from an exceedance of the capacity of the existing wastewater sewerage network in Tadley.
- 7.14. In discussions with Thames Water, a strategy has been devised to constrain the wastewater flows from the proposed development such that they would not increase the burden on the existing network. The main feature of this strategy is the inclusion of a balancing tank system within the boundaries of the site which will contain peak flows and release them at controlled rates into the main network.
- 7.15. In addition, Thames Water has confirmed that a programme of works to upgrade the Tadley sewerage network, in particular in Bowmonts Road, has now been completed. And therefore the Grampian condition Thames Water suggested is no longer necessary.
- 7.16. The proposed development is therefore in accordance with the provisions of Saved Policies E1, A7 of the adopted Local Plan and National Policy set out in PPS25,

Effective and Efficient Use of Land

7.17. The application scheme would result in a development density of 41 dwellings per hectare (dph) and would therefore represent effective, efficient and sensitive re-use of previously land, consistent with Development Plan policy and national guidance (PPS1 and PPS3).

Sustainability

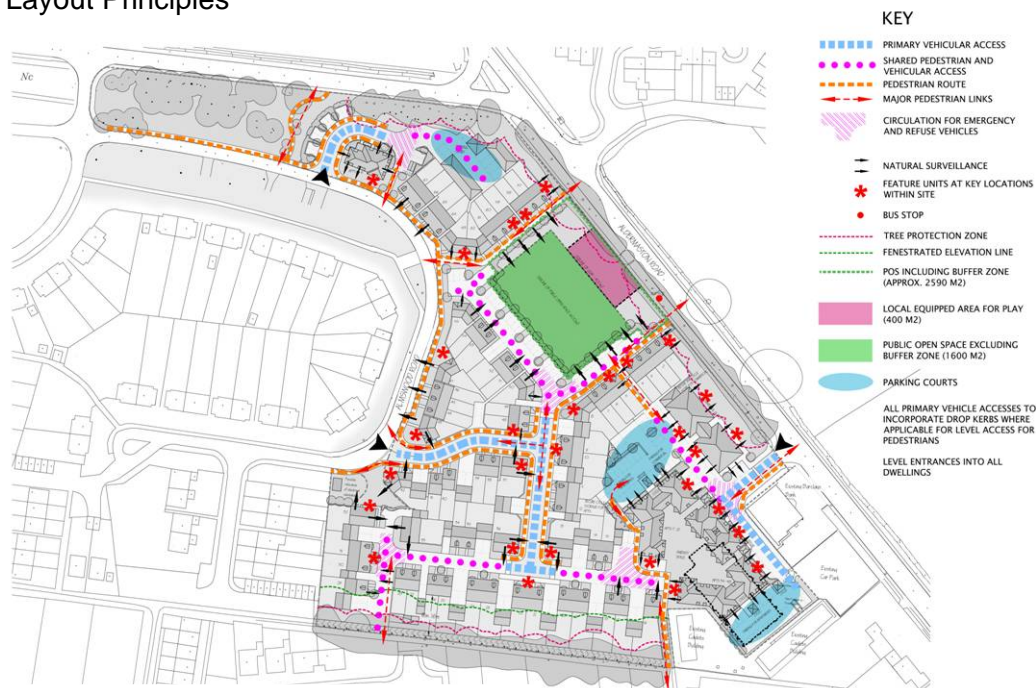
7.18. The appeal site lies within the settlement boundary of Tadley. It is located within close proximity to Tadley’s main retail facilities along the A340 and is immediately adjoined by the existing Barclays Bank fronting Aldermaston Road.

7.19. The proposed scheme would provide a series of key, well-surveyed pedestrian routes across the site from the surrounding residential areas to new commercial development and public open space within the application site as well as providing direct links to Aldermaston Road which supports Tadley’s main public transport thoroughfare and leads to existing community and retail facilities along the A340.

7.20. These factors influenced the allocation of the application site within the adopted Local Plan and confirm its appropriateness for redevelopment as a mixed use site.

Design and Layout

Layout Principles



Site layout strategy plan

7.21. In terms of design and layout of the proposed scheme:

- The overall layout is acceptable and would create an attractive environment which responds positively to the character and appearance of the surrounding area.
- The proposal achieves an appropriate design, density and scale, as required by relevant Development Plan policies and supporting guidance notes.
- The proposed dwellings would have adequate private amenity space and the proposal would not appear unduly cramped or contrived.
- The development is appropriate in terms of the scale and height of the proposed buildings. The 3-storey elements of the scheme (apartment blocks) are acceptable given their setback from the roadside, the fact that they would replace the existing cinema building which is of a considerable scale and the fact that they would be read as part of the whole development together with neighbouring structures such as Barclays Bank.
- With the proposed open space as a central feature, the development would maintain an open view through to Aldermaston Road creating a pleasant, legible environment with clear links through to the existing residential properties.
- The areas of hardstanding would be broken up by the built form proposed and, with the use of different surface materials and enhanced by appropriate low-level planting, would help to break up the visual bulk of these areas creating a well-planned and attractive layout.
- Proposed layout maintains all existing mature tree planting that encloses the site. The scheme respects defined tree protection zones along the north-eastern and southern site boundaries and maintains the existing copse of trees to the north-western tip of the site to give a protective buffer to both the proposed and existing housing whilst providing a secondary area of amenity space within the application site.
- The detailed matters required to ensure an appropriate design, such as hard and soft landscaping, can be adequately achieved by appropriate planning conditions.

Housing Mix

7.22. The proposed development would provide an appropriate housing mix, in accordance with Saved Policy C3 of the adopted Local Plan. The proposed mix is appropriate given the character and appearance of the area, which is predominantly detached and semi-detached family dwellings and the need to ensure that the proposed scheme reflects the character of the existing surrounding area. In addition, the application scheme is in accordance with the

provision of PPS3 which states that market housing should reflect the needs of the area and a desire for the provision of housing to meet the needs of families.

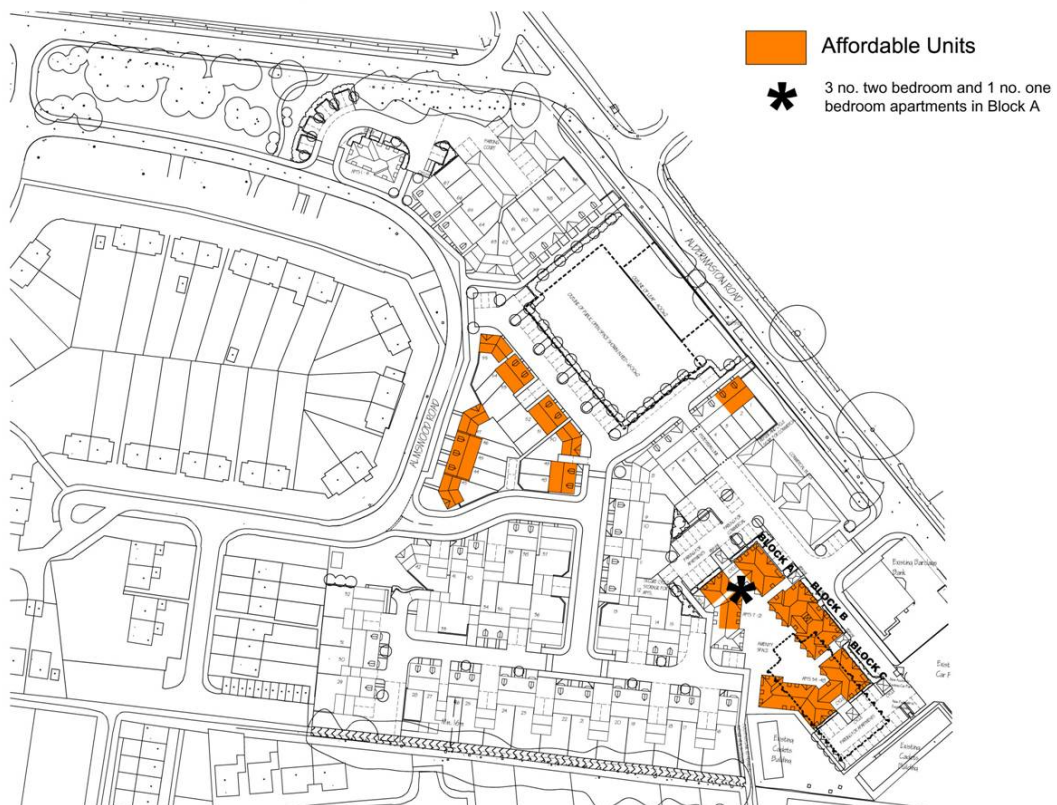
Affordable Housing Provision

7.23. The application scheme proposes the provision of 40% affordable housing (46 of the total 115 no. units), which is in accordance with the provisions of Saved Policy C2 of the adopted Local Plan. The mix of proposed of affordable housing is as follows:

AFFORDABLE HOUSING	
1 Bed Flat	10
2 Bed Flat	21
3 Bed House	11
4 Bed House	4
TOTAL	46

7.24. Affordable housing provision is to be secured through a Section 106 agreement.

7.25. The proposed tenure split of affordable housing (63% social rented and 37% shared ownership units) complies with the requirements of the Local Authority's Affordable Housing SPD.



Site layout showing the affordable units

7.26. The proposed location of affordable housing units within the development scheme is acceptable.

Impact on Character and Appearance of Surrounding Area

7.27. The Local Authority accepts that, in terms of the impact on the character and appearance of the surrounding area:

- The retained landscape features and proposed new planting would enhance the character of the area. Retention of the existing trees would help soften the visual impacts of the proposal when views from surrounding aspects.
- The proposed commercial block would sit comfortably within the application site, would be largely screened by the existing trees along this boundary and would not appear unduly imposing or detract from the character of the street scene.

Impact on Neighbouring Properties

7.28. It is not considered that the proposed development would cause harm to the amenities of any neighbouring properties external to the application site.

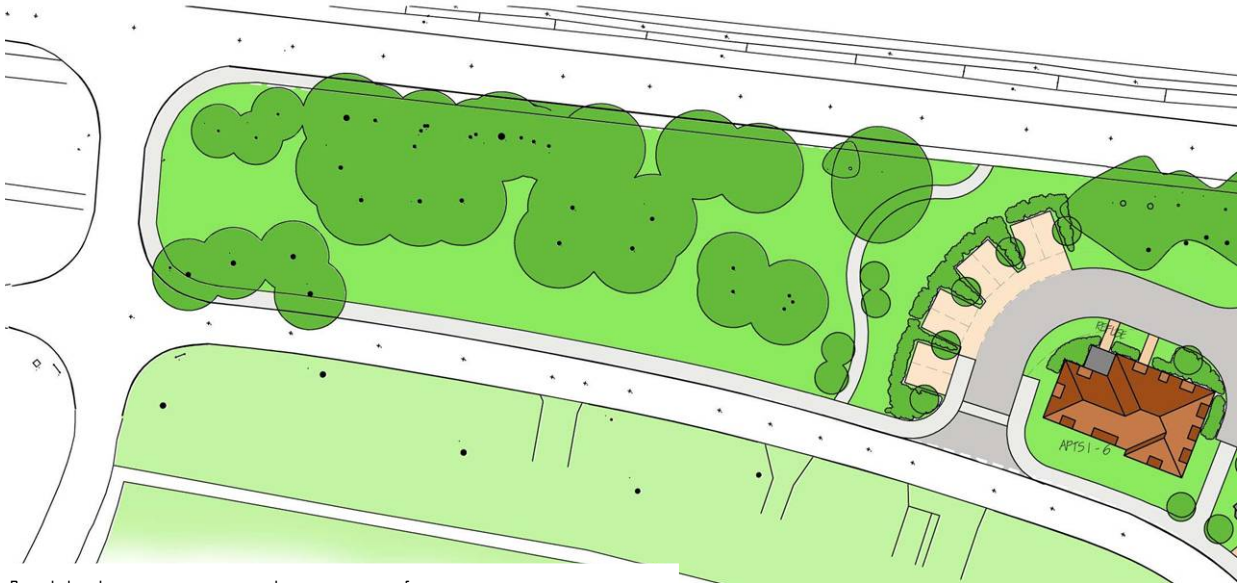
7.29. The proposed scheme would achieve the minimum 20m back-to-back distance between the existing and proposed dwellings and would not therefore cause harm to the amenities of these properties. Furthermore, given the separation distances between the proposed development and neighbouring properties, it is considered that there would not be any adverse overbearing or overshadowing as a result of the proposals.

7.30. The relationships between proposed dwellings within the site will not give rise to any residential amenity issues.

Public Open Space



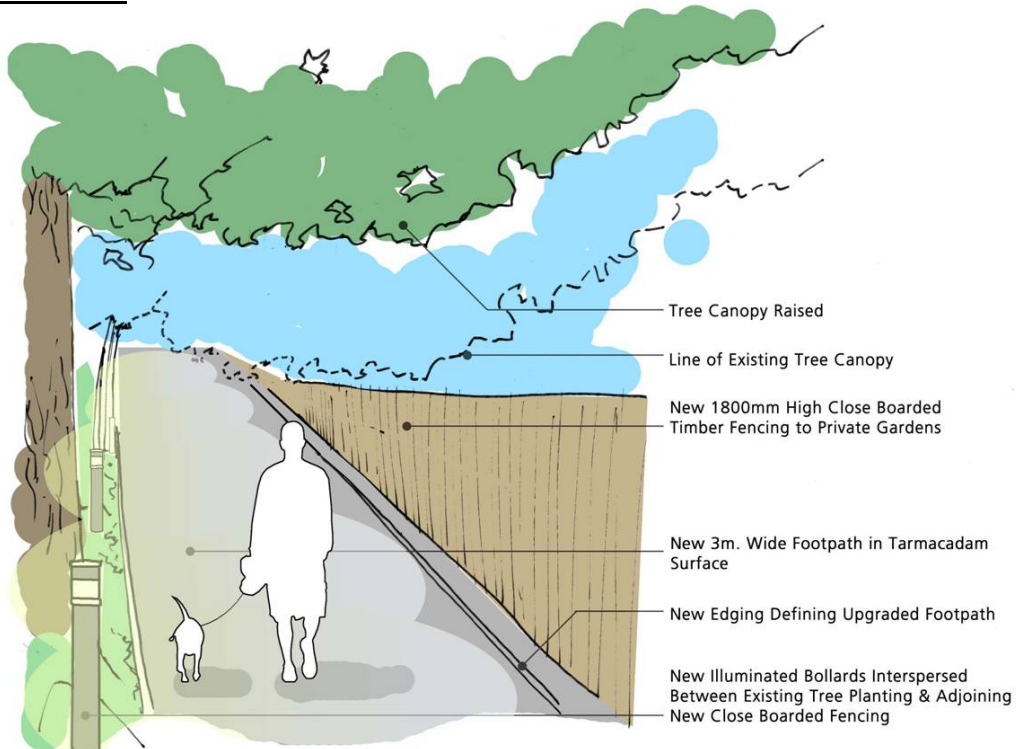
- 7.31. The proposal includes a 1600m² regular shaped kick about space together with a 400m² LEAP area both with their appropriate buffer zones of 10 and 20m respectively.
- 7.32. Central area of Public Open Space will form a key feature of the layout. The amenity space will be framed by the surrounding two-and-a-half storey terraced dwellings, set at right angles to Aldermaston Road, formally defining the amenity space. This will create good quality surveillance contributing towards creating a safer environment.
- 7.33. Open space along the Aldermaston Road frontage will be separated and screened by a retained line of mature trees from the road. This area will serve a dual purpose of providing extra informal open space and creating a soft landscape buffer/edge to the development along its entire northern and eastern edge.



Partial plan showing open space in north western corner of site

- 7.34. The north western edge comprises a larger area of open space, set amongst trees that will provide an attractive setting as well as usable open space for the proposed apartments (1-6).
- 7.35. The extent, location and quality of public open space provided with the scheme is of a significant high quality and value that reinforces the merits of the proposal and the overall quality of the residential scheme planned for this site.

Pedestrian Accesses



Sketch showing the improvements to the southern footpath

- 7.36. The existing footpath along the southern boundary of the site will be improved. Improvements will include its surface material, boundary treatments and lighting. The lighting strategy will include high level light columns at either end of the path with low level bollard lights in between.
- 7.37. This section of the path lies within the control of CALA Homes (South) Ltd. Detailed illustrations of the proposals for this aspect of the scheme were included as part of the public consultation meeting and were favorably received.
- 7.38. The proposed improvements will ensure that the path is successfully retained for the benefit of the local community. Surveillance of the footpath will be improved by the siting of the new dwellings to its immediate north.
- 7.39. The proposed layout allows for pedestrian movement through the site from Almswood Road to Aldermaston Road. Direct access to the central public open space and beyond to Aldermaston Road will be created.
- 7.40. The layout achieves a successful level of permeability enabling the scheme to be naturally integrated into the existing community of Tadley.
- 7.41. The quantity and quality of open space proposed is deemed to be acceptable by the Local Authority and would comply with policy requirements (Saved Policy C9 of the adopted Local Plan).

Landscaping, Tree, Ecology

It is agreed that:

- The retained landscape features and proposed new planting will enhance the character of the area.
- Natural England has been consulted and raises no objections to the proposed development subject to conditions.
- The Local Authority's Biodiversity Officer raises no objections to the application scheme subject to conditions.

Highways, Access and Car Parking

- 7.42. The County Highway Officer raises no highway objections to the proposed development, subject to the completion of a S106 agreement, planning conditions and Section 278 works. The Local Authority's Highway Officer has raised no highway objections, subject to a number of planning conditions.
- 7.43. The Local Authority has confirmed that the application scheme would provide an acceptable level of car parking and, subject to the retention of the garages for vehicular parking, would not result in unacceptable on-street parking or cause harm in terms of visual amenity. The Council has subsequently agreed a Residential Parking Supplementary Planning Document which if applied would require 198 spaces if 50% or more of the spaces were unallocated or 227 if less than 50% of the spaces were allocated. The development provides a total of 185 spaces. These higher figures are a result of the revised approach to parking and expected levels of car ownership at the site's location. The SPD figures would allow for more cars to be parked in defined parking spaces whereas at the lower 185 provision more cars could be parked on street.

The information in the revised transport assessment indicates that circumstances have not altered outside of the study parameters from 2007 and there is not a reason to suggest that the site would generate more traffic or have a higher parking demand now than two years ago. The application was considered through 2007 and into the first half of 2008 when the HCC/PPG13 derived parking figures applied. 185 parking spaces were accepted then with consideration of the site's location and access to services, employment and alternative transport. That principle can still be applied as parking can still be flexibly assessed and the current SPD refers to a 'requirement'; but not to 'maximum' or 'minimum'.

Whilst the provision of additional spaces above the 185 would be desirable, it is considered that the parking level of the proposal remains sufficient for its location, mindful of the sites reasonable access to employment, shopping and transport nodes. In addition the parking requirement gives no reduction for affordable housing.

Sustainable Construction and Design

- 7.44. The application scheme would provide an appropriate number of Lifetime Homes in the context of the area in which it sits and the predominance of certain dwelling types.
- 7.45. The dwellings have been designed to meet Code Level 3 – sustainable homes and represent a sustainable form of new build, consistent with the objectives of the South East Plan Policy NRM11. It is agreed that a condition to secure this is required.
- 7.46. In conclusion the proposed development is therefore in accordance with the provisions of Saved Policies E1, E6, C2, C3, C9, A1, A2, of the adopted Local Plan and National Policy set out in PPS3, 13, 17 and 25 as well as the Council's Tadley Design Statement SPG, Housing Mix and Lifetime Mobility Standards SPD, Residential Parking Standards SPD and Design and Sustainability SPD.

Reason for call in 3:

Whether any planning permission granted should be accompanied by any planning obligations under section 106 of the 1990 Act and, if so, whether the proposed terms of such obligations are acceptable.

S106 Contributions

- 7.47. Annexe B of Government Circular 05/2005 provides guidance in respect of planning obligations for new development. This guidance states that planning obligations must be;
- i. relevant to planning
 - ii. necessary to make the proposed development acceptable in planning terms
 - iii. directly related to the proposed development
 - iv. fairly and reasonably related in scale and kind to the proposed development
 - v. reasonable in all other respects.

This has been recently updated by the Community Infrastructure Levy Regulations 2010 which sets out that obligations will need to be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

- 7.48. Policy C1 of the BDBLP require developers to provide the infrastructure and community facilities necessary to allow the development to proceed where provision is

inadequate. Through the preparation of a S106 agreement, the application scheme will provide financial contributions, affordable housing and other community/infrastructure improvements, including open space provision, in accordance with the provisions of Saved Policies C1, C2 and C9 of the adopted Local Plan, the Local Authority's Supplementary Planning Guidance and the advice contained within Circular 05/2005.

7.49. As a result of the development proposed there will be a requirement for the following financial contributions and matters to be secured. The necessity, relevance and how it is related in scale and kind is set out within the Mrs Fenn-Tripp's (BDBC) Statement of Case. The Applicant has confirmed that they agree with the information set out within Mrs Fenn-Tripp's (BDBC) Statement of Case concerning the justification and relevance of Section 106 requirements.

- BEST contribution of £503,211 (£254,837.31 payable towards West Berkshire District Council)
- Landscaping Management Plan.
- Implementation of the scout hut granted under BDB 58871 with appropriate phasing/or off site contribution of £121,125
- Commuted sums towards the maintenance of the open space and play areas adopted by the Council.
- Requirement for the applicant to include the appropriate Emergency Response Requirement under the REPPIR Regulations within an overall resident pack which will be provided to every resident via the on-site Management Company.
- Playing fields contribution of £47,863
- Provision of kick about space and locally equipped area of play.
- Affordable housing.
- To secure a bonded or ESCROW account managed Travel Plan.

7.50. In conclusion the proposed development is therefore in accordance with the provisions of Saved Policies E1, C1, C2, C8 and C9, of the adopted Local Plan and National Policy set out in Circular 05/05 and the recent Community Infrastructure Levy Regulations as well as the Council's Affordable Housing SPD, Basingstoke and Deane Interim Guidance Section 106 Planning Obligations and Community Infrastructure and Basingstoke Environmental Strategy for Transport

Reason for call in 4:

The extent to which the proposed development is consistent with any emerging Development Plan Documents, including consideration of the weight to be attached to them.

- 7.51. As set out above, the proposal would comply with the National and Local Plan Policies and other relevant material considerations.
- 7.52. All parties agree that the revocation of the South East Plan and the recent changes to PPS3 concerning density and the removal of private residential land from the definition of previously development land make no material difference to the merits of this planning application.
- 7.53. There are no further issues to add under this particular reason for call in.

Reason for call in 5:

Whether there are any other material planning considerations relevant to the Secretary of State's consideration

Housing Requirement and Delivery of Affordable Housing

- 7.54. With the revocation of the South East Plan the council will need to agree what its future housing requirement should be and actions are in place to seek clarification in due course. This may not be ready for the Inspector's consideration. Notwithstanding this the need for housing and affordable housing within the Borough remains an important issue for the Borough Council. In addition the Council is still required to achieve a five year housing land supply. The below sets out the Council's position in respect to what was reported as part of the Annual Monitoring Purposes in December 2009.
- 7.55. The detailed assessment of the Council's 5 year housing land supply position as at 1 April 2009 was reported to the Council's Planning and Infrastructure Overview & Scrutiny Committee on 17 December 2009. A copy of the report is attached as Appendix 3. Using a 2 phase approach covering the period 2006- 2026, based on the South East Plan figure of 945 dwellings per annum, the Council has a supply of 4,132 units compared to a requirement of 4,125 units.,

Five Year Housing Land Supply Position

- 7.56. Appendix 1 of the Council's December 2009 AMR sets out a schedule of all of the sites relied upon in delivering housing completions. BDBC have assumed the following position for the likely rate of housing delivery:
- 7.57. BDBC's assessment includes an assumed delivery of 80 dwellings from this Site by 2014 and a further 20 (100 in total) by 2015. Failure to bring the Site forward for development now would further increase the shortfall against the five and six year SEP requirements.

Affordable Housing Delivery

7.58. Between 580 – 920 affordable units are needed per annum.

Source: Housing, Homelessness and Benefits Strategy, BDBC, and Strategic Housing Market Assessment November 2007

Table: Basingstoke and Deane Borough Affordable Housing Completions 2004/05 – 2008/09

Source	Year	No. of dwellings completed (net)	No. of affordable dwellings completed (net)	Affordable dwellings %	Affordable dwellings target %	Annual affordable housing need	Affordable shortfall
AMR 04/05	2004/05	886	277	31.3	20	534	257
AMR 05/06	2005/06	924	276	29.9	40	534	258
AMR 06/07	2006/07	728	281	38.6	40	580	299
AMR 07/08	2007/08	1,418	462	32.6	40	580	118
AMR 08/09	2008/09	1,302	540	41.5	40	580	40
	TOTAL (02/03 – 08/09)	5,258	1,836	34.9	-	2,808	972

7.59. There is a significant shortfall in meeting affordable housing needs within the Borough.

Affordable Housing Completions in Tadley

7.60. The affordable housing completions in Tadley since 1997/98 as follows:

Year	Site	No. of units
1997/1998	Pinks Lane, O'Bee Gardens, Tadley	48
1997/1998	Newchurch Road, Tadley	27
1998/1999	Nil	0
1999/2000	Nil	0
2000/2001	Nil	0
2001/2002	Bond Close/off Franklin Avenue, Tadley	6
2001/2002	West Street, Tadley	14
2001/2002	Halstead House, Tadley	15
2002/2003	Nil	0
2003/2004	Nil	0
2004/2005	Nil	0
2005/2006	Blakes Lane, Tadley	9
2006/2007	Nil	0
2007/2008	Nil	0
2008/2009	Nil	0
2009/2010	Nil	0
	TOTAL	119

Source Heike.wetzsteine @ Basingstoke email dated 27/4/2010

7.61. Significant under provision of affordable housing is occurring in Tadley, against an identified annual need for affordable houses in Tadley of 23 units (Rural Housing Strategy 2010). The application scheme will deliver 46 affordable units, a significant increase in provision.

7.62. The below is taken from the Council's Housing Needs Register:

Housing Need in Tadley as at 21 June 2010

Property Type	Transfer	General Needs	Totals
One Bedroom Flat	6	31	37
Two Bedroom Flat	1	9	10
One Bedroom Bungalow		10	10
Two Bedroom Bungalow	4	4	8
Two Bedroom House	2	14	16
Three Bedroom House	27	54	81
Four Bedroom House	5	5	10
Five Bedroom House		3	3
Sheltered	6	7	13
Totals	51	137	188

7.63. There is no other deliverable, available plan or project to meet either current or cumulative affordable needs in Tadley other than the application scheme.

7.64. The delivery of 46 affordable dwellings arising from the application proposal is therefore a material consideration in favour of releasing the application scheme now.

Local Environment and visual benefits of the development.

7.65 It is accepted that the current state of the site is unattractive and fails to contribute positively to the local character of the area. While only limited weight can be attached to this issue, given that the council has powers to seek to tidy the site if required, the development provides an opportunity to develop and enhance the site which would be of benefit to the local community. An attractive development as outlined by the application plans providing suitable and safe links through it would enhance the connectivity of this part of Tadley and provide new useable open space to the benefit of new and existing residents.

Reason for call in 6:

Whether any permission granted for the proposed development should be subject to any conditions and, if so, the form these should take

7.66. A list of recommended conditions is attached as Appendix 2.

.

7. AGREEMENT

1. Signed on behalf of the Applicant (CALA Homes (South) Ltd)

.....
.....

Name: Position: Date:
.....

2. Signed on behalf of the Local Authority (Basingstoke and Deane Borough Council)

.....
.....

Name: Position: Date:
.....

APPENDIX 1 – List of approved plans

<u>Plan Name/No</u>	<u>Received On</u>
Site Location Plan @ 1:1250	11th December 2007
12D	5th February 2008
29B	5th February 2008
28B	5th February 2008
26A	11th December 2007
27A	11th December 2007
3272-F-106	7th April 2008
11	28th November 2007
13B	5th February 2008
14B	5th February 2008
15B	5th February 2008
16A	5th February 2008
17B	5th February 2008
18A	5th February 2008
19A	5th February 2008
20B	5th February 2008
21A	5th February 2008
22B	5th February 2008
23B	5th February 2008
24B	5th February 2008
30	28th November 2007
31A	11th December 2007
32	28th November 2007
33B	7th April 2008
34	5th February 2008
Elevations 4B, 4C, 4D, 4A, 4, 3B, 3A, 2B, 2C, 3, 2, 2A, and 1, A1.	11th December 2007

APPENDIX 2 – List of recommended conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority:

<u>Plan Name/No</u>	<u>Received On</u>
Site Location Plan @ 1:1250	11th December 2007
12D	5th February 2008
29B	5th February 2008
28B	5th February 2008
26A	11th December 2007
27A	11th December 2007
3272-F-106	7th April 2008
11	28th November 2007
13B	5th February 2008
14B	5th February 2008
15B	5th February 2008
16A	5th February 2008
17B	5th February 2008
18A	5th February 2008
19A	5th February 2008
20B	5th February 2008
21A	5th February 2008
22B	5th February 2008
23B	5th February 2008
24B	5th February 2008
30	28th November 2007
31A	11th December 2007
32	28th November 2007
33B	7th April 2008
34	5th February 2008
Elevations 4B, 4C, 4D, 4A, 4, 3B, 3A, 2B, 2C, 3, 2, 2A, and 1, A1.	11th December 2007

REASON: For the avoidance of doubt and in the interests of proper planning.

- 2 The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and to prevent an accumulation of unimplemented planning permissions.

- 3 No development shall commence on site until samples of all the external materials to be used (including hard surfacing materials) have been submitted to and approved by the Local Planning Authority in writing. Development shall proceed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the visual amenities of the area in accordance with Policy E1 of the Local Plan.

- 4 Notwithstanding the approved plans, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of screen walls/fences/hedges to be erected. The approved screen walls/fences shall be erected before the building(s) hereby approved are first occupied in accordance with the approved details and shall subsequently be maintained unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenities of the area in accordance with Policy E1 of the Local Plan.
- 5 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Class A, B or C of Part 1 of Schedule 2 of the Order or Class A of Part 2 of Schedule 2 of the Order is permitted unless an application is submitted for that purpose to the Local Planning Authority.
REASON: In the interests of the character and appearance of the surrounding area and to prevent an over-development of these plots in accordance with Policy E1 of the Local Plan.
- 6 No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To protect the amenities of the occupiers of nearby properties during the construction period in accordance with Policy E1 of the Local Plan.
- 7 The proposed bathroom windows at first floor level shall be glazed with obscured glass and shall be permanently maintained in that condition unless otherwise agreed in writing by the Local Planning Authority.
REASON: To protect the privacy of the adjoining properties and to prevent overlooking in accordance with Policy E1 of the Local Plan.
- 8 The dwellings hereby permitted shall not be occupied until vehicle parking space has been constructed, surfaced and marked out and cycle parking constructed in accordance with the approved details; those facilities shall not thereafter be used for any purpose other than parking, loading and unloading of vehicles and parking of cycles.
REASON: In the interests of highway safety and sustainability in accordance with Policy E1 of the Local Plan.
- 9 No development shall take place on site until details of provision to be made for the parking and turning on site of operatives' and construction vehicles during the contract period together with storage on site of construction materials has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully implemented before development commences

and retained and used for the intended purpose for the duration of the construction period.

REASON: In the interests of highway safety and amenity in accordance with Policy E1 of the Local Plan.

- 10 No works shall take place on site until a measured survey of the site has been undertaken and a plan prepared to a scale of not less than 1:500 showing details of existing and intended final ground and finished floor levels from a specified bench mark has been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details.
REASON: To preserve the character of the area in accordance with Policy E1 of the Local Plan.

- 11 No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:-
- (a) a desk top study carried out by a competent person documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001;
- and, unless otherwise agreed in writing by the Local Planning Authority,
- (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as being appropriate by the desk study in accordance with BS10175:2001- Investigation of Potentially Contaminated Sites - Code of Practice;
- and, unless otherwise agreed in writing by the Local Planning Authority,
- (c) A detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.
- (d) If during any works contamination is encountered which has not been previously identified then the additional contamination shall be fully assessed and an appropriate remediation scheme, agreed in writing with the Local Planning Authority.
- Reason: To ensure any soil, gas or water contamination on the site is remediated to protect the proposed occupants of the application site and/or adjacent land in accordance with Policy E1 of the Local Plan.

- 12 The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 10(c) that any remediation scheme required and approved under the provisions of condition 10(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise;
- as built drawings of the implemented scheme;

- photographs of the remediation works in progress;
- Certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 10(c).

Reason: To ensure any soil, gas or water contamination on the site is remediated to protect the proposed occupants of the application site and/or adjacent land. There is an in filled pit adjacent to the site.

- 13 No deliveries of construction materials or plant and machinery shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays unless otherwise agreed in writing by the Local Planning Authority.
REASON: To protect the amenities of the occupiers of nearby properties during the construction period in accordance with Policy E1 of the Local Plan.
- 14 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping works which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted, the layout, contouring and surfacing of all open space areas. The works approved shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development whichever is the sooner, in accordance with a phased programme agreed with the Local Planning Authority in writing prior to commencement of planting. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
REASON: To improve the appearance of the site in the interests of visual amenity in accordance with Policy E1 of the Local Plan.
- 15 The commencement of the development shall not take place until a detailed scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
- (a) full details of noise mitigation measures, including window glazing and room ventilation provisions, of the dwellings which shall be used to achieve the good internal ambient noise levels within habitable rooms (bedrooms and living rooms) set out in Table 5 of BS8233:1999 and to achieve noise levels in the garden area/outdoor living space not exceeding 55dB(A) (16 hour free field).
- All works which form part of the approved scheme shall be implemented in full prior to the first occupation of any of the buildings hereby permitted.
REASON: To ensure a satisfactory form of development and to protect the amenities of occupiers in accordance with Policy E1 of the Local Plan.
- 16 No part of the development shall commence until the details of the highway works in Almswood Road and at the junction of Almswood Road and the A340 as shown coloured yellow in principle on drawing 29 Rev B have been submitted to and approved in writing by Local Planning Authority in consultation with the Highway

Authority. The approved works shall be implemented in full prior to the occupation of the dwellings/commercial units hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety in accordance with Policy E1 of the Local Plan.

- 17 Development shall not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, have been submitted to and approved by the Local Planning Authority. The approved scheme shall subsequently be implemented in accordance with the approved details before the development is completed unless otherwise agreed in writing by the Local Planning Authority.
REASON: To prevent the increased risk of flooding and to improve water quality in accordance with Policy E8 of the Local Plan.
- 18 Prior to the occupation of the dwellings/commercial block hereby approved, details of all external lighting and details of the timing of illumination shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed and be thereafter maintained in accordance with the approved details and agreed hours of illumination unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenities of the area and neighbouring occupiers in accordance with Policy E1 of the Local Plan.
- 19 The building shall be used only for B1 and for no other purpose whatsoever (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any statutory instrument revoking and re-enacting that Order with or without modification).
REASON: In the interests of highway safety and the amenities of the area/neighbouring occupiers in accordance with Policy E1 of the Local Plan..
- 20 No development shall take place on site until a method statement for works affecting trees (Arboricultural Method Statement) to include a Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and the agreed protection shall maintain in situ for the entire of the construction period unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that the trees to be retained are in a safe and healthy condition to the benefit of the local amenities and the enhancement of the development itself in accordance with Policy E1 and E6 of the Local Plan.
- 21 No development shall take place until details of a temporary turning area have been submitted to and approved by the Local Planning Authority. The turning area shall be provided concurrently with development in accordance with the approved details and the turning area shall be retained until such time as permanent turning areas are provided within the site.
REASON: To ensure satisfactory road access is provided in accordance with Policy E1 of the Local Plan in accordance with Policy E1 of the Local Plan.
- 22 Prior to the commencement of development a temporary 2m high perimeter fence

shall be erected in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully implemented before development commences and retained for the duration of the construction period unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety in accordance with Policy E1 of the Local Plan.

- 23 Details of the width, alignment, gradient and type of construction proposed for the roads, footways, paths and accesses, including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels, together with details of visibility splays, signage and the method of disposing of surface water shall be submitted to and approved in writing by the Local Planning Authority before development is commenced. The agreed details shall be implemented before occupation of the dwellings and commercial building.
REASON: To ensure that the roads construction specification meets a satisfactory standard in accordance with Policy E1 of the Local Plan.
- 24 The dwellings and commercial buildings hereby permitted shall not be occupied until the provision for the turning of vehicles, parking of vehicles and the secure storage of bicycles has been made in compliance with the approved drawings. The areas of land provided for these uses shall not be used for any other purposes than parking, storage of bicycles and turning.
REASON: In the interest of highway safety and to make proper provision for off-street parking in accordance with Policy E1 of the Local Plan.
- 25 All garages constructed shall not be converted or used for any residential purpose other than as a domestic garage for the parking of vehicles.
REASON: To ensure adequate on-site parking provision for the approved dwellings and to discourage parking on the adjoining highway in the interests of local amenity and highway safety in accordance with Policy E1 of the Local Plan.
- 26 The accesses shall be provided with splays to the highway at an angle of 45 degrees for a distance of 2 metres unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of highway safety in accordance with Policy E1 of the Local Plan.
- 27 No gates shall be installed at the accesses to the site hereby approved at any time.
REASON: To prevent the obstruction of the highway by vehicles entering the site in accordance with Policy E1 of the Local Plan.
- 28 On completion and first use of the approved accesses, the former accesses from Aldermaston Road (west) and Almswood Road shall be permanently closed and

reinstated in accordance with details to be submitted and approved by the Local Planning Authority in consultation with the Local Highway Authorities.
 REASON: In the interests of highway safety and amenity in accordance with Policy E1 of the Local Plan.

- 29 No pedestrian or vehicular access other than that shown on the approved plans shall be formed to the site.
REASON: In the interests of highway safety in accordance with Policy E1 of the Local Plan.
- 30 Prior to the development being brought into use the footway / cycleway fronting the site along the A340 Mulfords Hill, southwards from the Falcon Gyratory to the existing site access shall be provided with dropped kerbs and tactile paving across the existing access. The works shall be constructed in accordance with drawings that shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of road safety and to ensure adequate and unobstructed provision for pedestrians and/or cyclists in accordance with Policy E1 of the Local Plan and Policies OVS.2, OVS.3 and TRANS.1 of the West Berkshire District Local Plan 1991-2006.

The dwellings shall achieve Code Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

REASON: In the interests of sustainable development and to ensure that the development is constructed to the required environmental standard in accordance with Policy C3 of the Basingstoke and Deane Borough Local Plan 1996-2011 and advice contained in Appendix 5 of the Design and Sustainability SPD.

15% of the dwellings hereby approved shall be built to lifetime mobility standards.
 REASON: In the interests of providing a sustainable community in accordance with Policy C3 of the Basingstoke and Deane Borough Local Plan 1996-2011 and advice contained in the 'The Housing Mix and Lifetime Homes SPD'.

APPENDIX 3 – List of Core Planning documents

1. BOUNDARY HALL, TADLEY VOLUME 1 ENVIRONMENTAL STATEMENT, INCLUDING APPENDICES VOLUMES 2A AND 2B, JUNE 2010.
2. PLANNING APPLICATION PLANS, SUPPORTING DOCUMENTATION AND PLANNING OFFICERS REPORTS.
3. BASINGSTOKE AND DEANE LOCAL PLAN (ADOPTED JULY 2006).
4. SAVED POLICIES FROM THE BASINGSTOKE AND DEANE LOCAL PLAN – GOSE – 30th JUNE 2009.
5. BASINGSTOKE AND DEANE ANNUAL MONITORING REPORT (DECEMBER 2009).
6. SOUTH EAST PLAN (MAY 2009).
7. DESIGN AND SUSTAINABILITY SPD (SEPTEMBER 2008) (Relevant extracts only):
 - Overarching Introduction document;
 - Appendix 5 Construction Statement;
 - Appendix 6 Waste and recycling;
 - Appendix 7 Places to live:
8. AFFORDABLE HOUSING SPD (JULY 2007) (AS REPLACED BY PPS3).
9. HOUSING MIX AND LIFETIME MOBILITY STANDARDS SPD (JUNE 2007).
10. LANDSCAPE AND BIODIVERSITY SPD (JUNE 2009).
11. RESIDENTIAL PARKING STANDARDS (JULY 2008).
12. TADLEY DESIGN STATEMENT SPG (APRIL 2004).
13. BASINGSTOKE & DEANE EMPLOYMENT LAND REVIEW (JANUARY 2009).
14. SECTION 106 PLANNING OBLIGATIONS AND COMMUNITY INFRASTRUCTURE SPD (APRIL 2006).
15. BOUNDARY HALL SITE DEVELOPMENT BRIEF (1996).
16. DEVELOPMENT FRAMEWORK DOCUMENT: BOUNDARY HALL SITE, TADLEY (2004).
17. RAM BREWERY, WANDSWORTH INQUIRY INSPECTOR'S REPORT AND SECRETARY OF STATE'S DECISION LETTER REF: APP/H5960/V/09/2099671, 20995, 2099698 AND 0299572 DATED 30TH JUNE 2010.
18. BRIT OVAL INQUIRY INSPECTOR'S REPORT AND SECRETARY OF STATE'S DECISION LETTER (APP/N5660/V/081203001 DATED 8TH JUNE 2009).

19. ERECTION OF SCOUT'S DEN AT SOUTHDOWN PLAYING FIELDS, SOUTHDOWN ROAD, TADLEY APPLICATION NO. BDB71012, APPLICATION PLANS, PLANNING OFFICER'S REPORT AND DECISION NOTICE DATED 21ST SEPTEMBER 2009.
20. GOSE CALL IN LETTER DATED 4th MARCH 2010
21. BOROUGH HOUSING MARKET ASSESSMENT FOR CENTRAL HAMPSHIRE NEW FOREST (NOVEMBER 2007).
22. HOUSING MARKET ASSESSMENT UPDATE FOR CENTRAL HAMPSHIRE NEW FOREST (DECEMBER 2008).
23. 2008-2011 HOUSING STRATEGY FOR BASINGSTOKE AND DEANE BOROUGH COUNCIL.
24. BASINSTOKE AND DEANE BOROUGH RURAL HOUSING STUDY 2010.
25. EMAIL HEIKE WETZSTEIN, BASINGSTOKE AND DEANE BOROUGH COUNCIL REGARDING AFFORDABLE HOUSING COMPLETIONS IN THE TADLEY AREA SINCE 1997/1998 DATED 27TH APRIL 2010.
DLGC LETTER DATED 6TH JULY 2010 REGARDING THE REVOCATION OF SOUTH EAST PLAN.
26. PLANNING AND INFRASTRUCTURE OVERVIEW AND SCRUTINY COMMITTEE DATE 17TH DECEMBER 2009. – Annual Housing Land Position Report and Annual Monitoring Report.
27. GOSE LETTER TO BASINGSTOKE AND DEANE BOROUGH COUNCIL REGARDING 5-YEAR HOUSING LAND SUPPLY CALCULATION METHODOLOGY DATED 26TH APRIL 2010.
28. WORTING FARM PLANNING APPLICATION OFFICER'S REPORT (APPLICATION BDB71886) DATED 12TH MAY 2010 AND OFFICER UPDATE REPORT.
29. BASINGSTOKE AND DEANE BOROUGH COUNCIL ISSUES AND OPTIONS PAPER 2008.
30. BASINGSTOKE AND DEANE BOROUGH COUNCIL KEY THEMES PAPER 2010.

APPENDIX 4 – Council’s Planning and Infrastructure Overview & Scrutiny Committee on 17 December 2009.

APPENDIX 5 – Section 106 Agreement

APPENDIX 6 – Rebecca Fenn-Tripp’s Proof of Evidence in respect of Planning Obligations on behalf of Basingstoke and Deane Borough Council